COVID-19 NOTICE

As part of the City of Arcadia’s COVID-19 transmission mitigation efforts, Arcadia City Council Meetings are closed to the public. Pursuant to Executive Order N-25-20 and the Brown Act, the Arcadia City Council will meet virtually. The public is welcome to view City Council Meetings as they take place on the City’s website at ArcadiaCA.gov/livegov or on ACTV (check your local listings).

How to Submit Public Comment:
Citizens who wish to submit public comment may do so using one of the following methods. Public comment is limited to the time and words allotted.

1. **Website:** Use our online public comment form at ArcadiaCA.gov/comment at least 30 minutes prior to the posted meeting time. Your comments should be 300 words or less.

2. **Email:** Please submit your comments via email to cityclerk@ArcadiaCA.gov so that it is received at least 30 minutes prior to the posted meeting time. Your email must be 300 words or less.

3. **Phone:** A conference line has been established for public comment. Your call will be recognized in the order it was received. Please keep your phone on MUTE until you are recognized for public comment.

   **Conference Line:** (669) 224-3412  
   **Access Code:** 604-838-893#

Please contact the City Clerk’s Office at cityclerk@ArcadiaCA.gov or at (626) 574-5455 for more information.
2019年新型冠状病毒（COVID-19）通知

作为阿凯迪亚市减轻COVID-19传播工作的一部分，阿凯迪亚市议会会议不对公众开放。根据第N-25-20号行政命令和《布朗法案》的规定，阿凯迪亚市议会将以虚拟方式召开。欢迎公众在市政府网站ArcadiaCA.gov/livegov或ACTV上查看市议会会议（请查看地方频道列表）。

如何提交公众评论意见：
希望提交公众评论意见的公民可使用下列方法之一。公众评论意见受时间和字数限制。

1. 网站：请在公布会议时间前至少提前30分钟填写ArcadiaCA.gov/comment网站上的在线公众评论意见表。您的评论意见不得超过300个字。

2. 电子邮件：请通过向cityclerk@ArcadiaCA.gov发送电子邮件的方式提交您的评论意见，我们必须在公布会议时间前至少提前30分钟收到提交的评论意见。您的电子邮件不得超过300个字。

3. 电话：已经为公众提交评论意见设立一条会议专线。将按先后顺序接听您打来的电话。您应当将您的电话设为“静音”，直至轮到您提出评论意见。

    会议专线：(669) 224-3412
    接入代码：604-838-893#

详情请洽市书记官办公室，电子邮件cityclerk@ArcadiaCA.gov，电话号码(626) 574-5455。

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the City Clerk at (626) 574-5455. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

根据《美国残障人法案》，需要调整或提供便利设施才能参加会议的残障人士（包括辅助器材或服务）可与市书记官办公室联系（电话：626-574-5455），请在会前48小时通知市书记官办公室，以便作出合理安排，确保顺利参加会议。

Pursuant to the City of Arcadia’s Language Access Services Policy, limited-English proficient speakers who require translation services in order to participate in a meeting may request the use of a volunteer or professional translator by contacting the City Clerk’s Office at (626) 574-5455 at least 72 hours prior to the meeting.

根据阿凯迪亚市的语言便利服务政策，英语能力有限并需要翻译服务才能参加会议的人可与市书记官办公室联系（电话：626-574-5455），请求提供志愿或专业翻译服务，请至少在会前72小时提出请求。

1. CALL TO ORDER

2. INVOCATION

    Reverend Eva Thai-Erwin, Church of the Good Shepherd

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL OF CITY COUNCIL MEMBERS

    Roger Chandler, Mayor
    Sho Tay, Mayor Pro Tem
    Tom Beck, Council Member
    Paul P. Cheng, Council Member
    April A. Verlato, Council Member
5. REPORT FROM CITY ATTORNEY REGARDING CLOSED/STUDY SESSION ITEMS

6. SUPPLEMENTAL INFORMATION FROM CITY MANAGER REGARDING AGENDA ITEMS

7. MOTION TO READ ALL ORDINANCES AND RESOLUTIONS BY TITLE ONLY AND WAIVE THE READING IN FULL

8. PRESENTATIONS
   a. Brief legislative update by Senator Susan Rubio, particularly regarding the statewide eviction moratorium and SB91.
   b. Presentation by the San Gabriel Valley Council of Governments ("SGVCOG") recognizing the City of Arcadia for Gold Tier Achievement in the Energy Champion Awards.

9. PUBLIC HEARING
In accordance with Executive Order N-29-20 all public participation will be conducted virtually. Comments on a public hearing item can be submitted via the methods described in the COVID-19 Notice posted on this agenda. Under the Brown Act, the City Council is prohibited from discussing or taking action on any item not listed on the posted agenda.
   a. Direct the Los Angeles County Agricultural Commissioner to abate nuisances upon those properties located in the City of Arcadia and approve the Annual Weed Abatement Property list.
      Recommended Action: Approve

10. PUBLIC COMMENTS (5 minute time limit each speaker)
In accordance with Executive Order N-29-20 all public participation will be conducted virtually. Public comments can be submitted via the methods described in the COVID-19 Notice posted on this agenda. Under the Brown Act, the City Council is prohibited from discussing or taking action on any item not listed on the posted agenda.

11. REPORTS FROM MAYOR, CITY COUNCIL AND CITY CLERK (including reports from the City Council related to meetings attended at City expense [AB 1234]).

12. CONSENT CALENDAR
All matters listed under the Consent Calendar are considered to be routine and can be acted on by one roll call vote. There will be no separate discussion of these items unless a member of the City Council, staff, or the public requests that a specific item be removed from the Consent Calendar for separate discussion and action.
      Recommended Action: Approve
b. Ordinance No. 2374 amending Chapter 9 of Article VII of the Arcadia Municipal Code relating to camping and storage of personal property on public property and determining the Ordinance is categorically exempt under the California Environmental Quality Act ("CEQA").
Recommended Action: Adopt

c. Resolution No. 7352 amending the Fiscal Year 2020-21 General Fund Budget authorizing a supplemental appropriation in the Fire Department Account in the amount of $30,250, offset by a reduction in the Emergency Reserve Fund, and approving a Change Order to the Purchase Order with Medical Diagnostic Laboratory, LLC.
Recommended Action: Adopt and Approve

d. Accept all work performed by Clean Cut Landscape, Inc. for the Final Phase of the Median Turf Reduction Program as complete.
Recommended Action: Approve

13. CITY MANAGER

a. San Gabriel Valley Emergency Shelter Pilot Program.
   Recommended Action: Provide Direction

b. Presentation of the General Fund Fiscal Year 2020-21 Mid-Year Budget Review.
   Recommended Action: Receive and File


14. ADJOURNMENT

The City Council will adjourn this meeting in memory of Manny Romero, owner of Rod’s Grill and long-time Arcadia resident Larry Vanni to Tuesday, March 2, 2021, 5:00 p.m. in the City Council Conference room.
Welcome to the Arcadia City Council Meeting!

The City Council encourages public participation, and invites you to share your views on City business.

MEETINGS: Regular Meetings of the City Council are held on the first and third Tuesday of each month at 7:00 p.m. in City Council Chambers. A full City Council agenda packet with all backup information is available at City Hall, the Arcadia Library, and on the City’s website at www.ArcadiaCA.gov. Copies of individual Agenda Reports are available via email upon request (CityClerk@ArcadiaCa.gov). Documents distributed to a majority of the City Council after the posting of this agenda will be available for review at the Office of the City Clerk, 240 W. Huntington Drive, Arcadia, California. Live broadcasts and replays of the City Council Meetings are on cable television. Your attendance at this public meeting may result in the recording and broadcast of your image and/or voice as previously described.

CITIZEN PARTICIPATION: Your participation is welcomed and invited at all City Council meetings. Time is reserved at each regular meeting for those in the audience who wish to address the City Council. The City requests that persons addressing the City Council refrain from making personal, slanderous, profane, or disruptive remarks. Where possible, please submit a Speaker Card to the City Clerk prior to your comments, or simply come to the podium when the Mayor asks for those who wish to speak, and state your name and address (optional) for the record. Please provide the City Clerk with a copy of any written materials used in your address to the City Council as well as 10 copies of any printed materials you would like distributed to the City Council. The use of City equipment for presentations is not permitted.

MATTERS NOT ON THE AGENDA should be presented during the time designated as “PUBLIC COMMENTS.” In general, each speaker will be given five (5) minutes to address the City Council; however, the Mayor, at his/her discretion, may shorten the speaking time limit to allow all speakers time to address the City Council. By State law, the City Council may not discuss or vote on items not on the agenda. The matter will automatically be referred to staff for appropriate action or response or will be placed on the agenda of a future meeting.

MATTERS ON THE AGENDA should be addressed when the City Council considers that item. Please indicate the Agenda Item Numbers(s) on the Speaker Card. Your name will be called at the appropriate time and you may proceed with your presentation within the five (5) minute time frame. The Mayor, at his/her discretion, may shorten the speaking time limit to allow all speakers to address the City Council.

PUBLIC HEARINGS AND APPEALS are items scheduled for which public input is either required or desired. Separate and apart from the applicant (who may speak longer in the discretion of the City Council), speakers shall be limited to five (5) minutes per person. The Mayor, at his/her discretion, may shorten the speaking time limit to allow all speakers to address the City Council. The applicant may additionally submit rebuttal comments.

AGENDA ITEMS: The Agenda contains the regular order of business of the City Council. Items on the Agenda have generally been reviewed and investigated by the City Staff in advance of the meeting so that the City Council can be fully informed about a matter before making its decision.

CONSENT CALENDAR: Items listed on the Consent Calendar are considered to be routine by the City Council and will be acted upon by one motion. There will be no separate discussion on these items unless a member of the City Council, Staff, or the public so requests. In this event, the item will be removed from the Consent Calendar and considered and acted on separately.

DECORUM: While members of the public are free to level criticism of City policies and the action(s) or proposed action(s) of the City Council or its members, members of the public may not engage in behavior that is disruptive to the orderly conduct of the proceedings, including but not limited to, conduct that prevents other members of the audience from being heard when it is their opportunity to speak or which prevents members of the audience from hearing or seeing the proceedings. Members of the public may not threaten any person with physical harm or act in a manner that may reasonably be interpreted as an imminent threat of physical harm. All persons attending the meeting are expected to adhere to the City’s policy barring harassment based upon a person’s race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, gender, sexual orientation, or age. The Chief of Police, or such member or members of the Police Department, shall serve as the Sergeant-at-Arms of the City Council meeting. The Sergeant-at-Arms shall carry out all orders and instructions given by the presiding official for the purpose of maintaining order and decorum at the meeting. Any person who violates the order and decorum of the meeting may be placed under arrest and such person may be prosecuted under the provisions of Penal Code Section 403 or applicable Arcadia Municipal Code section.
欢迎参加阿凯迪亚市议会会议！

市议会鼓励公众参与，并邀请您分享对城市管理的看法。

会议：市议会定期会议于每个月第一个和第三个星期二下午七时在市议会会议厅举行。在市政厅、阿凯迪亚图书馆和市政府网站（www.ArcadiaCa.gov）可以找到包含所有相关信息的完整市议会会议。在市政厅、阿凯迪亚图书馆和市政府网站（CityClerkGeneralMailbox@ArcadiaCa.gov）。会议于后向市议会多数成员发分的文件，公众可在阿凯迪亚市图书馆查阅，地址：240 W. Huntington Drive, Arcadia, California。市议会会议实况将通过有线电视进行现场直播和回放。如在以往的通知中所提示，如果您参加这次公开会议，您的图像和/或声音可能被录下并播出。

公民参与：市议会欢迎并邀请您参加市议会的所有会议。在每次定期会议上都为那些希望在会上发言的市民留出时间。市议会要求在市议会发言的人杜绝个人攻击、诽谤、亵渎或破坏性言论。如有可能，请在发表意见之前向市书记官提交一张发言卡，亦可在市长宣布自由发言时直接上台发言，并说出您的姓名和地址（如果您愿意），以便制作会议记录。市书记官提供一份您在发言中使用的任何书面材料，以及10份您希望分发给市议会的任何印刷材料。允许把市府设备用于准备发言内容。公民参与：市议会欢迎并邀请您参加市议会的所有会议。在每次定期会议上都为那些希望在会上发言的市民留出时间。市议会要求在市议会发言的人杜绝个人攻击、诽谤、亵渎或破坏性言论。如有可能，请在发表意见之前向市书记官提交一张发言卡，亦可在市长宣布自由发言时直接上台发言，并说出您的姓名和地址（如果您愿意），以便制作会议记录。市书记官提供一份您在发言中使用的任何书面材料，以及10份您希望分发给市议会的任何印刷材料。不允许把市府设备用于准备发言内容。公民参与：市议会欢迎并邀请您参加市议会的所有会议。在每次定期会议上都为那些希望在会上发言的市民留出时间。市议会要求在市议会发言的人杜绝个人攻击、诽谤、亵渎或破坏性言论。如有可能，请在发表意见之前向市书记官提交一张发言卡，亦可在市长宣布自由发言时直接上台发言，并说出您的姓名和地址（如果您愿意），以便制作会议记录。市书记官提供一份您在发言中使用的任何书面材料，以及10份您希望分发给市议会的任何印刷材料。不允许把市府设备用于准备发言内容。公民参与：市议会欢迎并邀请您参加市议会的所有会议。在每次定期会议上都为那些希望在会上发言的市民留出时间。市议会要求在市议会发言的人杜绝个人攻击、诽谤、亵渎或破坏性言论。如有可能，请在发表意见之前向市书记官提交一张发言卡，亦可在市长宣布自由发言时直接上台发言，并说出您的姓名和地址（如果您愿意），以便制作会议记录。市书记官提供一份您在发言中使用的任何书面材料，以及10份您希望分发给市议会的任何印刷材料。不允许把市府设备用于准备发言内容。公民参与：市议会欢迎并邀请您参加市议会的所有会议。在每次定期会议上都为那些希望在会上发言的市民留出时间。市议会要求在市议会发言的人杜绝个人攻击、诽谤、亵渎或破坏性言论。如有可能，请在发表意见之前向市书记官提交一张发言卡，亦可在市长宣布自由发言时直接上台发言，并说出您的姓名和地址（如果您愿意），以便制作会议记录。市书记官提供一份您在发言中使用的任何书面材料，以及10份您希望分发给市议会的任何印刷材料。不允许把市府设备用于准备发言内容。公民参与：市议会欢迎并邀请您参加市议会的所有会议。在每次定期会议上都为那些希望在会上发言的市民留出时间。市议会要求在市议会发言的人杜绝个人攻击、诽谤、亵渎或破坏性言论。如有可能，请在发表意见之前向市书记官提交一张发言卡，亦可在市长宣布自由发言时直接上台发言，并说出您的姓名和地址（如果您愿意），以便制作会议记录。市书记官提供一份您在发言中使用的任何书面材料，以及10份您希望分发给市议会的任何印刷材料。不允许把市府设备用于准备发言内容。
DATE: February 16, 2021

TO: Honorable Mayor and City Council

FROM: Dominic Lazzaretto, City Manager
By: Linda Rodriguez, Assistant City Clerk

SUBJECT: DIRECT THE LOS ANGELES COUNTY AGRICULTURAL COMMISSIONER TO ABATE NUISANCES UPON THOSE PROPERTIES LOCATED IN THE CITY OF ARCADIA AND APPROVE THE ANNUAL WEED ABATEMENT PROPERTY LIST
Recommendation: Approve

SUMMARY

On February 2, 2021, the City Council adopted Resolution No. 7351 declaring its intent to abate weeds, brush, rubbish and refuse from various private properties within the City, and scheduled February 16, 2021, as the time and place to hear objections from the owners of such properties to the proposed removal of flammable and otherwise noxious material.

As required by the California Government Code, the Los Angeles County Agricultural Commissioner (“County”) mailed public hearing notices to all affected property owners. The attached Exhibit “A” identifies the properties requiring weed abatement by street address, or the general location, if a street number has not been assigned.

Representatives from the Los Angeles County Architectural Commissioner office will be present to address questions the City Council may have regarding this matter.

ENVIRONMENTAL IMPACT

This action does not require an environmental determination, as it is not considered a project under the California Environmental Quality Act (“CEQA”).
FISCAL IMPACT

There is no fiscal impact to the General Fund as a result of the County abating and removing nuisances from those properties located in the City of Arcadia. Charges are assessed directly to property owners who have their properties abated by the County.

RECOMMENDATION

It is recommended that the City Council find that the proposed action does not constitute a project under the California Environmental Quality Act; and direct the Los Angeles County Agricultural Commissioner to abate nuisances upon those properties located in the City of Arcadia and approve the Annual Weed Abatement Property List.

Attachment: Exhibit “A” – County Declaration Property List
### Exhibit "A"

**2021**

**LOS ANGELES COUNTY DECLARATION LIST**

**CITY OF ARCADIA**

KEY OF 7, CITY CODE 035 (UNIMPROVED)

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<th>PARCEL</th>
<th>LOCATION</th>
<th>OWNER</th>
<th>MAILING ADDRESS</th>
<th>CITY/STATE</th>
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<td>335 N BERRY ST</td>
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<td>NEVIS CAPITAL LLC</td>
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<td>92821</td>
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<tr>
<td>5771 001 902</td>
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<td>FLOOD MAINTENANCE DIVISION</td>
<td>900 S. FREMONT AVENUE</td>
<td>ALHAMBRA CA</td>
<td>91803</td>
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<td>5773 007 009</td>
<td>153 E SANTA CLARA ST</td>
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<td>ARCADIA CA</td>
<td>91006</td>
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<td>8573 024 006</td>
<td>128 E LIVE OAK AVE</td>
<td>NORTH AMERICA DONGHENG HOLDING INC</td>
<td>411 E HUNTINGTON DR STE 107</td>
<td>ARCADIA CA</td>
<td>91006</td>
</tr>
</tbody>
</table>

**TOTAL RECORDS** 18
CALL TO ORDER – Mayor Chandler called the Closed Session to order at 6:02 p.m.

ROLL CALL OF CITY COUNCIL MEMBERS

PRESENT: Beck, Cheng, Verlato, Tay, and Chandler
ABSENT: None

PUBLIC COMMENTS – No public comments were received.

CLOSED SESSION

a. Pursuant to Government Code Section 54956.9 (d)(1) to confer with legal counsel regarding the matter of the City of Arcadia vs. The Dow Chemical Company; Dow Agrosciences LLC; Shell Oil Company, et al., United States District Court, Central District (Case No. 2:18-cv-10139).

No reportable action was taken on the Closed Session Item.

The Closed Session ended at 6:20 p.m.

Regular Meeting
City Council Chamber, 7:00 p.m.

1. CALL TO ORDER – Mayor Chandler called the regular meeting to order at 7:02 p.m.

2. INVOCATION – Secretary Riaz Khan, Mosque of San Gabriel

3. PLEDGE OF ALLEGIANCE – City Manager Lazzaretto

4. ROLL CALL OF CITY COUNCIL MEMBERS

PRESENT: Beck, Cheng, Verlato, Tay, and Chandler
ABSENT: None

5. REPORT FROM CITY ATTORNEY REGARDING CLOSED/STUDY SESSION ITEMS

City Attorney Deitsch announced that prior to the regular meeting the City Council met in a Closed Session to consider the one item listed on the posted agenda and indicated that no reportable action taken.

6. SUPPLEMENTAL INFORMATION FROM CITY MANAGER REGARDING AGENDA ITEMS

City Manager Lazzaretto announced that citizens who wish to submit public comments may do so by calling the conference line; he stated that several emails were received regarding Consent Calendar Item 13.d (Arcadia Par 3 Golf Course); and that at the request of Mayor Chandler, this item will be moved for further discussion after Public Hearing Item 9.a.
7. **MOTION TO READ ALL ORDINANCES AND RESOLUTIONS BY TITLE ONLY AND WAIVE THE READING IN FULL**

A motion was made by Council Member Beck, and seconded by Mayor Chandler, to read all ordinances and resolutions by title only and waive the reading in full.

8. **PRESENTATIONS**

   a. Downtown Arcadia Improvement Association “Year in Review” presentation by Donna Choi.

9. **PUBLIC HEARING**

   a. Resolutions setting City Water and Sewer Rates for Calendar Years 2021 through 2025.

   Senior Management Analyst Mercado presented the staff report.

   Mayor Chandler opened the Public Hearing.

   City Manager Lazzaretto read into the record the following email submitted for Public Hearing Item 9.a:

   Bessie Politis: Opposed to the proposed Water and Sewer Rates; and asked the City Council to reconsider this item in 2022.

   Mayor Chandler made a motion to close the Public Hearing; the City Council concurred.

   Resolution No. 7348 setting City water rates and finding the rates will not exceed the estimated amount necessary to fund the operation of the City water system for calendar years 2021 through 2025.
   Recommended Action: Adopt

   A motion was made by Council Member Verlato, seconded by Council Member Beck, and carried on a roll call vote to adopt Resolution No. 7348 setting City water rates and finding the rates will not exceed the estimated amount necessary to fund the operation of the City water system for calendar years 2021 through 2025.

   **AYES:** Verlato, Beck, Cheng, Tay, and Chandler
   **NOES:** None
   **ABSENT:** None

   Resolution No. 7349 setting City sewer rates and finding the rates will not exceed the estimated amount necessary to fund the operation of the City sewer system for calendar years 2021 through 2025.
   Recommended Action: Adopt

   A motion was made by Council Member Verlato, seconded by Council Member Beck, and carried on a roll call vote to adopt Resolution No. 7349 setting City sewer rates and finding the rates will not exceed the estimated amount necessary to fund the operation of the City sewer system for calendar years 2021 through 2025.
It was the consensus of the City Council that Consent Calendar Item 13.d be moved to this portion of the Agenda.

13. CONSENT CALENDAR

d. Declaration of the Arcadia Par 3 Golf Course at 620 E. Live Oak Avenue as surplus land per the requirements of the Surplus Land Act.
   Recommended Action: Approve

City Manager Lazzaretto presented the Staff Report and read into the record the emails submitted by the following individuals opposed to the closure and sale of the Arcadia Par 3 Golf Course:

Roger Nemrava
Jean Tsunashima
Robert Fasching
Peter Bond
William Morgan
Mike Durgerian
Jason Call
Karen Dohling
Sherry Xi
Caroline Blake
Adeline Fu

A motion was made by Mayor Chandler, seconded by Mayor Pro Tem Tay, and carried on a roll call vote to approve the declaration of the Arcadia Par 3 Golf Course at 620 E. Live Oak Avenue as surplus land per the requirements of the Surplus Land Act; and find that this action does not constitute a project under the California Environmental Quality Act (“CEQA”).

AYES: Chandler, Tay, Beck, Cheng, and Verlato
NOES: None
ABSENT: None

10. PUBLIC COMMENTS

City Manager Lazzaretto read into the record the following email submitted for Public Comment:

Jonathan Hawes, former El Monte City Clerk: requesting City Council support to protect residents from the criminal activities in the City of El Monte.

11. REPORTS FROM MAYOR, CITY COUNCIL AND CITY CLERK (including reports from the City Council related to meetings attended at City expense [AB 1234]).

Mayor Pro Tem Tay announced that Waste Management has resumed to its regular schedule; he commented on the City’s water rates; he announced that Arcadia Police Department Area Commanders are hosting virtual Town Hall meetings in their respective districts to introduce themselves and address any concerns residents may have; he noted that there is helpful
information on the City’s Hot Sheet pertaining to COVID-19 and the Flu Season; and he encouraged everyone to continue practicing social distancing.

Council Member Cheng shared encouraging words for a better 2021; he thanked the residents for their patience during the pandemic; and stated that we are all in this together.

Council Member Beck announced that long-time Arcadia resident and close friend Larry Vanni passed away today; he spoke about the affects the pandemic is having on Arcadia Methodist Hospital; he provided an update on the management of the hospital since the pandemic. He commented on the fees that third-party delivery providers charge restaurants; he asked for City Council support to place a cap on those fees; Council Members Verlato and Cheng concurred. He wished everyone a Happy Lunar New Year; he noted that he and his wife drove to Dodgers Stadium to receive the COVID-19 vaccine; he announced that Saturday, February 6, the Arcadia Chinese Association is virtually hosting the 38th Annual Gala and Chinese New Year Festival; and encouraged everyone to participate.

Council Member Verlato asked everyone to be patient with the rollout of the COVID-19 vaccine; she encouraged the community to participate in a survey regarding the proposed renovation of Newcastle Park; she reported that on February 2, she attended the Arcadia Council PTA meeting; she stated that schools may re-open in the fall; she further announced that February is Black History Month; that February 6, the Arcadia Chinese Association is virtually hosting the 38th Annual Gala and Chinese New Year Festival; she encouraged everyone to participate; and wished everyone a Happy Chinese New Year.

City Clerk Glasco commented on the beautiful weather and noted how nice it is to live in Southern California.

Mayor Chandler had no comments.

12. **APPOINTMENTS**

   a. **Appointment to the Planning Commission.**
      Recommended Action: Appoint Vincent Tsoi to fill Unexpired Term

City Manager Lazzaretto presented the Staff Report.

A motion was made by Council Member Verlato, seconded by Council Member Beck, and carried on a roll call vote to appoint Vincent Tsoi to fill the unexpired term on the Planning Commission ending June 30, 2024.

<table>
<thead>
<tr>
<th>AYES:</th>
<th>Verlato, Beck, Cheng, Tay, and Chandler</th>
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<tbody>
<tr>
<td>NOES:</td>
<td>None</td>
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<td>ABSENT:</td>
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13. **CONSENT CALENDAR**

   a. **Special Meeting Minutes of January 18, 2021, and Special and Regular Meeting Minutes of January 19, 2021.**
      Recommended Action: Approve
b. Revised Classification Specifications for the position of Public Works Office Coordinator and Resolution No. 7350 amending Resolution No. 7321 establishing compensation and related benefits for employees represented by the Arcadia City Employees Association (Public Works Office Coordinator Position).
Recommended Action: Approve and Adopt

c. Resolution No. 7351 declaring that weeds, brush, rubbish, and refuse upon or in front of specified property in the city are seasonal and recurrent public nuisance and declaring an intention for provide for the abatement thereof.
Recommended Action: Adopt

e. Grant Award from the U.S. Department of Homeland Security - State Homeland Security Assistance Program for reimbursement of portable Automated License Plate Reader Camera Systems in the amount of $52,305.
Recommended Action: Accept and Approve Purchase

f. Accept all work performed by GRBCON, Inc. for the Baldwin Avenue Sewer Capacity Improvement Project as complete.
Recommended Action: Approve

It was moved by Council Member Beck, seconded by Mayor Chandler, and carried on a roll call vote to approve Consent Calendar Items 13.a through 13.c, 13.e and 13.f.

AYES: Beck, Chandler, Cheng, Verlato, and Tay
NOES: None
ABSENT: None

14. CITY MANAGER

a. Ordinance No. 2374 amending Chapter 9 of Article VII of the Arcadia Municipal Code relating to camping and storage of personal property on public property and determining the Ordinance is categorically exempt under the California Environmental Quality Act (“CEQA”).
Recommended Action: Introduce

City Manager Lazzaretto presented the Staff Report.

A motion was made by Council Member Cheng, seconded by Mayor Chandler, and carried on a roll call vote to introduce Ordinance No. 2374 amending Chapter 9 of Article VII of the Arcadia Municipal Code relating to camping and storage of personal property on public property and determining the Ordinance is categorically exempt under the California Environmental Quality Act (“CEQA”).

AYES: Cheng, Chandler, Verlato, and Tay
NOES: None
ABSTAIN: Beck


City Manager Lazzaretto provided an update on COVID-19. No action was requested or taken.
15. ADJOURNMENT

The City Council meeting adjourned at 9:48 p.m. in memory of Manny Romero, owner of Rod’s Grill, and long-time Arcadia resident Larry Vanni to Tuesday, February 16, 2021, 6:00 p.m. in the City Council Conference Room.

Linda Rodriguez
Assistant City Clerk
DATE: February 16, 2021

TO: Honorable Mayor and City Council

FROM: Dominic Lazzaretto, City Manager
By: Laena Shakarian, Management Analyst

SUBJECT: ORDINANCE NO. 2374 AMENDING CHAPTER 9 OF ARTCILE VII OF THE ARCADIA MUNICIPAL CODE RELATING TO CAMPING AND STORAGE OF PERSONAL PROPERTY ON PUBLIC PROPERTY AND DETERMINING THE ORDINANCE IS CATEGORICALLY EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) Recommendation: Adopt

SUMMARY

At its regular meeting on February 2, 2021, the City Council, by a vote of 4-1-0 with Council Member Beck abstaining, introduced Ordinance No. 2374 amending Chapter 9 of Article VII of the City of Arcadia Municipal Code relating to camping and storage of personal property on public property in response to recent court decisions. The purpose of this agenda item is to give second reading and adoption of the Ordinance. Attached is a copy of Ordinance No. 2374, and the February 2, 2021, City Council staff report.

RECOMMENDATION

It is recommended that the City Council adopt Ordinance No. 2374 amending Chapter 9 of Article VII of the City of Arcadia Municipal Code relating to camping and storage of personal property on public property.

Attachments: Ordinance No. 2374
February 2, 2021, City Council Staff Report
ORDINANCE NO. 2374

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA AMENDING CHAPTER 9 OF ARTICLE VII OF THE ARCADIA MUNICIPAL CODE RELATING TO CAMPING AND STORAGE OF PERSONAL PROPERTY ON PUBLIC PROPERTY

WHEREAS, the City of Arcadia ("City") encourages the use of open spaces and facilities within the City by all members of the community; and

WHEREAS, camping within the City limits creates unsanitary, unhealthy, disorderly, and dangerous conditions that may affect both the campers and the general public; and

WHEREAS, camping within the City limits tends to degrade or even destroy the property upon which the camping is occurring, particularly in situations where an encampment is large and ongoing; and

WHEREAS, camping within the City limits detracts from the use of the property for its intended purposes; and

WHEREAS, the City has the authority to regulate to ensure the public's health, safety, and general welfare, and desires to regulate camping within the City; and

WHEREAS, a Ninth Circuit Court of Appeals decision, Martin v. City of Boise (2019), prohibits criminal prosecution for sleeping outside when shelter is unavailable; and

WHEREAS, the holding in Boise does not apply to individuals who have access to temporary shelter; and

WHEREAS, the Ninth Circuit expressed that even where shelter is unavailable, an ordinance prohibiting sitting, lying or sleeping outside at particular times or in particular locations may be allowed under the U.S. Constitution; and
WHEREAS, the City intends to act in accordance with the Boise decision; and

WHEREAS, the City finds that camping prohibitions will best serve the public's health, safety, and general welfare.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The recitals set forth above are true and correct and are hereby adopted as findings in support of this Ordinance as if fully set forth herein.

SECTION 2. Chapter 9 of Article VII of the Arcadia Municipal Code is amended to read in its entirety as follows:

Chapter 9

CAMPING AND STORAGE OF PERSONAL PROPERTY

PART 1. PURPOSE AND DEFINITIONS

7910. PURPOSE.

This Chapter is intended to protect the public health, welfare, and safety by reserving open spaces and facilities within the City limits for their intended purposes. Public property within the City should be readily accessible and available to residents and the public at large. The use of these areas for camping purposes or storage of personal property interferes with the rights of others to use the areas for their intended purposes and is deleterious to the public peace, health, safety, and welfare. The use of these areas for camping obstructs the intended uses for the public at large, contributes to blight, and can cause damage to public property. This Chapter is intended to avoid unsafe and potentially disorderly conditions, unsanitary and unhealthy conditions, and the degradation or destruction of open spaces and facilities within the City.
7911. DEFINITIONS.

The following words and phrases, when used in this Chapter, shall have the meaning ascribed to them by this section unless it is apparent from the context that another meaning is intended.

(a) "Camp" or "Camping" means residing in or using any public property for one or more nights for living accommodation purposes, such as sleeping activities or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or using any tents, or storing personal belongings (including but not limited to clothing, sleeping bags, bedrolls, blankets, sheets, luggage, backpacks, kitchen utensils, cookware, and similar material), or making any fire using Bunsen burners or other heating items, or regularly cooking meals. These activities constitute camping when it reasonably appears, in light of all the circumstances, that a person is using public property as a living accommodation for one or more nights, with the intent to camp.

(b) "Camp facilities" include, but are not limited to, tents, huts, or similar temporary shelters consisting of any material with a top or roof or any other upper covering or that is otherwise enclosed by sides that is of sufficient size for a person to fit underneath or inside while sitting or lying down and includes the use of a tarp or other material tied or affixed to a structure or bush to create an enclosed area.

(c) "Camp paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, or non-City designated cooking or heating facilities and similar equipment.

(d) "Critical infrastructure" means real property or a facility, whether privately or publicly owned, that the City Manager designates as being so vital and integral to the operation or functioning of the city or in need of protection that its damage, incapacity, disruption, or destruction would have a debilitating impact on the public health, safety, or welfare. Critical infrastructure may include, but is not limited to, government buildings, such as fire stations, police stations, jails, or courthouses; hospitals; structures, such as antennas, bridges, roads, train tracks, drainage systems, or levees; or systems, such as computer networks, public utilities, electrical wires, natural gas pipes, telecommunication centers, or water sources.

(e) "Enforcing employee" means the employee of the City, authorized to enforce this chapter.
“Landscaped area” means any manicured or natural ground covered areas including but not limited to flower beds, bushes, brush areas, or shrubs.

“Personal property” means any tangible property and includes, but is not limited to, goods, materials, merchandise, tents, tarpaulins, bedding, blankets, sleeping bags, personal items such as household items, luggage, backpacks, clothing, food, documents, and medication.

“Public property” means any publicly owned property in the City, whether improved or unimproved, including, but not limited to, any of the following: public alleyways; public parking lots; public passageways; public streets; public rights-of-way; park playgrounds; freeway on-ramps and off-ramps; publicly owned, maintained, or operated parks; publicly owned, maintained, or operated landscaped areas or greenbelts; publicly owned fences, trees, light poles, or equipment boxes; publicly owned, maintained, or operated open spaces including, but not limited to, public facilities or buildings of any kind; public sidewalks, curbs, and gutters; public educational institutions; or other government owned, maintained, or operated properties located within the City.

“Public utilities” means any outdoor water, sewer, or electrical outlets or fixtures on government owned, maintained, or operated properties located within the City that are not designated for public use.

“Store” means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.

“Very High Fire Severity Zones” means mapped area as defined by the Office of State Fire Marshal that designates zones (based on factors such as fuel, slope, and fire weather) with varying degrees of fire hazard (i.e., moderate, high, and very high).

7912. UNLAWFUL CAMPING.

It shall be unlawful for any person to camp, occupy camp facilities, use camp paraphernalia, or use public utilities on any public property within the City, except as otherwise provided herein or mandated by applicable law. It is a violation of this section to set up provisions for the purpose of camping whether or not a full night is actually spent at the location.
7913. STORAGE OF PERSONAL PROPERTY ON PUBLIC PROPERTY.

It shall be unlawful for any person to store personal property, including camp facilities and camp paraphernalia, on any public property within the City, except as otherwise provided herein or mandated by applicable law.

7914. OFFER OF HOUSING, SHELTER AND SERVICES.

Prior to directing a person to remove camp facilities or prior to removing the camp facilities, the enforcing employee shall offer information to the occupant(s) regarding any available housing or shelter and other health and human services that said employee reasonably believes are relevant to the occupant(s) and their individual circumstances.

7915. EXEMPTION FOR NECESSITY.

The provisions of this Chapter shall not apply to any individual camping by necessity, including, for example, those instances in which every shelter in the local area is at capacity. In order to comply with applicable case law, the City Manager may establish local guidelines to determine whether an individual is camping by necessity.

If an individual is camping by necessity, the following criteria for safe camping shall apply:

(a) No person shall erect, configure, or construct any camp facilities in any public area from 7:00 a.m. to 10:00 p.m. (except during rainfall). A person must take down, fold, and completely remove or put away any camp facilities erected, configured, or constructed on any public property between the hours of 7:00 a.m. and 10:00 p.m. (except during rainfall). At no time shall any person obstruct access to a street, sidewalk, park playground, public utility, public property, or other public right-of-way open for pedestrian travel or governmental use:
1. By sitting, lying or sleeping, or by storing, using, maintaining or placing personal property in a manner that does not allow for passage as required by the Americans with Disabilities Act of 1990, as amended from time to time; or
2. By sitting, lying or sleeping, or by storing, using, maintaining or placing personal property within ten feet or any operational or utilizable, entrance, exit, driveway, or loading dock; or
3. By creating any barrier with string, wire, rope, or chain, or other attachments or appurtenances upon City owned trees, light poles, fences, equipment or other public facilities.

(b) The use of public utilities not designated for public use is prohibited.

(c) Upon resolution adopted by the City Council and the posting of signage, camping is prohibited in the following areas:

1. City benches located in areas as described in Section 7915(c)2 through 14
2. Bridges and highway underpasses or overpasses (within 500 feet thereof)
3. Park Playgrounds and Synthetic Turf Areas
4. Park Picnic Areas including Tables, Bleachers, Benches, and Pavilions
5. Arcadia Transit Plaza
6. Arcadia City Hall
7. Arcadia Public Library
8. Gilb Museum of Arcadia Heritage
9. Museum Education Center
10. Arcadia Community Center
11. Arcadia Recreation Office
12. Arcadia Par 3 Golf Course
13. Landscaped Areas
14. Freeways onramps and off-ramps
15. Very High Fire Severity Zones
16. Within 25 feet of the following City designated zoning:
   i. Central Business District (CBD)
   ii. General Commercial (C-G)
   iii. Professional Office (C-O)
   iv. Regional Commercial (C-R)
   v. Mixed Use (MU)
   vi. Downtown Mixed Use (DMU)

7916. OTHER EXEMPTIONS.

The provisions of this Chapter shall not apply in the event of an emergency, including a City declared emergency or natural disaster, such as a fire or earthquake, nor to any persons participating in organized and supervised recreational activities in parks within the City or the Civic Center area, if approved by the City’s Director of Recreation and Community Services or City Manager, nor to camping in public areas legally established and clearly designated for camping purposes, nor to any employee of the City or any public utility or governmental agency who is required to enter or be in said areas in the course of their employment.
7917. NOTICES

The enforcing employee shall provide occupants of a camp facility notice of intent to remove the encampment at least 24 hours in advance of any action to remove the camp facility for a violation of Section 7913. Notice shall be in writing and shall be served personally on the occupant(s) of the camp facility present when the enforcing employee attempts to serve notice. In addition, the enforcing employee shall post the notice on or near the camp facility, so as reasonably to communicate the notice to persons living at the camp facility but not present during the attempt to serve notice. The notice shall contain the following information:

A. The location of the camp facility;
B. The date and time notice was served or posted;
C. A statement that the camp facility violates this Chapter;
D. An advisement that the City will remove the camp facility 24 hours after the date and time of the notice;
E. Information about any housing or shelter and homeless services available for occupants of the camp facility and the phone number and address to contact in order to obtain the housing or shelter or other health and human services;
F. An advisement that any personal property remaining at the camp facility site when the enforcing employee returns to remove the camp facility will be impounded for no fewer than 90 days and will be discarded thereafter if not claimed; and
G. The address, phone number, and operating hours of the location where the personal property will be stored and may be retrieved, and that the City will charge no fee for storage or retrieval.
7918. PERSONAL PROPERTY.

A person occupying a camp facility who is present at the time the enforcing employee is removing the camp facility may retain his or her personal property except that items constituting an immediate threat to the health or safety of the public or items that constitute evidence of a crime or contraband may be seized, as permitted by law. Any personal property seized shall be stored for no less than 90 days, with the following exceptions:

A. Items that present a health or safety risk if stored, such as items soiled by bodily fluids, items that are moldy, items infested by insects or vermin, and food, need not be stored and may be discarded; and

B. Items that constitute evidence of a crime or contraband may be seized and discarded, as permitted by law.

7919. ENFORCEMENT.

The prohibition of Sections 7912, 7913, and 7915 may be enforced by: (1) the Arcadia Police Department; (2) the City's Code Services & Enforcement Division; (3) Parks and Facilities personnel; (4) or other local law enforcement. The City Manager, or a department designated by the City Manager, may issue regulations or guidelines necessary or appropriate to aid in the enforcement and implementation of this Chapter and may create any additional procedures consistent with this Chapter necessary or appropriate to protect the property rights of individuals whose property is taken into custody pursuant to this Chapter.
7920. PENALTY.

Violations of Sections 7912 and 7915 may be charged as a misdemeanor and be eligible for referral to any applicable prosecutorial-led diversion program. Violations of Sections 7913 are subject to an administrative citation pursuant to Chapter 4A of this Code.

SECTION 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

If for any reason any portion of this Ordinance is found to be invalid by a court of competent jurisdiction, the balance of this ordinance shall not be affected.

SECTION 4. CEQA. The City Council finds that this Ordinance is 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.

SECTION 5. The City Clerk shall certify to the adoption of this Ordinance and shall cause a copy of same to be published at least once in the official newspaper of the City within fifteen (15) days after its adoption. This Ordinance shall take effect on the
thirty-first (31st) day after its adoption.

Passed, approved and adopted this 2nd day of February, 2021.

Mayor of the City of Arcadia

ATTEST:

City Clerk

APPROVED AS TO FORM:

Stephen P. Deitsch
City Attorney
DATE: February 2, 2021

TO: Honorable Mayor and City Council

FROM: Dominic Lazzaretto, City Manager
By: Michael Bruckner, Deputy City Manager
Laena Shakarian, Management Analyst

SUBJECT: ORDINANCE NO. 2374 AMENDING CHAPTER 9 OF ARTICLE VII OF THE ARCADIA MUNICIPAL CODE RELATING TO CAMPING AND STORAGE OF PERSONAL PROPERTY ON PUBLIC PROPERTY AND DETERMINING THE ORDINANCE IS CATEGORICALLY EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) Recommendation: Introduce

SUMMARY

Due to the health and safety concerns caused by the rise in homelessness, enhancing the City’s camping laws is advisable to ensure the safety and well-being of the homeless community. The proposed Ordinance would update the existing regulations to further define where camping by necessity is allowable while still prohibiting voluntary camping everywhere in the City. The proposed Ordinance also strengthens and expands enforcement citywide. Therefore, it is recommended that the City Council introduce Ordinance No. 2374 (Attachment A) amending Chapter 9 of Article VII of the City of Arcadia Municipal Code relating to camping and storage of personal property on public property and find that this action is categorically exempt under the California Environmental Quality Act.

BACKGROUND

From 2015 through 2020, the number of individuals experiencing homelessness in Arcadia as identified by The Greater Los Angeles Homeless Count has increased significantly, as depicted in the chart below:
It is likely that increase will continue in the coming years due to the economic impacts of the COVID-19 pandemic and other underlying economic factors in the Los Angeles region. As a result, it is essential for the City to manage this increase to ensure that the overall quality of life in the community remains high.

Recognizing the impact of homelessness on individuals and communities countywide, in 2017, Los Angeles County voters approved Measure H to fund services to prevent and combat homelessness. The County Board of Supervisors approved an initial allocation of Measure H funds in June 2017, which included funds for cities to develop local homelessness plans. In October 2017, the City of Arcadia was awarded a $30,000 planning grant to develop a City plan to prevent and combat homelessness, which was adopted on August 8, 2018. The City of Arcadia has been working diligently on advancing the Five-Year Homelessness Plan that entails a number of initiatives and strategies for addressing the core issue of homelessness. The Plan recognizes the need to expand access to temporary shelter facilities and the array of social services required to serve our homeless population. In recent months, the City has initiated several programs to address homelessness in the community, including creation of the Homeless Resources Hub, hiring an additional full-time outreach coordinator, and using grant funds to prevent homelessness in the first place.

Some of the tools that have been historically relied upon to help balance the needs of homeless individuals with the rights of others in the community have been curtailed by recent changes in state law, as well as applicable case law. For example, in September 2018, the case of Martin v. City of Boise was decided by the Ninth Circuit Court of Appeals, which held that local governments are prohibited from criminalizing
homelessness, and that cities must allow individuals to sleep on public property when there is no shelter available to them. The Circuit Court held that prosecution under such circumstances amounted to cruel and unusual punishment in violation of the Eighth Amendment to the United States Constitution.

Importantly, the Court limited its decision in several ways. The Court made it clear that its ruling would not apply to individuals who can pay for temporary shelter and choose not to, or to individuals who have realistic access to free shelter and choose not to use it. Similarly, the Court noted that a jurisdiction may, in certain circumstances, criminalize the act of sleeping outside, for example, at particular times or in particular locations.

In order for the City to regulate camping and sleeping in the City, Arcadia’s existing camping required amendment. On April 16, 2019, the City Council adopted Ordinance No. 2360 amending Chapter 9 of Article VII of the City of Arcadia Municipal Code relating to camping and storage of personal property on public property in response to the Boise Decision. Ordinance No. 2360 prohibits the use of public property for camping purposes; however, the Ordinance includes an exception when an individual is camping by necessity; for example, when every shelter in the local area is at capacity or the individual in question is involuntarily homeless. The Ordinance authorizes the City Manager to establish local guidelines to determine whether an individual is camping by necessity so that City staff can ensure that the Ordinance is enforced consistent with current case law.

Under the Boise Decision, the current camping regulations could be clarified to identify allowable places, times, and manners for involuntary camping. Under the current Ordinance, it is not clear where involuntary camping is allowed or prohibited in the community, which leads to confusion by those who are camping as well as City enforcement officials. An updated ordinance to provide greater clarity, while remaining consistent with the City’s Homeless Plan and balancing public health and safety concerns, would be beneficial for all. It is within this context that City staff have been exploring options for better managing the current impacts of homelessness in the City.

DISCUSSION

Camping on public property can create an unsanitary and unhealthy environment for the persons engaged in the camping, as well as persons coming into contact with the campers. Both campers and the general public can be affected by the unsafe and potentially disorderly environment. This is further exacerbated due to public health and safety concerns under COVID-19. In addition, some camping may interfere with the rights of others to use the areas for their intended purposes and important federal regulations such as providing a clear path of travel on sidewalks under the Americans with Disabilities Act. Furthermore, camping can contribute to blight and cause damage to public property.

The proposed Ordinance No. 2374 would update existing camping regulations in an effort to further define criteria surrounding lawful and unlawful camping, including restrictions on time, manner, and place to better protect those that are experiencing homelessness.
as well as the community at large. The proposed Ordinance also strengthens and expands enforcement tools citywide for those that may violate the City’s regulations.

Ordinance No. 2374 will continue to allow camping by necessity and camping with a permit, such as overnight camping programs at Wilderness Park.

Ordinance No. 2374 would update Chapter 9 of Article VII of the Arcadia Municipal Code to include the following new guidelines:

- No person shall erect, configure, or construct any camp facilities in any public area from 7:00 a.m. to 10:00 p.m. (except during rainfall).

- A person must take down, fold, and completely remove or put away any camp facilities erected, configured, or constructed on any public property between the hours of 7:00 a.m. and 10:00 p.m. (except during rainfall).

- At no time shall any person obstruct access to a street, sidewalk, park playground, public utility, public property, or other public right-of-way open for pedestrian travel or governmental use.

- The use of public utilities not designated for public use is prohibited. For example, stairwells at City Hall not normally accessed by the public cannot be used for camping.

- Upon resolution adopted by the City Council and the posting of signage, camping is prohibited in numerous areas of the City, including but not limited to the following:
  
  - City Benches
  - Under bridges and within 500 feet thereof
  - Freeway Onramps and Off-ramps
  - Park Playgrounds, Picnic Areas, Shelters, Synthetic Turf Areas, and Bleachers
  - Arcadia Transit Plaza
  - Arcadia City Hall
  - Arcadia Public Library
  - Gilb Museum of Arcadia Heritage and Museum Education Center
  - Arcadia Community Center
  - Landscaped Areas
  - Arcadia Par 3 Golf Course
  - Very High Fire Severity Zones
  - Areas zoned for business or commercial use
As part of this updated Ordinance, City staff has prepared an Anti-Camping Enforcement Area map (Attachment B) to help identify and communicate to the public where camping is prohibited. This map will help ensure there is no confusion regarding where camping is allowed and where it is prohibited.

Furthermore, Ordinance No. 2374 will provide additional enforcement mechanisms that do not currently exist within the City’s current camping ordinance. Violation of the City’s camping laws may be charged as a misdemeanor and/or are subject to administrative citation. Illegally constructed camp sites may be removed and stored by the City upon proper noticing that the camp must be removed within 24 hours.

Overall, the intent of this updated Ordinance is to establish clear camping prohibitions in order to best serve the health, safety, and general welfare of all Arcadians, including individuals experiencing homelessness. This Ordinance is intended to avoid unsafe and potentially disorderly conditions, unsanitary and unhealthful conditions, and the degradation or destruction of open spaces and facilities within the City. It also seeks to balance public health and safety with the rights and unique needs of individuals experiencing homelessness who are camping by necessity. Without proper safety measures in place, involuntary camping can interfere with the rights of others to use the areas for their intended purposes and is deleterious to the public, health, safety, and welfare.

**ENVIRONMENTAL ANALYSIS**

The proposed action does not constitute a project under the California Environmental Quality Act (“CEQA”), and it can be seen with certainty that it will have no impact on the environment. Thus, this matter is exempt under CEQA under Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines.

**FISCAL IMPACT**

The introduction of Ordinance 2374 has no fiscal impact to the General Fund; however, there are undetermined costs associated with the staff time and material costs involved in the enforcement of this Ordinance. Currently, staff does track the number of incidences and calls for service related to homeless and camping issues, and they range widely. These costs are absorbed within existing operations and budgets. The purpose of this Ordinance is to create more surety for individuals experience homelessness and the rules and regulations regarding involuntary camping. As result, staff anticipates that less time will be needed addressing current issues because the Ordinance will provide clearer guidelines resulting in fewer staff interactions.
**RECOMMENDATION**

It is recommended that the City Council determine that this does not constitute a project under CEQA; and introduce Ordinance No. 2374 amending Chapter 9 of Article VII of the City of Arcadia Municipal Code relating to camping and storage of personal property on public property.

Attachments:  
A - Ordinance No. 2374  
B - Anti-Camping Enforcement Areas Map
ORDINANCE NO. 2374

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA AMENDING CHAPTER 9 OF ARTICLE VII OF THE ARCADIA MUNICIPAL CODE RELATING TO CAMPING AND STORAGE OF PERSONAL PROPERTY ON PUBLIC PROPERTY

WHEREAS, the City of Arcadia ("City") encourages the use of open spaces and facilities within the City by all members of the community; and

WHEREAS, camping within the City limits creates unsanitary, unhealthy, disorderly, and dangerous conditions that may affect both the campers and the general public; and

WHEREAS, camping within the City limits tends to degrade or even destroy the property upon which the camping is occurring, particularly in situations where an encampment is large and ongoing; and

WHEREAS, camping within the City limits detracts from the use of the property for its intended purposes; and

WHEREAS, the City has the authority to regulate to ensure the public's health, safety, and general welfare, and desires to regulate camping within the City; and

WHEREAS, a Ninth Circuit Court of Appeals decision, Martin v. City of Boise (2019), prohibits criminal prosecution for sleeping outside when shelter is unavailable; and

WHEREAS, the holding in Boise does not apply to individuals who have access to temporary shelter; and

WHEREAS, the Ninth Circuit expressed that even where shelter is unavailable, an ordinance prohibiting sitting, lying or sleeping outside at particular times or in particular locations may be allowed under the U.S. Constitution; and
WHEREAS, the City intends to act in accordance with the *Boise* decision; and
WHEREAS, the City finds that camping prohibitions will best serve the public's health, safety, and general welfare.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The recitals set forth above are true and correct and are hereby adopted as findings in support of this Ordinance as if fully set forth herein.

SECTION 2. Chapter 9 of Article VII of the Arcadia Municipal Code is amended to read in its entirety as follows:

**Chapter 9**

**CAMPing AND STORAGE OF PERSONAL PROPERTY**

**PART 1. PURPOSE AND DEFINITIONS**

7910. PURPOSE.

This Chapter is intended to protect the public health, welfare, and safety by reserving open spaces and facilities within the City limits for their intended purposes. Public property within the City should be readily accessible and available to residents and the public at large. The use of these areas for camping purposes or storage of personal property interferes with the rights of others to use the areas for their intended purposes and is deleterious to the public peace, health, safety, and welfare. The use of these areas for camping obstructs the intended uses for the public at large, contributes to blight, and can cause damage to public property. This Chapter is intended to avoid unsafe and potentially disorderly conditions, unsanitary and unhealthful conditions, and the degradation or destruction of open spaces and facilities within the City.
7911. DEFINITIONS.

The following words and phrases, when used in this Chapter, shall have the meaning ascribed to them by this section unless it is apparent from the context that another meaning is intended.

(a) "Camp" or "Camping" means residing in or using any public property for one or more nights for living accommodation purposes, such as sleeping activities or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or using any tents, or storing personal belongings (including but not limited to clothing, sleeping bags, bedrolls, blankets, sheets, luggage, backpacks, kitchen utensils, cookware, and similar material), or making any fire using Bunsen burners or other heating items, or regularly cooking meals. These activities constitute camping when it reasonably appears, in light of all the circumstances, that a person is using public property as a living accommodation for one or more nights, with the intent to camp.

(b) "Camp facilities" include, but are not limited to, tents, huts, or similar temporary shelters consisting of any material with a top or roof or any other upper covering or that is otherwise enclosed by sides that is of sufficient size for a person to fit underneath or inside while sitting or lying down and includes the use of a tarp or other material tied or affixed to a structure or bush to create an enclosed area.

(c) "Camp paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, or non-City designated cooking or heating facilities and similar equipment.

(d) "Critical infrastructure" means real property or a facility, whether privately or publicly owned, that the City Manager designates as being so vital and integral to the operation or functioning of the city or in need of protection that its damage, incapacity, disruption, or destruction would have a debilitating impact on the public health, safety, or welfare. Critical infrastructure may include, but is not limited to, government buildings, such as fire stations, police stations, jails, or courthouses; hospitals; structures, such as antennas, bridges, roads, train tracks, drainage systems, or levees; or systems, such as computer networks, public utilities, electrical wires, natural gas pipes, telecommunication centers, or water sources.

(e) "Enforcing employee" means the employee of the City, authorized to enforce this chapter.
“Landscaped area” means any manicured or natural ground covered areas including but not limited to flower beds, bushes, brush areas, or shrubs.

“Personal property” means any tangible property and includes, but is not limited to, goods, materials, merchandise, tents, tarpaulins, bedding, blankets, sleeping bags, personal items such as household items, luggage, backpacks, clothing, food, documents, and medication.

“Public property” means any publicly owned property in the City, whether improved or unimproved, including, but not limited to, any of the following: public alleyways; public parking lots; public passageways; public streets; public rights-of-way; park playgrounds; freeway on-ramps and off-ramps; publicly owned, maintained, or operated parks; publicly owned, maintained, or operated landscaped areas or greenbelts; publicly owned fences, trees, light poles, or equipment boxes; publicly owned, maintained, or operated open spaces including, but not limited to, public facilities or buildings of any kind; public sidewalks, curbs, and gutters; public educational institutions; or other government owned, maintained, or operated properties located within the City.

“Public utilities” means any outdoor water, sewer, or electrical outlets or fixtures on government owned, maintained, or operated properties located within the City that are not designated for public use.

“Store” means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.

“Very High Fire Severity Zones” means mapped area as defined by the Office of State Fire Marshal that designates zones (based on factors such as fuel, slope, and fire weather) with varying degrees of fire hazard (i.e., moderate, high, and very high).

7912. UNLAWFUL CAMPING.

It shall be unlawful for any person to camp, occupy camp facilities, use camp paraphernalia, or use public utilities on any public property within the City, except as otherwise provided herein or mandated by applicable law. It is a violation of this section to set up provisions for the purpose of camping whether or not a full night is actually spent at the location.
7913. STORAGE OF PERSONAL PROPERTY ON PUBLIC PROPERTY.

It shall be unlawful for any person to store personal property, including camp facilities and camp paraphernalia, on any public property within the City, except as otherwise provided herein or mandated by applicable law.

7914. OFFER OF HOUSING, SHELTER AND SERVICES.

Prior to directing a person to remove camp facilities or prior to removing the camp facilities, the enforcing employee shall offer information to the occupant(s) regarding any available housing or shelter and other health and human services that said employee reasonably believes are relevant to the occupant(s) and their individual circumstances.

7915. EXEMPTION FOR NECESSITY.

The provisions of this Chapter shall not apply to any individual camping by necessity, including, for example, those instances in which every shelter in the local area is at capacity. In order to comply with applicable case law, the City Manager may establish local guidelines to determine whether an individual is camping by necessity.

If an individual is camping by necessity, the following criteria for safe camping shall apply:

(a) No person shall erect, configure, or construct any camp facilities in any public area from 7:00 a.m. to 10:00 p.m. (except during rainfall). A person must take down, fold, and completely remove or put away any camp facilities erected, configured, or constructed on any public property between the hours of 7:00 a.m. and 10:00 p.m. (except during rainfall). At no time shall any person obstruct access to a street, sidewalk, park playground, public utility, public property, or other public right-of-way open for pedestrian travel or governmental use:
1. By sitting, lying or sleeping, or by storing, using, maintaining or placing personal property in a manner that does not allow for passage as required by the Americans with Disabilities Act of 1990, as amended from time to time; or

2. By sitting, lying or sleeping, or by storing, using, maintaining or placing personal property within ten feet or any operational or utilizable, entrance, exit, driveway, or loading dock; or

3. By creating any barrier with string, wire, rope, or chain, or other attachments or appurtenances upon City owned trees, light poles, fences, equipment or other public facilities.

(b) The use of public utilities not designated for public use is prohibited.

(c) Upon resolution adopted by the City Council and the posting of signage, camping is prohibited in the following areas:

1. City benches located in areas as described in Section 7915(c)2 through 14
2. Bridges and highway underpasses or overpasses (within 500 feet thereof)
3. Park Playgrounds and Synthetic Turf Areas
4. Park Picnic Areas including Tables, Bleachers, Benches, and Pavilions
5. Arcadia Transit Plaza
6. Arcadia City Hall
7. Arcadia Public Library
8. Gilb Museum of Arcadia Heritage
9. Museum Education Center
10. Arcadia Community Center
11. Arcadia Recreation Office
12. Arcadia Par 3 Golf Course
13. Landscaped Areas
14. Freeways onramps and off-ramps
15. Very High Fire Severity Zones
16. Within 25 feet of the following City designated zoning:
   i. Central Business District (CBD)
   ii. General Commercial (C-G)
   iii. Professional Office (C-O)
   iv. Regional Commercial (C-R)
   v. Mixed Use (MU)
   vi. Downtown Mixed Use (DMU)

7916. OTHER EXEMPTIONS.

The provisions of this Chapter shall not apply in the event of an emergency, including a City declared emergency or natural disaster, such as a fire or earthquake, nor to any persons participating in organized and supervised recreational activities in parks within the City or the Civic Center area, if approved by the City’s Director of Recreation and Community Services or City Manager, nor to camping in public areas legally established and clearly designated for camping purposes, nor to any employee of the City or any public utility or governmental agency who is required to enter or be in said areas in the course of their employment.
7917. NOTICES

The enforcing employee shall provide occupants of a camp facility notice of intent to remove the encampment at least 24 hours in advance of any action to remove the camp facility for a violation of Section 7913. Notice shall be in writing and shall be served personally on the occupant(s) of the camp facility present when the enforcing employee attempts to serve notice. In addition, the enforcing employee shall post the notice on or near the camp facility, so as reasonably to communicate the notice to persons living at the camp facility but not present during the attempt to serve notice. The notice shall contain the following information:

A. The location of the camp facility;

B. The date and time notice was served or posted;

C. A statement that the camp facility violates this Chapter;

D. An advisement that the City will remove the camp facility 24 hours after the date and time of the notice;

E. Information about any housing or shelter and homeless services available for occupants of the camp facility and the phone number and address to contact in order to obtain the housing or shelter or other health and human services;

F. An advisement that any personal property remaining at the camp facility site when the enforcing employee returns to remove the camp facility will be impounded for no fewer than 90 days and will be discarded thereafter if not claimed; and

G. The address, phone number, and operating hours of the location where the personal property will be stored and may be retrieved, and that the City will charge no fee for storage or retrieval.
7918. PERSONAL PROPERTY.

A person occupying a camp facility who is present at the time the enforcing employee is removing the camp facility may retain his or her personal property except that items constituting an immediate threat to the health or safety of the public or items that constitute evidence of a crime or contraband may be seized, as permitted by law. Any personal property seized shall be stored for no less than 90 days, with the following exceptions:

A. Items that present a health or safety risk if stored, such as items soiled by bodily fluids, items that are moldy, items infested by insects or vermin, and food, need not be stored and may be discarded; and

B. Items that constitute evidence of a crime or contraband may be seized and discarded, as permitted by law.

7919. ENFORCEMENT.

The prohibition of Sections 7912, 7913, and 7915 may be enforced by: (1) the Arcadia Police Department; (2) the City’s Code Services & Enforcement Division; (3) Parks and Facilities personnel; (4) or other local law enforcement. The City Manager, or a department designated by the City Manager, may issue regulations or guidelines necessary or appropriate to aid in the enforcement and implementation of this Chapter and may create any additional procedures consistent with this Chapter necessary or appropriate to protect the property rights of individuals whose property is taken into custody pursuant to this Chapter.
7920. PENALTY.

Violations of Sections 7912 and 7915 may be charged as a misdemeanor and be eligible for referral to any applicable prosecutorial-led diversion program. Violations of Sections 7913 are subject to an administrative citation pursuant to Chapter 4A of this Code.

SECTION 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

If for any reason any portion of this Ordinance is found to be invalid by a court of competent jurisdiction, the balance of this ordinance shall not be affected.

SECTION 4. CEQA. The City Council finds that this Ordinance is 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.

SECTION 5. The City Clerk shall certify to the adoption of this Ordinance and shall cause a copy of same to be published at least once in the official newspaper of the City within fifteen (15) days after its adoption. This Ordinance shall take effect on the
thirty-first (31st) day after its adoption.

Passed, approved and adopted this 2nd day of February, 2021.

Mayor of the City of Arcadia

ATTEST:

City Clerk

APPROVED AS TO FORM:

Stephen P. Deitsch
City Attorney
DATE: February 16, 2021

TO: Honorable Mayor and City Council

FROM: Michael E. Lang, Fire Chief
By: Chen Suen, Battalion Chief
Maria Lourdes A. Taylor, Sr. Management Analyst

SUBJECT: RESOLUTION NO. 7352 AMENDING THE FISCAL YEAR 2020-21 GENERAL FUND BUDGET AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE FIRE DEPARTMENT ACCOUNT IN THE AMOUNT OF $30,250, OFFSET BY A REDUCTION IN THE EMERGENCY RESERVE FUND, AND APPROVING A CHANGE ORDER TO THE PURCHASE ORDER WITH MEDICAL DIAGNOSTIC LABORATORY, LLC

Recommendation: Adopt

SUMMARY

On July 22, 2020, the City of Arcadia issued a purchase order with Medical Diagnostic Laboratory, LLC to furnish all labor, tools, equipment, materials, and any supervision necessary to provide COVID-19 testing services for City employees for Fiscal Year 2020-21. Funded by the City’s Emergency Reserve Fund, the current purchase order is in the amount of $29,750.

The normal competitive bidding process was waived due to the current COVID-19 pandemic event and a statewide health order. As allowed by the City of Arcadia’s Purchasing Procedures and Policy, securing a purchase order with Medical Diagnostic Laboratory, LLC to provide these materials was necessary to preserve the workforce and maintaining service levels to the public. Based on the current testing trends, a change order to the purchase order is necessary.
It is recommended that the City Council adopt Resolution No. 7352 amending the Fiscal Year 2020-21 General Fund Budget authorizing a supplemental appropriation in the Fire Department in the amount of $30,250, offset by a reduction in the Emergency Reserve Fund, and approving a change order to the purchase order with Medical Diagnostic Laboratory, LLC.

**DISCUSSION**

On March 17, 2020, the Arcadia City Council unanimously ratified a Declaration of Local Emergency issued by the City Manager to allow the City to enact emergency provisions designed to protect the community from further COVID-19 transmission. This followed a series of other declarations including the Los Angeles Department of Public Health Declaration of Local Health Emergency on March 4, 2020; Gubernatorial Declaration of State of Emergency on March 4, 2020; and Presidential declaration on March 13, 2020.

Early in the pandemic, very few laboratories had access to COVID-19 testing material and supplies. As a result, Medical Diagnostic Laboratory, LLC presented several tests including both PCR (swab) testing and COVID-19 IgG/IgM antibody testing, which had obtained approval early on from the U.S. Department of Federal Drug Administration (“FDA”) through its Emergency Use Authorization (“EUA”). The development of this relationship early on has secured faster test results for City employees. Most testing sites can provide results within a two to three-day period. However, Medical Diagnostic Laboratory, LLC has provided results to City employees within 24 hours. Several hundred employees have been tested since the beginning of the local emergency declaration and testing continues to be needed to avoid outbreaks and transmission among employees when exposures occur.

The amount of the cost increase is based on the current testing trend since the beginning of Fiscal Year 2020-21. With approximately 200 tests conducted, approximately $30,000 had been expended since July 2020 for PCR testing. The large amount of testing was due to the November and December surge seen not only among City employees but nationwide. Given the continued COVID-19 pandemic and its potential adverse impact to the City’s overall workforce, it is necessary to change the purchase order amount to $60,000 (or an increase of $30,250 to the current purchase order), to further maintain testing for City employees for the reasons stated above.

**ENVIRONMENTAL IMPACT**

The proposed action does not constitute a project under the California Environmental Quality Act (“CEQA”), and it can be seen with certainty that it will have no impact on the environment. Thus, this matter is exempt under CEQA.
FISCAL IMPACT

The current purchase order for Medical Diagnostic Laboratory is $29,750. With the continued need to test City employees to preserve its workforce and maintain its service levels to the public, a supplemental appropriation in the amount of $30,250 is being requested from the City’s Emergency Reserve Fund. While it could be expected that the number of tests needed in the next six months should be less than the prior period – the winter surge has passed and many front line employees have now received the vaccine – having a purchase order in place to immediately respond to a large scale exposure in the workforce provides the City with flexibility. The City will only be billed for tests conducted on an as needed basis.

RECOMMENDATION

It is recommended that the City Council find that the proposed action does not constitute a project under the California Environmental Quality Act (“CEQA”); adopt Resolution No. 7352 amending the Fiscal Year 2020-21 General Fund Budget authorizing a supplemental appropriation in the Fire Department Account in the amount of $30,250, offset by a reduction in the Emergency Reserve Fund, and approving a Change Order to the Purchase Order with Medical Diagnostic Laboratory, LLC.

Approved:

[Signature]
Dominic Lazzaretto
City Manager

Attachment: Resolution No. 7352
RESOLUTION NO. 7352

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA, AMENDING THE FISCAL YEAR 2020-21 GENERAL FUND BUDGET AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE FIRE DEPARTMENT ACCOUNT IN THE AMOUNT OF $30,250, OFFSET BY A REDUCTION IN THE EMERGENCY RESERVE FUND, AND APPROVING A CHANGE ORDER TO THE PURCHASE ORDER WITH MEDICAL DIAGNOSTIC LABORATORY, LLC

WHEREAS, on March 17, 2020, the Arcadia City Council adopted Resolution 7300 ratifying and declaring the existence of a local emergency regarding the Novel Coronavirus (COVID-19) pandemic. This action allows the City to mobilize local resources and accelerate the procurement of vital supplies to successfully respond to the conditions of extreme peril from this pandemic that warranted and necessitated the proclamation of the existence of a local emergency; and

WHEREAS, on July 22, 2020, per the City of Arcadia’s Purchasing Procedures and Policy, the City dispensed with the bidding process for the issuance of a purchase order with Medical Diagnostic Laboratory to furnish all labor, tools, equipment, materials, and any supervision necessary to provide COVID-19 testing services for City employees for Fiscal Year 2020-21; and

WHEREAS, given the continued COVID-19 pandemic and its potential adverse impact to the City’s overall workforce including the prevention of transmission between employees, it is necessary to issue a change order in the amount of $30,250 to the existing purchase order with Medical Diagnostic Laboratory, LLC; and

WHEREAS, the City Manager has certified that there are sufficient reserves available in the Emergency Reserve Fund for appropriation.
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA, DOES FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. The sum of Thirty Thousand Two Hundred Fifty Dollars ($30,250) is hereby appropriated in the Fire Department account, offset with an equal reduction in the Emergency Reserve Fund.

SECTION 2. The City Clerk shall certify to the adoption of this Resolution.

Passed, approved and adopted this 16th day of February, 2021.

ATTEST:

Mayor of the City of Arcadia

City Clerk

APPROVED AS TO FORM:

Stephen P. Deitsch
City Attorney
DATE: February 16, 2021

TO: Honorable Mayor and City Council

FROM: Tom Tait, Public Works Services Director
By: Eddie Chan, P.E., Principal Civil Engineer

SUBJECT: ACCEPT ALL WORK PERFORMED BY CLEAN CUT LANDSCAPE, INC. FOR THE FINAL PHASE OF THE MEDIAN TURF REDUCTION PROGRAM AS COMPLETE
Recommendation: Approve

SUMMARY

On November 5, 2019, the City Council approved a contract with Clean Cut Landscape, Inc. in the amount of $1,381,698 for the Final Phase of the Median Turf Reduction Program. The terms and conditions of this project have been complied with and the work has been performed to the satisfaction of the Project Manager for a total project cost of $1,339,473. This amount reflects the original contract amount of $1,381,698 minus contract change orders totaling $42,225, or 3.1% less than the original contract amount.

It is recommended that the City Council accept all work performed by Clean Cut Landscape, Inc. for the Final Phase of the Median Turf Reduction Program as complete, and authorize the final payment to be made in accordance with the contract documents, subject to retention of $66,973.65.

BACKGROUND

On April 1, 2015, Governor Brown signed executive order B-29-15, which imposed mandatory restrictions on water use throughout the State. One of the restrictions prohibited the use of potable water for irrigating grass on center medians. As a result, the irrigation to all grass areas on the center medians along Huntington Drive, Santa Anita Avenue, Baldwin Avenue, Live Oak Avenue, and Las Tunas Drive was turned off and the grass died. The Master Plan was developed to comprehensively plan for the renovation of these medians.

Phase 1 of the Median Turf Reduction Program on Huntington Drive between Michillinda Avenue and Baldwin Avenue was completed in August 2017. Phase 2 of the
Median Turf Reduction Program on Huntington Drive between Baldwin Avenue and Holly Avenue and on Santa Anita Avenue between Foothill Boulevard and Grand View Avenue was completed in October 2018. Phase 3, the final phase of the Median Turf Reduction Program, included the medians on Baldwin Avenue, Santa Anita Avenue, and Live Oak Avenue. The final phase was delayed somewhat to allow for certain road and in ground improvements to be completed in the work area.

**DISCUSSION**

On November 5, 2019, the City Council approved a contract with Clean Cut Landscape, Inc. for the Final Phase of the Median Turf Reduction Program on Baldwin Avenue between Live Oak Avenue and Camino Real Avenue, on Santa Anita Avenue between Live Oak Avenue and Foothill Boulevard, and on Live Oak Avenue between Santa Anita Avenue and the east City limits. The work performed included installing cobble rock borders along the edges to provide an outline of the landscaped areas as well as a safer work space for maintenance crews, installing an in-line drip irrigation system to replace the spray head system, and planting water efficient trees and shrubs in a variety of textures and colors.

As part of the project, conduit was installed on Baldwin Avenue between Las Tunas Drive and Camino Real Avenue, which will allow the City to upgrade existing fiber optic communication lines and increase capacity in the area. As work on the project progressed, there were several minor changes in the quantities of material needed to complete the project. Below is a breakdown of the contract change orders.

<table>
<thead>
<tr>
<th>CCO</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Additional (2000 SF) – Furnish &amp; Install New Netafim Drip Irrigation System</td>
<td>$1,940</td>
</tr>
<tr>
<td>2.</td>
<td>Deleted (2000 SF) – Furnish &amp; Install River Rock Ribbon</td>
<td>($14,300)</td>
</tr>
<tr>
<td>3.</td>
<td>Deleted (125 SF) – Install Concrete around Existing Manholes</td>
<td>($2,312.50)</td>
</tr>
<tr>
<td>4.</td>
<td>Deleted (22 CY) – Earthwork (Cut) and Finish Grading</td>
<td>($704)</td>
</tr>
<tr>
<td>5.</td>
<td>Deleted (7500 EA) – Furnish &amp; Install Drought Tolerant Plants</td>
<td>($39,750)</td>
</tr>
<tr>
<td>6.</td>
<td>Deleted (560 LF) – Remove and Replace Existing Concrete Curb &amp; Gutter</td>
<td>($19,600)</td>
</tr>
<tr>
<td>7.</td>
<td>Deleted (1 LS) – Install Curb Cut Improvements at Santa Anita &amp; Hacienda Bioswale</td>
<td>($1,159)</td>
</tr>
<tr>
<td>8.</td>
<td>Additional (5800 LF) – Furnish &amp; Install 3” Sch.80 Conduit per Plan</td>
<td>$316,680</td>
</tr>
<tr>
<td>9.</td>
<td>Deleted (5600 LF) – Furnish &amp; Install 3” Sch.80 Conduit beneath Easterly Sidewalk</td>
<td>($280,000)</td>
</tr>
</tbody>
</table>
The change orders listed reduced the overall contract amount by 3.1%. All other terms and conditions of this contract have been complied with and the work has been performed to the satisfaction of the Project Manager. Clean Cut Landscape, Inc. completed the work as defined in the project plans and specifications. Before and after photographs are shown on Exhibit “A”.

**FISCAL IMPACT**

Funds in the amount of $1,496,000 have been budgeted in the Fiscal Year 2018-19 Capital Improvement Program for the Median Turf Reduction Project. Funds in the amount of $250,000 have been budgeted in the Fiscal Year 2019-20 Capital Improvement Program for the Baldwin Avenue Fiber Optic improvements and $150,000 was available in the Transportation Impact Fund for the installation of communication conduit and median nose improvements. The total accumulated amount of available funding was $1,896,000.

The total cost of the project is $1,339,473. This amount reflects the original contract amount of $1,381,698 minus change orders totaling $42,225, or 3.1% less than the original contract amount.

**RECOMMENDATION**

It is recommended that the City Council accept all work performed by Clean Cut Landscape, Inc. for the Final Phase of the Median Turf Reduction Program as complete; and authorize the final payment to be made in accordance with the contract documents, subject to the retention of $66,973.65.

Approved:

[Signature]

Dominic Lazzaretto
City Manager

Attachment: Exhibit “A” – Photographs of the Project
Exhibit “A”

FINAL PHASE MEDIAN TURF REDUCTION PROGRAM

Before – Santa Anita Ave. near California St.

After – Santa Anita Ave. near California St.

Before – Santa Anita Ave. near Bonita St.

After – Santa Anita Ave. near Bonita St.

Before – Santa Anita Ave. near Floral Ave.

After – Santa Anita Ave. near Floral Ave.
DATE: February 16, 2021

TO: Honorable Mayor and City Council

FROM: Sara Somogyi, Director of Recreation and Community Services

SUBJECT: SAN GABRIEL VALLEY EMERGENCY SHELTER PILOT PROGRAM
Recommendation: Provide Direction

SUMMARY

The San Gabriel Valley Council of Governments (“SGVCOG”) and the San Gabriel Valley Regional Housing Trust (“SGVRHT”) are examining the placement of Tiny Home Shelters, such as Pallet Houses, for a few cities in the San Gabriel Valley. As part of the pilot program, three to five sites will be selected to implement the emergency Tiny Home Shelters, with Arcadia as a potential site. The City Council is being asked to consider whether it wishes to support such a program and, if so, which potential sites should be considered. It is recommended that the City Council encourage the use of the County property adjacent to the east side of the Peck Road Conservation Park for this program.

BACKGROUND

The SGVCOG is a regional planning entity comprised of the 30 cities, the County of Los Angeles, and the water districts in the San Gabriel Valley. The SGVCOG advocates for regional and member interests and develops and manages regional programs to support its member jurisdictions. The SGVRHT is a joint powers authority created in February 2020 to fund and finance the planning and construction of homeless housing, and extremely low, very low, and low-income housing projects.

The City of Arcadia, as part of the SGVCOG and the SGVRHT, is exploring the option of implementing a Tiny Home Shelters, with up to 15 units (sheltering up to 30 persons). The SGVCOG and the SGVRHT are looking for cities to help the unsheltered homeless population by building Tiny Home Shelters in the San Gabriel Valley in three to five cities. The pilot program would serve individuals from the local area, the site would be alcohol and drug free and have an office for staff onsite for case and crisis management, and provide the wrap around services that are essential to help the individuals living there. The anticipated duration of the pilot program is one year.

The role of the SGVCOG and the SGVRHT would provide the capital funding for the Tiny Home Shelters, fund the ongoing needs of the Tiny Home Shelter, such as case management, restrooms, fencing, electricity, Wi-Fi, water, food, eating area, and trash
services. They will also work to identify service providers and additional funding for services.

The participating cities’ roles will be to dedicate a staff member to facilitate the pilot program implementation. The participating cities would need to identify a site for the placement of the Tiny Home Shelters and engage the community to build support for the pilot program. They would also be needed for the infrastructure set up such as water, electricity, and Wi-Fi – similar to the set up that was done as the homeless resource hub at the 3-Par Golf Course.

Below are photos of the Pallet House Tiny Home Shelters.

The Pallet House Tiny Home Shelters standard unit is 64 square feet and have the options for up to two beds per unit. They also come equipped with lighting, electrical outlets, air conditioning, heat, mattresses, windows, a locking door, fire extinguisher, shelving, and an emergency exit hatch.

**DISCUSSION**

Interested cities in the Tiny Home Shelter Pilot Program will complete a letter of interest. The SGVCOG and the SGVRHT will work with City staff members to ensure the feasibility of the proposed site and then develop an implementation plan.

Other nice items to have on site would include showers, laundry, kitchen preparation, and landscaping, which would also be funded by the SGVCOG and the SGVRHT, if the funding is available once all the necessities have been identified.
The proposed timeline for the project is quick. The interested cities would need to provide a letter of interest immediately.

<table>
<thead>
<tr>
<th>Month</th>
<th>Event</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>SHELTER PROCUREMENT</td>
<td>SGVRHT/SGVCOG will procure tiny home shelters and construction management consultant.</td>
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<tr>
<td>March/April</td>
<td>SELECT CITIES/SITES</td>
<td>SGVRHT/SGVCOG and consultant will finalize sites and work with member City Staff to proceed to the implementation phase. Any necessary City Council actions begin; MOAs are signed.</td>
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<tr>
<td>May/June</td>
<td>PREP SITES</td>
<td>The potential sites would be finalized the site prep would take place.</td>
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<tr>
<td>June/July</td>
<td>SITES OCCUPIED</td>
<td>Sites up and running and occupied with participants in each unit. Case management and additional services being offered.</td>
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Since the Homeless Resource Hub Town Hall Meeting in December, Staff has received two additional comments from the neighborhood, both being positive. The Homeless Resource Hub’s operation continues to be a place where individuals experiencing homelessness can go to be connected to resources, without negative impacts. While both the Tiny Home Shelters and the Resource Hub would operate independently, they would be part of a comprehensive effort to reduce the number of people camping on the streets of the City nightly as well as the negative impacts of homelessness.

It is recommended that the City Council encourage the use of the County property adjacent to the east side of the Peck Road Conservation Park for this program. Approval from the County would also be necessary to proceed.

**ENVIRONMENTAL IMPACT**

There is no action being taken, thus the project is exempt under the California Environmental Quality Act ("CEQA"), section 15060(c) and it can be seen with certainty that it will have no impact on the environment. Thus, this matter is exempt under CEQA. If a location is determined, the actual project will be brought back to the City Council along with the requisite environmental analysis.

**FISCAL IMPACT**

The participating cities would need to provide a dedicated staff member to facilitate the pilot program. This could be accomplished during the staff member’s normal course of business. Staff members would also be required to assist with the infrastructure set up of the Tiny Home Shelters; this could also be accomplished in the staff members
normal course of business. All direct costs would be covered by grants through the SGVRHT/SGVCOG; therefore, the project would not have any direct financial impact on the City.

RECOMMENDATION

It is recommended the City Council provide direction to Staff on whether Arcadia should send a letter of intent to participate in the San Gabriel Valley Emergency Shelter Pilot Program and, if so, which location(s) should be considered as the program moves forward.

Approved:

Dominic Lazzaretto
City Manager
DATE: February 16, 2021

TO: Honorable Mayor and City Council

FROM: Hue C. Quach, Administrative Services Director

SUBJECT: PRESENTATION OF THE GENERAL FUND FISCAL YEAR 2020-21 MID-YEAR BUDGET REVIEW

Recommendation: Receive and File

SUMMARY

A PowerPoint presentation of the General Fund Fiscal Year 2020-21 Mid-Year Budget Review will be presented at the City Council meeting.

ENVIRONMENTAL ANALYSIS

The proposed action does not constitute a project under the California Environmental Quality Act (“CEQA”), under Section 15061(b)(3) of the CEQA Guidelines, as it can be seen with certainty that it will have no impact on the environment. Thus, this matter is exempt under CEQA.

FISCAL IMPACT

No adjustments will be requested at this time to the adopted FY 2020-21 Budget.

RECOMMENDATION

It is recommended that the City Council receive and file the presentation.

Approved:

Dominic Lazzaretto
City Manager
Report, discussion, and direction regarding COVID-19

No Attachments