

CITY OF ARCADIA

City Council Regular Meeting Agenda



Tuesday, May 17, 2022, 6:00 p.m.

Location: City Council Conference Room, 240 W. Huntington Drive, Arcadia

COVID-19 NOTICE

This meeting of the Arcadia City Council will take place in a hybrid format. Pursuant to the Brown Act and AB 361, the City Council may meet virtually or in-person. This meeting is open to the public for in-person attendance and public comment; however, the public is also 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), and to submit public comment as outlined below. In-person attendance is subject to Los Angeles County Department of Public Health regulations for COVID-19 mitigation. The City of Arcadia reserves the right to limit or deny access to City facilities. The use of face coverings is required for in-person attendance.

新冠病毒 (COVID-19) 通知

阿卡迪亚市议会的这次会议将以混合形式举行。根据《布朗法案》和 AB 361 的规定，市议会会议可采用虚拟形式或面对面形式举行。本次会议向公众开放，公众可现场出席和提出意见；但同时欢迎公众通过市政府网站 ArcadiaCA.gov/livegov 或 ACTV（请查看您所在地的电视频道列表）参加会议，并按照以下说明提交意见。现场出席须遵守洛杉矶县公共卫生部关于缓解新冠病毒疫情的规定。阿卡迪亚市保留限制或拒绝进入市政府设施的权利。现场出席会议时须佩戴口罩。

How to Submit Public Comment:

Members of the Public 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. **In-Person:** Complete a blue Public Comment Speaker Card, indicating the agenda item number and place it in the Public Comment Drop Box located next to the podium in the City Council Chambers. Your card must be submitted before the Mayor calls for public comments, including for Public Hearings, as listed on the posted agenda. Cards submitted after the Mayor calls for public comments will not be accepted. Speakers shall be limited to five (5) minutes per person. At the Mayor's discretion, the time limit may be shortened to allow all speakers to address the City Council.
2. **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#

Electronic submission of Public Comment is also available via the City's website or by email as noted below. Public Comment submitted electronically will not be read into the record at the posted meeting time but are forwarded to the City Council prior to the meeting for consideration.

1. **Website:** Please submit your comments using our online public comment form at ArcadiaCA.gov/comment. Your comments must be received at least 30 minutes prior to the posted meeting time.
2. **Email:** Please submit your comments via email to CityClerk@ArcadiaCA.gov. Your comments must be received at least 30 minutes prior to the posted meeting time.

Please contact the City Clerk's Office at CityClerk@ArcadiaCA.gov or at (626) 574-5455 for more information.

如何提交公众评论意见:

公众成员可以使用以下任何一种方法提交公众评论意见。请在时间和字数的限制范围内提交公众评论意见。

1. **亲自:** 填写一张蓝色的公众评论意见发言人卡, 注明议程项目编号, 投入市议会会议厅内讲台旁的公众评论意见投递箱。发言人卡必须按发布议程之规定在市长征求公众评论意见(包括听证会)之前提交。凡市长征求公众评论意见后才提交的发言人卡将不予接受。每位发言人的发言时间不得超过五(5)分钟。市长可自行决定缩短发言时限, 以便允许所有发言人在市议会发言。
2. **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#

亦可按照以下方法在本市网站上或通过电子邮件以电子方式提交公众评论意见。以电子方式提交的公众评论意见不会在公布的会议期间读入记录, 但会在会议开始前转交给市议会, 供市议会考虑。

1. **网站:** 请使用以下网站中刊载的在线公众评论意见表提交您的评论意见: ArcadiaCA.gov/comment。必须在公布的会议时间前至少提前 30 分钟提交评论意见。
2. **电子邮件:** 请将您的评论意见通过电子邮件发送至: CityClerk@ArcadiaCA.gov。必须在公布的会议时间前至少提前 30 分钟提交评论意见。

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。

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS

Tom Beck, Mayor
Paul P. Cheng, Mayor Pro Tem
Michael Danielson, Council Member
Sho Tay, Council Member
April A. Verlato, Council Member

PUBLIC COMMENTS (5-minute time limit each speaker)

Any person wishing to speak before the City Council is asked to complete a Speaker Card and provide it to the City Clerk prior to the start of the meeting. Each speaker is limited to five (5) minutes per person, unless waived by the City Council. Under the Brown Act, the City Council is prohibited from discussing or taking action on any item not listed on the posted agenda.

CLOSED SESSION

- a. Pursuant to Government Code Section 54956.9(d)(4) to confer with legal counsel regarding potential litigation – one (1) case.

**Regular Meeting
City Council Chambers, 7:00 p.m.**

1. CALL TO ORDER

2. INVOCATION

Pastor Terrence Shay, First Chinese Baptist Church of Walnut/Arcadia Resident

3. PLEDGE OF ALLEGIANCE

Girl Scouts Troop 6911

4. ROLL CALL OF CITY COUNCIL MEMBERS

Tom Beck, Mayor
Paul P. Cheng, Mayor Pro Tem
Michael Danielson, Council Member
Sho Tay, 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. Presentation of Operation Hometown Heroes.
- b. Presentation of 2022 Spring Home Awards.
- c. Presentation of Mayor's Cup trophy to the Development Services Department.

9. PUBLIC HEARING

Any person wishing to speak before the City Council on a public hearing item is asked to complete a Speaker Card noting the agenda item number and provide it to the City Clerk prior to the start of the public hearing. Separate and apart from the applicant (who may speak longer in the discretion of the City Council) each speaker is limited to five (5) minutes per person unless waived by the City Council. Under the Brown Act, the City Council is prohibited from discussing or taking action on any item not listed on the posted agenda. The applicant may additionally submit rebuttal comments, in the discretion of the City Council.

You are hereby advised that should you desire to legally challenge in court or in an administrative proceeding any action taken by the City Council regarding any public hearing item, you may be limited to raising only those issues and objections you or someone else raised at the public hearing or in written correspondence delivered to the City Council at, or prior to, the public hearing.

- a. Resolution No. 7427 establishing and/or adjusting various fees for City services; and finding that this resolution is exempt from the requirements of the California Environmental Quality Act ("CEQA").
Recommended Action: Adopt
- b. Public Hearing to receive input from the Community regarding proposed amendments to the Arcadia City Charter.
Recommended Action: Receive Input and Provide Direction

10. PUBLIC COMMENTS (5-minute time limit each speaker)

Any person wishing to speak before the City Council is asked to complete a Speaker Card and provide it to the City Clerk prior to the start of the meeting. Each speaker is limited to five (5) minutes per person, unless waived by the City Council. 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.

- a. Special Meeting Minutes of April 29, 2022, and Regular Meeting Minutes of May 3, 2022.
Recommended Action: Approve
- b. Resolution No. 7430 repealing Resolution No. 7138 concerning outdoor irrigation and prohibited water uses and adopting new restrictions on outdoor irrigation and prohibited water uses.
Recommended Action: Adopt
- c. Find that, due to the COVID-19 state of emergency, state and local officials continue to recommend measures to promote social distancing, and therefore the City Council and all other City Boards and Commissions may meet virtually.
Recommended Action: Make Findings
- d. Extension to the Professional Services Agreement with TRIO Community Meals to provide meals to the Senior Meals Program for Fiscal Year 2022-23 in an amount not to exceed \$100,800.
Recommended Action: Approve
- e. Third Amendment to City Manager Employment Agreement.
Recommended Action: Approve
- f. Authorize participation in a Joint Exercise of Powers Agreement with the cities of Bradbury, Duarte, Monrovia, and Sierra Madre to create the Rio Hondo/San Gabriel River Watershed Management Joint Powers Authority.
Recommended Action: Approve
- g. Purchase Order with Waterline Technologies, Inc. for the purchase and delivery of Sodium Hypochlorite for the Disinfection of the City's Municipal Water Supply in the amount of \$95,100.75.
Recommended Action: Approve
- h. Purchase of Portable Handheld Radios from Day Wireless Systems for the Police Department in an amount not to exceed \$104,000.
Recommended Action: Approve
- i. Allocate \$250,000 in American Rescue Plan Act ("ARPA") Funds to the Homeless Prevention and Diversion Program.
Recommended Action: Approve

13. CITY MANAGER

- a. Report, discussion, and direction regarding options for community connections during emergencies.
Recommended Action: Provide Direction

14. ADJOURNMENT

The City Council will adjourn this meeting in memory of Troy Bond, a long time Arcadia resident and WWII US Navy Veteran, to June 7, 2022, 6:00 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.

PUBLIC 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议程。单独的议程报告可应请求通过电子邮件索取（CityClerk@ArcadiaCa.gov）。至于在发布该议程后向市议会多数成员分发的文件，公众可在阿凯迪亚市书记官办公室查阅，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。

公众参与：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。市政府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。请向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。不允许把市政府设备用于准备发言内容。

议程之外的事项应当在指定的“公众评议”时间提出。在一般情况下，每位发言者将有五（5）分钟时间向市议会陈述意见，但市长可酌情缩短发言时限，以便让所有希望发言的人都有机会发言。**根据州法，市议会不得讨论或表决未列入议程的事项。此类事项将自动转给工作人员采取适当行动或作出回应，或将其列入未来会议的议程。**

列入议程的事项应当由市议会审议该事项时讨论。请在**发言卡**上标明事项的议程编号。在适当的时间会叫到您的名字，您可以在五（5）分钟时限内发言。市长可酌情缩短发言时限，以便让所有希望发言的人都有机会发言。

公开听证和上诉是为需要或希望征求公众意见的事项安排的日程。除申请人外（市议会可酌情决定延长申请人的发言时间），每位发言人的发言不得超过五（5）分钟。市长可酌情缩短发言时限，以便让所有希望发言的人都有机会发言。申请人还可以另外提交反驳意见。

议程事项：议程包含市议会的例行议题。一般而言，由市政府工作人员在会议前对议程中的事项进行审查和调查，以便市议会在作出决定之前能够充分了解情况。

同意日历：在同意日历上列出的事项被市议会视为例行公事，并将通过一项动议采取行动。除非市议员、工作人员或公众提出请求，否则不会对这些事项进行单独讨论。如果有人提出请求，该事项将从同意日历中删除，单独进行审议和采取行动。

行为规范：尽管市民可对市政府的政策和市议会或其成员的行动或拟议行动自由地提出批评，但不得出现干扰会议正常秩序的行为，包括但不限于在别人的发言时间内阻止别人发言，或妨碍公众听到发言内容或看到议程进展状况。市民亦不得威胁进行身体伤害或以可能被合理理解为作出身体伤害紧迫威胁的方式行事。所有出席会议的人都必须遵守市政府的反骚扰政策，禁止基于个人种族、宗教信仰、肤色、原国籍、祖籍、身体残障、疾病、婚姻状况、性别、性取向或年龄骚扰他人。警察局长或警察局其他成员将担任维持市议会会议秩序的保安官。保安官将执行会议主持人的一切命令和指示，以维持会议秩序和行为规范。对任何违反会议秩序和行为规范的人可执行拘捕，并可能根据《刑法典》第 403 条或《阿凯迪亚市政法典》相关条款提出起诉。



STAFF REPORT

Administrative Services Department

DATE: May 17, 2022

TO: Honorable Mayor and City Council

FROM: Hue Quach, Administrative Services Director
By: Henry Chen, Financial Services Manager/Treasurer

SUBJECT: RESOLUTION NO. 7427 ESTABLISHING AND/OR ADJUSTING VARIOUS FEES FOR CITY SERVICES; AND FINDING THAT THIS RESOLUTION IS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA")

Recommendation: Adopt

SUMMARY

On July 21, 2020, the City Council approved a User Fee Cost Recovery Level Policy (User Fee Policy), which provides recommended guidance on cost recovery levels and update frequency. The policy states that the User Fee Schedule will be adjusted annually by either by general increases to total labor costs or the Consumer Price Index for the Los Angeles Urban Wage Earners and Clerical Workers ("CPI-W"), whichever is higher in order to ensure that fee rates and cost recovery levels are maintained over time.

Staff performed the calculation based on the CPI-W index for March and reviewed the new fees with each department. Some adjustments were made by the department to reflect their discretion, market conditions, and other factors to the calculated the new fees.

The proposed resolution would increase 468 fees, reduce 8 fees, and leave 265 fees unchanged. Upon implementation, the fees would increase revenues citywide by approximately \$265,300 annually. Therefore, it is recommended that the City Council conduct a public hearing and adopt Resolution No. 7427 adjusting user fees for the City of Arcadia.

BACKGROUND

On the final report from the City's Citizens Financial Advisory Committee ("CFAC"), they recommended for the City to retain consultant services to assist in preparing a detailed cost analysis of the City's productive hourly rates and user fees, and to adopt a User Fee Policy to provide guidance on the appropriate levels of cost recovery for fee-based activities. The objective was to ensure that the City is fully accounting for the costs and recovering adequate fees for providing those services. The City hired Willdan Financial

Services (“Willdan”) to prepare an updated user fee schedule. Their focus was to ensure that the City is utilizing comprehensive overhead rates and accurately accounting for the true cost of providing various programs and services within City operations. Their report identified the recommended charges for City services and the recommended level of cost recovery as determined through discussion with City staff and the City’s User Fee Policy, adopted on July 21, 2020.

The User Fee Policy provides guidance on the appropriate levels of cost recovery for fee-based activities. This policy served as a general framework for developing specific user fee recommendations. The philosophy behind the policy and recommended cost recovery level policies is provided below:

1. **Communitywide vs. Private Benefit:** The use of taxpayer dollars is appropriate for services that benefit the community as a whole such as Police Patrol services. When the service or program provides a benefit to specific individuals or groups such as the issuance of building permits, it is common for the individual(s) receiving that benefit to pay for the full cost of that service.
2. **Service Recipient vs. Service Driver:** The concept of the service recipient vs. service driver is particularly important for regulated activities such as development review and public issued permits. Although the community primarily benefits, 100% cost recovery from the “driver” of the need for service is appropriate such as a building permit or Fire Code occupancy permit.
3. **Consistency with City Goals and Policies:** City policies and Council goals related to the community’s quality of life may also be factors in setting cost recovery levels. For example, fee levels can be set to promote healthy habits, facilitate environmental stewardship (e.g., encouraging solar panel installations), or discourage certain actions (e.g., false alarms).
4. **Elasticity of Demand for Services:** The level of cost recovery can affect the demand for services. A higher level of cost recovery could ensure the City is providing services such as recreational classes or summer camps for children and youth without over-stimulating the market with artificially low prices. Such low prices, which reflects a high General Fund subsidy, may attract participants from other cities or crowd out private options for the same service. However, high-cost recovery levels could negatively impact the demand for such services to low-income individuals, children, or seniors.
5. **Availability of Services from the Private Sector:** High-cost recovery levels are generally sought in situations where the service is available from other sources in order to preserve taxpayer funds for core City services. Conversely, services that are not available from other sources and are typically unavoidable and primary governmental services typically have low or zero cost recovery levels.

The table below overlays certain cost recovery levels grouped in high (70.1% to 100%), medium (30.1% to 70%), and low (0% to 30%) cost recovery percentage ranges. It is important to note that these groupings provide policy guidance and are not absolute. Overall, the proposed fees in this study generally follow these patterns.

COST RECOVERY LEVELS	COST RECOVERY PERCENTAGE RANGE	POLICY CONSIDERATIONS	FEE EXAMPLES
HIGH	70.1% - 100%	<ul style="list-style-type: none"> Individual users or participants receive most or all of the benefit of the service Other private or public sector alternatives provide the service The use of the service is specifically discouraged The service is regulatory in nature 	Business Licenses & Permits Building & Planning Fees Attorney Fees Fire Code Fees Street Fees Parking Fees
MEDIUM	30.1% - 70%	<ul style="list-style-type: none"> Services having factors associated with the Low and High-cost recovery levels 	Paramedic Membership Weed Abatement
LOW	0% - 30%	<ul style="list-style-type: none"> No intended relationship between the amount paid and the benefit received Fee collection would not be cost effective and/or would discourage compliance with regulatory requirements No intent to limit the use of the service Public at large benefits even if they are not the direct users of the service Affordability of service to low-income residents/seniors 	Recreation Fees (Classes) Library Fees (Programs) Facility Rentals

DISCUSSION

For Fiscal Year 2022-23, staff has taken the fees from the prior fiscal year and, per the User Fee Policy, adjusted them based on the CPI-W index for March. The Bureau of Labor Statistic calculated the annual inflation factor for March to be 8.5%. The calculated

fees were then provided to each department for their review. Based on each individual department's analysis, some fees were further adjusted to reflect market conditions or other policy considerations.

The City's fees will continue to be updated on an annual basis. In the prior year's staff report, it was recommended that the March CPI figure should be used for consideration of an annual inflationary fee adjustment. However, to be an effective and integral part of the annual budget process, staff will need to know the rates much earlier and would recommend that future inflationary rate adjustments use the month January so that fee calculations will be integrated into the budget preparation process.

The proposed resolution would increase 468 fees, reduce 8 fees, and leave 265 fees unchanged. Upon implementation, the increased fees are projected to increase revenues by approximately \$265,300 annually. It is recommended that the City Council conduct a public hearing and adopt Resolution No. 7427 adjusting various fees for the City of Arcadia.

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.

PUBLIC COMMENTS/NOTICE

Consideration of Resolution No. 7427 requires a public hearing, which was noticed to the public in the Arcadia Weekly newspaper on May 5 and May 9, 2022. As of the time this report was written, no comments had been received.

FISCAL IMPACT

Projecting the fiscal impact of new fees is highly difficult due to the demand-based nature of fees, which fluctuates widely. Nonetheless, a calculation has been created based on percentage increases/decreases proposed in key fee categories. The fiscal impact from the fee adjustments is estimated to generate an additional \$265,300 of revenues annually. Although it should be noted that this estimate is dependent on the level of participation by the users of the services after they become effective on July 1, 2022. The new fees are reflected in the proposed Fiscal Year 2022-23 budget.

RECOMMENDATION

It is recommended that the City Council find this Resolution is exempt from the requirements of the California Environmental Quality Act ("CEQA"); and adopt Resolution No. 7427 establishing and/or adjusting various fees for City services.

Approved:



Dominic Lazzaretto
City Manager

Attachment "A" - Resolution 7427 (includes updated User Fee Schedule as Attachment
"A" to the Resolution)

RESOLUTION NO. 7427

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA, ESTABLISHING AND/OR ADJUSTING VARIOUS FEES FOR CITY SERVICES; AND FINDING THAT THIS RESOLUTION IS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA")

WHEREAS, California State law authorizes the City of Arcadia to collect fees and charges for services, provided such fees and charges do not exceed the reasonable cost of providing the service; and

WHEREAS, the City Council of the City of Arcadia has established certain fees and charges for services provided by the City of Arcadia; and

WHEREAS, the City Council desires to adjust certain fees and charges based upon review of said fees and charges; and

WHEREAS, the City Council has determined that such fees and charges shall be based on reasonable costs to the City for providing said services and updated annually by a CPI factor; and

WHEREAS, the City of Arcadia held a duly noticed Public Hearing to provide public input and review concerning adjustments in rates for said services.

NOW, THEREFORE, the City Council of the City of Arcadia does hereby resolve as follows:

SECTION 1. The establishment and/or adjustment of fees is statutorily exempt from the California Environmental Quality Act ("CEQA"), pursuant to Section 15273 of the CEQA Guidelines (Sections 21080(b)(8) and 21082, Public Resources Code).

SECTION 2. Based on a cost allocation study performed by each City department, the fees set forth in this Resolution are necessary for the purposes set forth in this Resolution. Said fees do not exceed the estimated costs for providing the applicable service or programs; and the fees are not being imposed for general revenue purposes, but instead for full or partial recovery of the costs of providing said services and programs. Said fees are to cover the costs of various services and programs set forth in the Fee Schedule, attached hereto as Attachment "A".

SECTION 3. The City Council hereby adopts the Fee Schedule, attached hereto as Attachment "A".

SECTION 4. Any fees adopted prior to the adoption of this Resolution which are inconsistent herewith are hereby repealed, effective upon the date the fees set forth in Attachment "A" take effect.

SECTION 5. This Resolution shall become effective May 17, 2022.

SECTION 6. All User Fees, including without limitation development fees, shall be imposed and collected commencing July 1, 2022.

SECTION 7. The City Clerk shall certify the adoption of this Resolution.

[SIGNATURES ON NEXT PAGE]


Passed, approved and adopted this 17th of May 2022.

Mayor of the City of Arcadia

ATTEST:

City Clerk

APPROVED AS TO FORM:



Stephen P. Deitsch
City Attorney

Attachment "A"

CITY OF ARCADIA USER FEE SCHEDULE EFFECTIVE JULY 1, 2022

MISCELLANEOUS FEES - CITYWIDE

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
ARCADIA TRANSIT DIAL-A-RIDE (RESIDENTS ONLY)					
1	Seniors/Disabled single one-way trip	\$ 0.50			\$ 0.50
2	Seniors/Disabled Reduced fare monthly pass	\$ 5.00			\$ 5.00
ARCADIA TRANSIT FIXED ROUTE (GENERAL PUBLIC)					
3	General Public single one-way trip	\$ 0.50			\$ 0.50
4	Seniors/Disabled single one-way trip	\$ -		Free fare for seniors and disabled persons on the fixed route.	\$ -
PHOTOCOPYING FEES (MATERIALS REPRODUCED BY THE CITY)					
5	First 25 pages	Free	per page	For any single document	Free
6	Every page after 25 page	\$ 0.10	per page	For any single document	\$ 0.10
RETURNED CHECKS/INSUFFICIENT FUNDS					
7	Non-Sufficient Check - 1st check passed	\$ 25.00	per returned item		\$ 25.00
8	Non-Sufficient Check - subsequent check to that payee passed in insufficient funds	\$ 35.00	per returned item		\$ 35.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

CITY MANAGER

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
CITY CLERK DUPLICATION SERVICES					
1	Municipal Code	Available for purchase on City's website through Municipal Code Corporation			Available for purchase on City's website through Municipal Code Corporation
2	Copies of City Documents - First 25 pages	Free			Free
3	Copies of City Documents - Every page thereafter	\$ 0.10	per page		\$ 0.11
4	DVD Duplication of City Council Meetings	Actual cost			Actual cost
CITY ATTORNEY FEES					
5	Subpoena for Records	\$ 15.00			\$ 16.00
6	Employee Witness Fees (Subpoena)	\$ 275.00			\$ 295.00
7	Recovery of Attorney Fees in any action, administrative proceeding or special proceeding to abate a public nuisance	Actual Cost			Actual Cost
8	City Attorney Pass Through Fees	City Attorney Private Law rate minus a 10%			City Attorney Private Law rate minus a 10%
9	Flashdrive	\$ 5.00			\$ 5.25
10	Notary Fee	\$ 15.00			\$ 16.00
11	Special Event Application	\$ 472.00			\$ 506.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

Code Services

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
	ADMINISTRATIVE CITATIONS				
1	First Violation (AMC Violation Only)	\$ 100.00			\$ 100.00
2	Second Violation (within 24 months)	\$ 200.00			\$ 200.00
3	Third and subsequent Violations (within 24 months)	\$ 500.00			\$ 500.00
4	Delinquent Fines	10% surcharge			10% surcharge
5	Interest on Delinquent Fines	1/2 of 1% per month, pro rata			1/2 of 1% per month, pro rata
6	Vacant Home Annual Registry Fee	\$ 1,492.00			\$ 1,492.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

Building & Safety

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
APPEALS					
1	Building Code Appeal	\$ 700.00			\$ 750.00
BUILDING PERMIT FEES					
2	Issuing Fee	\$ 55.00			\$ 59.00
3	Accessibility Review (ADA) Fees for Building Permit issuance	10% increase to base Building Permit Cost			10% increase to base Building Permit Cost
4	Accessibility Review (ADA) Fees for Building Permit issuance	15% increase to base Plan Check Cost			15% increase to base Plan Check Cost
Other Inspections					
5	For an extra inspection made necessary due to work not being ready at the time specified or due to work not corrected after prior written notice	\$ 125.00			\$ 134.00
6	For an inspection for which no fees are hereIn prescribed, per hour (time consumed per hour with a minimum charge of 1 hour)	\$ 125.00			\$ 134.00
7	For inspections outside normal business hours, per hour (time consumed per hour with a minimum charge of 2 hours)	\$ 125.00			\$ 134.00
PLAN REVIEW FEES					
8	When plans are required to be submitted by the Building Code, a plan review fee equal to 65 percent of the building permit fee shall be paid at the time of submitting plans and specifications for review.	65% of Building Permit Fee			65% of Building Permit Fee
9	When approved plans are revised, a supplemental plan review fee shall be paid to the City in an amount equal to \$60.95 per hour (time consumed per hour with a minimum charge of one [1] hour) or the actual cost to review the plans when the plans are reviewed by an outside City plan check consultant.	\$ 135.00	per hour		\$ 140.00
10	When plans are required to be submitted for compliance with the State Energy Conservation Regulations, an energy plan review fee equal to 20 percent of the building permit fee shall be paid at the time of submitting the plans and specifications for review.	20% of Building Permit Fee			20% of Building Permit Fee
11	When plans are required to be submitted for new commercial, industrial and multiple family buildings, a fire department plan review fee equal to 9.75 percent of the building permit fee shall be paid at the time of submitting the plans and specifications for review.	9.75% of Building Permit Fee			9.75% of Building Permit Fee

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

Building & Safety

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
12	When plans are required to be submitted for compliance with the California Green Building Code Regulations, a Cal Green plan review fee equal to 10 percent of the total plan check fee shall be paid at the time of submitting the plans and specifications of review	10% of the total Plan Check Fee			10% of the total Plan Check Fee
13	WELO (Water Efficiency Landscape Ordinance), plan check fee by outside consultants	Actual Cost		Actual cost of review by outside plan check consultant.	Actual Cost
14	WELO Plan Check Fee	Actual Cost		Actual cost of inspection by outside plan check consultant.	Actual Cost
15	WELO Issuance fee	\$ 55.00			\$ 59.00
GRADING PLAN REVIEW AND PERMIT FEES					
16	Issuing Fee	\$ 55.00			\$ 59.00
PLUMBING PERMIT FEES					
17	Issuance fee, per permit Unit Fee Schedule	\$ 55.00			\$ 59.00
18	For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping, and backflow protection therefore)	\$ 15.00			\$ 16.00
19	For each building sewer connection on property, including for each dwelling unit in a multiple-family development	\$ 36.00			\$ 38.00
20	Rainwater systems, per drain (inside building)	\$ 15.00			\$ 16.00
21	For each private sewage disposal system (where permitted)	\$ 109.00			\$ 116.00
22	For each water heater and/or vent	\$ 18.00			\$ 19.00
23	For each gas piping system of one to five outlets	\$ 18.00			\$ 19.00
24	For each gas piping system over five outlets, per outlet	\$ 4.00			\$ 4.25
25	For each interceptor including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps	\$ 29.00			\$ 31.00
26	For installation, alteration, or repair of water service. Piping and or water piping to one (1) fixture	\$ 15.00			\$ 16.00
27	For repiping an existing domestic water supply and distribution system	By building permit value			By building permit value
28	For repair or alteration of drainage or vent piping, each fixture	\$ 15.00			\$ 16.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

Building & Safety

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
29	For each lawn sprinkler system on any one meter including backflow protection devices therefore	\$ 22.00			\$ 23.00
30	For atmospheric-type vacuum breakers not included in items 1: 1 to 5	\$ 10.00			\$ 10.50
31	For atmospheric-type vacuum breakers not included in items 1: over 5, each	\$ 2.00			\$ 2.10
32	For each backflow protective device other than atmospheric-type vacuum breakers: 2 inches or smaller	\$ 18.00			\$ 19.00
33	For each backflow protective device other than atmospheric-type vacuum breakers: over 2 inches	\$ 36.00			\$ 38.00
34	For each swimming pool piping (including spas and hot tubs)	\$ 31.00			\$ 33.00
35	For each swimming pool "P" trap	\$ 10.00			\$ 10.50
36	For each swimming pool, spa and hot tub water heater (including gas piping)	\$ 48.00			\$ 50.00
37	For each sewer cap and/or cesspool fill	\$ 18.00			\$ 19.00
	Other Inspections				
38	For an extra inspection made necessary due to work not being ready at the time specified or due to work not corrected after prior written notice	\$ 125.00			\$ 134.00
39	For an inspection for which no fees are herein prescribed, per hour (time consumed per hour with a minimum charge of 1 hour)	\$ 125.00			\$ 134.00
40	For inspections outside normal business hours, per hour (time consumed per hour with a minimum charge of 2 hours)	\$ 125.00		2 Hour Minimum	\$ 134.00
	PLUMBING PLAN REVIEW FEES				
41	For plumbing plans which require plan review, a plan review fee equal to 65 percent of the plumbing permit fee shall be paid to the Building Official at the time plans are submitted for review.	65% of Plumbing Permit Fee			65% of Plumbing Permit Fee
	ELECTRICAL PERMIT FEES				
42	Issuance fee, per permit	\$ 55.00			\$ 59.00
	Services				
43	For residential service of 600 volts or less and not over 400 amps in rating, including on meter each for residential service of 600 volts or less and over 400 amps in rating, including one (1) meter	\$ 22.00			\$ 23.00
44	For residential service of 600 volts or less, and over 400 amps in rating, including one (1) meter	\$ 59.00			\$ 63.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

Building & Safety

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
45	For one commercial service 200 amps or less, including one meter each	\$ 37.00			\$ 39.00
46	For each commercial service 200 amps to 1,000 amps, including one meter each	\$ 63.00			\$ 67.00
47	For commercial services over 600 volts or over 1,000 amps in rating, including one meter each	\$ 125.00			\$ 134.00
48	For each additional meter	\$ 18.00			\$ 19.00
49	For each distribution panel	\$ 22.00			\$ 23.50
	New Residential Construction				
50	For each new single, duplex and multiple-family dwelling for each square foot of gross floor area	\$ 0.07			\$ 0.07
51	For buildings accessory to new residential buildings constructed in conjunction with those residential buildings for each square foot of gross floor area.	\$ 0.06			\$ 0.06
	Other Construction				
52	For receptacle, switch, lighting outlets: First 20, each	\$ 2.00			\$ 2.10
53	For receptacle, switch, lighting outlets: Additional, each	\$ 1.25			\$ 1.30
54	For lighting fixtures, sockets or other lamp devices: First 20, each	\$ 2.00			\$ 2.10
55	For lighting fixtures, sockets or other lamp devices: Additional, each	\$ 1.25			\$ 1.30
56	For pole or platform mounted lighting fixtures such as tennis courts, parking lot standards and walkway lighting fixtures, including any foundation: First 6	\$ 30.00			\$ 32.00
57	For pole or platform mounted lighting fixtures such as tennis courts, parking lot standards and walkway lighting fixtures, including any foundation: Additional, each	\$ 8.00			\$ 8.50
58	For fixed residential appliances or receptacle outlets for same, not exceeding 1 hp in rating, each	\$ 8.00			\$ 8.50
59	For nonresidential appliances and self-contained factory wired appliances not exceeding 1 hp, kw, or kva, each	\$ 8.00			\$ 8.50
60	For electrical apparatus, conduits and conductor for which a permit is required, but for which no fee is specified, each	\$ 18.00			\$ 19.00
	POWER SCHEDULE				

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

Building & Safety

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
	For motors, generators, transformers, rectifiers, converters, capacitors, industrial heating, air conditioning and heat pumps, cooking or baking equipment and other apparatus, as follows:				
	Rating in hp, kw, kva or kvar:			For equipment having more than one motor, transformer, heater, etc., the sum of the combined ratings may be used. These fees include all switches, circuit breakers, contractors, thermostats, relays and other directly related control equipment	
61	Up to and including 1, each	\$ 9.00			\$ 9.50
62	Over 1 and not over 10, each	\$ 18.00			\$ 19.00
63	Over 10 and not over 50, each	\$ 29.00			\$ 31.00
64	Over 50 and not over 100, each	\$ 49.00			\$ 52.00
65	Over 100, each	\$ 78.00			\$ 83.00
	BUS WAYS				
66	For trolley and plug-in bus ways, each 100 feet or fraction thereof	\$ 11.00			\$ 11.50
	SIGNS				
				The fee for filing an application for a sign permit shall be the same as required for a building of equivalent valuation and shall also include a plan check fee which shall be 50% of the permit fee.	
67	For one sign, outline lighting and marquee supplied from one branch circuit, each	\$ 73.00			\$ 78.00
68	For additional branch circuits, each	\$ 7.00			\$ 7.50
	Carnivals, Christmas Tree Lots, Sales Lots, Etc.				
69	For electric generators and electrically driven rides, each	\$ 18.00			\$ 19.00
70	For mechanically driven rides and walk through attractions with lighting, each	\$ 9.00			\$ 9.50
71	For a system supplying booth lighting, each	\$ 9.00			\$ 9.50
72	For Christmas tree lots, sales lots, etc., each	\$ 36.00			\$ 38.00
73	TEMPORARY POWER				

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

Building & Safety

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
74	For temporary service pole or pedestal installed in conjunction with temporary buildings, each	\$ 62.00			\$ 66.00
75	For temporary service pole and one distribution system for construction sites, each	\$ 36.00			\$ 38.00
76	For additional distribution panels installed in conjunction with temporary power poles, each	\$ 18.00			\$ 19.00
SWIMMING POOLS, HOT TUBS, ETC.					
77	For not more than one sub-panel, three motors, integral lighting fixtures and all wiring and lighting for operation of same	\$ 83.00			\$ 89.00
ELECTRICAL PLAN REVIEW FEES					
78	For electrical plans that require plan review, a plan review fee equal to 65 percent of the electrical permit fee shall be paid to the Building Official at the time plans are submitted for plan review.	65% of Electrical Permit Fee			65% of Electrical Permit Fee
MECHANICAL PERMIT FEES					
79	For the issuance of each permit Unit Fee Schedule	\$ 55.00			\$ 59.00
80	For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h	\$ 22.00			\$ 23.00
81	For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, over 100,000 Btu/h	\$ 30.00			\$ 32.00
82	For the installation or relocation of each floor furnace, including vents	\$ 22.00			\$ 23.00
83	For the installation or relocation of each suspended heater, recessed wall heater or floor mounted unit heater	\$ 20.00			\$ 21.00
84	For the installation, relocation or replacement of each appliance vent installed and not included in any appliance permit	\$ 10.00			\$ 10.50
85	For the regular repair of, alteration of, or addition to each heating appliance refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by this code	\$ 22.00			\$ 23.00
86	For the installation or relocation of each boiler or compressor to and including 3 horsepower, or each absorption system to and including 10,000 Btu/h	\$ 22.00			\$ 23.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

Building & Safety

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
87	For the installation or relocation of each boiler or compressor over 3 horsepower to and including 15 horsepower or each absorption system over 100,000 Btu/h and including 500,000 Btu/h	\$ 40.00			\$ 42.00
88	For the installation or relocation of each boiler or compressor over 15 horsepower to and including 30 horsepower or each absorption system over 500,000 Btu/h and including 1,000,000 Btu/h	\$ 55.00			\$ 59.00
89	For the installation or relocation of each boiler or compressor over 30 horsepower to and including 50 horsepower or each absorption system over 1,000,000 Btu/h and including 1,750,000 Btu/h	\$ 82.00			\$ 87.00
90	For the installation or relocation of each boiler or compressor over 50 horsepower or each absorption system over 1,750,000 Btu/h	\$ 136.00			\$ 145.00
91	For each air-handling unit to and including 10,000 cubic feet per minute, including ducts attached thereto	\$ 16.00		This fee shall not apply to an air-handling unit which is a portion of a factory assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in this Code	\$ 17.00
92	For each air-handling unit over 10,000 cubic feet per minute, including ducts attached thereto	\$ 27.00			\$ 28.00
93	For each evaporative cooler other than portable type	\$ 16.00			\$ 17.00
94	For each ventilation fan connected to a single duct	\$ 10.00			\$ 10.50
95	For each ventilation system which is not a portion of any heating or air conditioning system authorized by a permit	\$ 16.00			\$ 17.00
96	For the installation of each kitchen hood, which is served by mechanical exhaust, including ducts for such hood	\$ 16.00			\$ 17.00
97	For the installation or relocation of each domestic-type incinerator	\$ 27.00			\$ 28.00
98	For the installation or relocation of each commercial or industrial-type incinerator	\$ 109.00			\$ 116.00
99	For each appliance or piece of equipment regulated by this code but not classed in other appliance categories, or for which no other fee is listed in this Code	\$ 16.00			\$ 17.00
100	For the installation of ducts to an existing comfort heating/cooling system, per system	\$ 11.00			\$ 11.75
101	For the installation of a factory built fireplace, including ducts attached thereto	\$ 16.00			\$ 17.00
	Other Inspections				
102	For an extra inspection made necessary due to work not being ready at the time specified or due to work not corrected after prior written notice	\$ 125.00			\$ 134.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

Building & Safety

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
103	For an inspection for which no fees are herein prescribed, per hour (time consumed per hour with a minimum charge of 1 hour)	\$ 125.00			\$ 134.00
104	For inspections outside normal business hours, per hour (time consumed per hour with a minimum charge of 2 hours)	\$ 125.00			\$ 134.00
MECHANICAL PLAN REVIEW FEES					
105	For mechanical plans that require plan review, a plan review equal to 65 percent of the mechanical permit fee shall be paid to the Building Official at the time plans are submitted for plan review	65% of the Mechanical Permit Fee			65% of the Mechanical Permit Fee
RELOCATION AND REMOVAL FEES					
106	A relocation examination fee is established in the amount of \$14.10 for each one hundred (100) square feet or fraction thereof of floor space, whether usable or not, contained within the building proposed to be relocated.	\$ 16.00	each one hundred sq ft		\$ 17.00
Relocation Permit Fee					
107	Relocation permit fee shall be \$22.65 per one thousand dollars (\$1000.00) valuation, or fraction thereof of the building to be relocated. For the purpose of computing such fee, valuation shall include the reasonable cost of moving such structure and the reasonable value of all new construction, alterations, additions, repairs, replacements and foundations in connection therewith.	\$ 26.00	per one thousand dollars valuation		\$ 27.00
108	For the issuance of each permit	\$ 55.00			\$ 59.00
Removal Permit Fee (Export)					
109	The fee for filing an application for a removal permit shall be \$296.65 (route inspection fee and owner and mover bonds shall also be collected).	\$ 346.00			\$ 370.00
110	For the issuance of each permit	\$ 55.00			\$ 59.00
DEMOLITION PERMIT FEES					
111	500 square feet or less	\$ 29.00			\$ 31.00
112	501 to 1,000 cubic yards	\$ 55.00			\$ 59.00
113	1,001 to 3,000 cubic yards	\$ 91.00			\$ 97.00
114	3,001 to 10,000 cubic yards	\$ 154.00			\$ 165.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

Building & Safety

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
115	10,001 square feet or more	\$ 305.00			\$ 327.00
SWIMMING POOL PERMIT AND PLAN REVIEW FEES					
116	The fee for filing an application for a swimming pool permit and plan review shall be the same as required for a building of equivalent valuation. The valuation shall be calculated at the rate of \$208.95 per perimeter foot of the swimming pool and/or spa.	Valuation Based	per perimeter foot		Valuation Based
117	For the issuance of each permit	\$ 55.00			\$ 59.00
SOLID WASTE MANAGEMENT FEE					
118	For the issuance of each building, demolition and reroofing permit	\$ 6.25			\$ 6.70
119	For the issuance of each electrical, plumbing, mechanical, sign, fire extinguishing, swimming pool and spa, fire alarm, grading and masonry wall permit	\$ 1.00			\$ 1.00
OTHER INSPECTIONS					
120	For an extra inspection made necessary due to work not being ready at the time specified or due to work not corrected after prior written notice	\$ 125.00			\$ 134.00
121	For an inspection for which no fees are herein prescribed, per hour (time consumed per hour with a minimum charge of 1 hour)	\$ 125.00			\$ 134.00
122	For inspections outside normal business hours, per hour (time consumed per hour with a minimum charge of 2 hours)	\$ 125.00			\$ 134.00
PARK FACILITIES IMPACT FEES (Resolution No. 6602, 01-15-08)					
123	Single Family Projects	\$ 2.85	per sq ft		\$ 2.85
124	Multi-family Projects	\$ 3.73	per sq ft		\$ 3.73
FIRE EXTINGUISHING, ALARM PERMIT PERMIT AND PLAN REVIEW FEES					
125	For the issuance of each permit	\$ 55.00			\$ 59.00
126	Change of Address Fee	\$ 725.00			\$ 775.00
127	Replacement Job Card	\$ 25.00	each		\$ 26.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

Building & Safety

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
128	Temporary Certificate of Occupancy	\$ 221.00	each		\$ 237.00
129	Residential Solar < 10 kW	\$ 31.00	kW		\$ 33.00
130	Residential Solar >10 kW	\$ 62.00	kW		\$ 67.00
131	Commercial Solar <50 kW	\$ 47.00	kW		\$ 50.00
132	Commercial Solar 50-250 kW	\$ 125.00	kW		\$ 134.00
133	Commercial Solar >250 kW	\$ 251.00	kW		\$ 269.00
134	Energy Storage System	\$ 59.00	each		\$ 63.00
135	Plan Check of an Electric Vehicle Charging Station at an amount equal to \$82.42 per half hour (time consumed per half hour with a minimum charge of one [1] half hour) or the actual cost to review the plans when the plans are reviewed by an outside City plan check consultant.	\$ 95.00	hourly		\$ 100.00
136	Electric Vehicle Charging Station	\$ 55.00	each		\$ 59.00
137	Residential Elevator	\$ 31.00	each		\$ 33.00
138	Permit Extension	\$ 122.00	each		\$ 130.00
139	Commercial Type 1 & 2 Hood & Duct	\$ 125.00	each		\$ 134.00
140	Residential Solar Plan Check < 10 kW	\$ 150.00	kW		\$ 160.00
141	Residential Solar Plan Check > 10 kW	\$ 170.00	kW		\$ 182.00
142	Commercial Solar Plan Check < 50 kW	\$ 250.00	kW		\$ 268.00
143	Commercial Solar Plan Check 50- 250 kW	\$ 525.00	kW		\$ 563.00
144	Commercial Solar Plan Check > 250 kW	\$ 1,544.00	kW		\$ 1,650.00
145	Energy Storage System Plan Review	\$ 55.00	each		\$ 59.00
146	Technology Fee	\$ 0.06	of Permit & Plan Check Fees	Plan Check, Building Permits, Mech/Elec/Plum Permits, Misc Permits, Fire Plan Check, Fire Permit Fees, Engineering Permit Fees, Storm Water Plan & Inspection, Offsite Plan Check, Landscape Plan Check & Inspection	\$ 0.06
147	Failure to Obtain Permit	Double the permit fee			Double the permit fee

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

Building Valuation Table
Current (All New Construction)

Minimum Value	Maximum Value	Current Base Rate	Suggested Base Rate	Current Plus \$\$	Suggested Plus \$\$	For every
0	500	45.63	45.63	0.00	0.00	0.00
501	2,000	45.63	45.63	4.71	4.71	100.00
2,001	25,000	116.35	116.35	18.75	18.75	1,000.00
25,001	50,000	547.53	547.53	14.31	14.31	1,000.00
50,001	100,000	905.35	905.35	9.37	9.37	1,000.00
1,000,001	and up	1,374.02	1,374.02	7.75	7.75	1,000.00

Percent Change = 0.0%

Cost Recovery Level = 80%

Please Note: Valuation fee structure is derived from the Uniform Building Code.

REROOFING PERMIT FEES

Updated July 1, 2022

REROOFING

The fee for filing an application for a reroofing permit shall be determined by the valuation provided. If no valuation is provided. It shall be the same as required for a building of equivalent valuation as determined by the following:

Type of Reroofing	Evaluation (cost per square)
1. Fiberglass Shingles (20 year warranty)	\$163.02
2. Laminated Fiberglass Shingles (25 to 30 year warranty)	\$188.10
3. Laminated Fiberglass Shingles (40 & 50 year warranty)	\$213.18
4. Heavy Weight Concrete Tile	\$407.54
5. Lite Weight Concrete Tile	\$470.24
6. Lite Weight Perlite Shakes	\$407.54
7. Fiber Cement Shakes	\$407.54
8. Pressure Treated Wood Shakes	\$407.54
9. Pressure Treated Wood Shingles	\$407.54
10. Steel Roofing Systems (Class "B")	\$438.89
(Class "A")	\$460.83

For plywood installation, add \$53.65 per square to the above figures.

City of Arcadia
 Building and Safety Division
 Building Valuation Data for Miscellaneous Work
Updated July 1, 2022

Valuation for Tenant Improvements	\$ Per Sq. Ft.
Bakery	\$31.22
Bank	\$44.97
General office	\$30.79
Hair salon	\$21.60
Medical office	\$37.44
Minor tenant improvement	\$15.39
Restaurant	\$37.44
Retail Store	\$21.60
Take-out restaurant	\$30.73
Tenant improvements at the mall	\$52.82
 Residential Room Additions and Remodeling	
Addition without plumbing	\$107.60
Addition with plumbing	\$143.47
Remodel without plumbing	\$43.04
Remodel with plumbing	\$57.40
Conversion without plumbing	\$71.73
Conversion with plumbing	\$86.09
 Patios, Carports and Garages	
Open sides, trellis type roof	\$25.00
Open sides, roofed patio	\$25.00
Enclosed patio	\$36.52
Carport	\$25.00
Garage	\$38.34
 Window Change Out	
Smaller than 6' x 4'	\$621.07 each
6' x 4' or larger	\$745.29 each
 Door Installation	
Single	\$621.07 each
Double	\$1,117.92 each
 Masonry Garden and Retaining Walls	
Masonry garden walls	\$10.57
Retaining walls	\$24.84

Ref.: Bldg Val III 2019

City of Arcadia
Building and Safety Division
Valuation for New Buildings and Structures
Updated July 1, 2022

APARTMENTS/CONDOS:

IA or IIA.....	\$172.33
IIIB.....	146.32
VA.....	146.33
VB.....	135.29
Basement Garage.....	53.65

BANKS:

IA or IIA.....	212.46
IIIB.....	156.52
IIIA.....	172.73
III-B.....	172.73
VA.....	156.22
VB.....	149.91

CHURCHS:

IA or IIA.....	142.31
II-B.....	106.87
IIIA.....	116.20
IIIB.....	111.03
VA.....	108.60
VB.....	102.14

DWELLINGS:

VA.....	152.92
VB.....	143.47
Basements:	
Semi-Finished.....	36.61
Unfinished.....	27.92
Remodel.....	43.04
Remodel w/plumbing...	57.39
Conversion.....	71.73
Conversion w/plumb...	86.08

FIRE STATIONS:

IA or IIA.....	164.13
IIIB.....	108.03
IIIA.....	118.22
IIIB.....	113.54
VA.....	110.89
VB.....	105.16

**~~GARAGES, PRIVATE:~~
(Utility, Miscellaneous)**

VB.....	38.34
VA.....	43.23
Open Carport.....	25.00
Patio (All).....	25.00
Patio Enclosed.....	35.39

HOTELS AND MOTELS:

IA or IIA.....	144.89
IIIA.....	125.53
IIIB.....	119.65
VA.....	109.32
VB.....	107.15

INDUSTRIAL PLANTS:

IA or IIA.....	81.63
IIIB.....	52.22
IIIA.....	62.54
IIIB.....	58.96
Tilt-up.....	43.04
VA.....	58.96
VB.....	53.93

MEDICAL OFFICES:

IA or IIA.....	171.44
IIIB.....	125.67
IIIA.....	143.47
IIIB.....	133.57
VA.....	129.41
VB.....	124.80

OFFICES :

IA or IIA.....	153.22
IIIB.....	107.70
IIIA.....	116.29
IIIB.....	111.18
VA.....	110.24
VB.....	102.58

PARKING STRUCTURES

IA or IIA.....	70.14
Type I or II, Open.....	52.64
IIIB.....	40.17
IIIA.....	53.08
IIIB.....	47.19

PUBLIC BUILDINGS:

IA or IIA.....	177.03
IIIB.....	143.47
IIIA.....	152.36
IIIB.....	143.76
VA.....	136.29
VB.....	131.95

RESTAURANTS:

IIIA.....	139.72
IIIB.....	134.99
VA.....	127.96
VB.....	122.95

SCHOOLS:

IA or IIA.....	159.53
IIIA.....	116.49
IIIB.....	112.04
VA.....	109.17
VB.....	104.15

SERVICE STATIONS:

IIIB.....	96.40
IIIA.....	100.57
VA.....	84.78
VB.....	96.40
Canopies.....	40.17

STORES:

IA or IIA.....	118.22
IIIB.....	74.26
IIIA.....	92.34
IIIB.....	86.62
VA.....	77.73
VB.....	71.84

THEATERS:

IA or IIA.....	157.51
IIIA.....	114.77
IIIB.....	109.32
VA.....	108.03
VB.....	102.14

WAREHOUSES:

IA or IIA.....	74.37
IIIB.....	41.42
IIIA.....	49.99
IIIB.....	47.60
VA.....	44.14
VB.....	41.42

EQUIPMENT:

Air Conditioning:	
Commercial.....	6.02
Residential.....	5.02
Fire Sprinkler System.....	3.73

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

Engineering

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
1	Plans and Specifications	\$ 35.00			\$ 38.00
	Miscellaneous Copies				
2	8 ½ x 11" and 8 ½ x 17"	\$ 1.00	per sheet		\$ 1.05
3	15" x 20"	\$ 2.00	per sheet		\$ 2.15
4	18" x 24"	\$ 2.50	per sheet		\$ 2.70
5	24" x 36"	\$ 3.00	per sheet		\$ 3.20
6	30" x 36"	\$ 3.50	per sheet		\$ 3.75
7	24" x 36" Mylar Original	\$ 5.00	per sheet		\$ 5.35
	Plan Review				
8	Public Improvement Plan Review Base Fee	\$ 339.00		The applicant shall reimburse the City for 100% of actual costs and expenditures incurred by the City relative to said project.	\$ 364.00
9	Public Improvement Plan Review Base Fee Plus Additional Staff Review	\$ 113.00	per hour	The applicant shall reimburse the City for 100% of base fee plus additional staff time dedicated to project. Additional staff time is based on hourly rate of position performing review.	\$ 121.00
10	Final Map and Parcel Map Review Base Fee	\$ 164.00			\$ 176.00
11	Final Map and Parcel Map Review Base Fee Plus Additional Staff Review	\$ 56.00	per lot	The applicant shall reimburse the City for 100% of base fee plus additional staff time dedicated to additional lots. Additional staff time is based on 1/2 hour rate of position performing project.	\$ 60.00
	Encroachment Permits				
12	Encroachment Permit - Issuance Fee	\$ 102.00			\$ 109.00
13	Encroachment Permit - Inspection Base Fee	\$ 152.00			\$ 163.00
14	Encroachment Permit - Inspection Base Fee Plus Additional Inspection Time	\$ 152.00	per hour		\$ 163.00
	Transportation Permits				

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

Engineering

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
15	Transportation Permit - Single Trip	\$ 50.00			\$ 54.00
16	Transportation Permit - Annual	\$ 150.00			\$ 161.00
	Surface Replacement Deposit				
17	Excavation - any street, alley, or other public place paved with concrete	\$ 30.00	per sq ft of surface		\$ 32.00
18	Excavation - any street, alley, or other public place paved with asphalt	\$ 6.00	per sq ft of surface		\$ 6.50
	Amount of Deposit				
19	Cash Deposit	\$ 2,000.00			\$ 2,150.00
20	Surety Bond	\$ 2,000.00			\$ 2,150.00
	Inspection Charges for street work				
21	Monday through Thursday and City Hall Open Fridays (Regularly Scheduled Work Hours):	\$ 152.00	per hour	Minimum \$30 (1/2 hr)	\$ 163.00
22	Monday through Thursday and City Hall Open Fridays (Hours worked over Regularly Scheduled Work Hours):	\$ 229.00	per hour (1 1/2 times)	Minimum \$60 (1 hr)	\$ 246.00
23	Saturdays, Sundays, Legal Holidays, and the City Hall Closed Fridays	\$ 229.00	per hour (1 1/2 times)	Minimum \$180 (3 hrs)	\$ 246.00
	Construction Trash Receptacles on City Streets				
24	Construction Trash Receptable Permit - Issuance Fee	\$ 51.00			\$ 55.00
25	Construction Trash Receptable Permit - Inspection Base Fee	\$ 152.00			\$ 163.00
26	Construction Trash Receptable Permit - Base Fee Plus Additional Inspection Time	\$ 152.00	per hour		\$ 163.00
	Permit Application Engineering Review				
27	Permit Application Engineering Review Base Fee	\$ 169.00			\$ 181.00
28	Permit Application Engineering Review Base Fee Plus Additional Staff Review	\$ 113.00	per hour		\$ 121.00
	LID STORMWATER PLANNING PROGRAM				
	Construction Stormwater Pollution Prevention Plan (SWPPP) Review and Inspection				

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

Engineering

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
29	Tier 1 - New project equal to one acre or greater of disturbed area and adding more than 10,000 sf of impervious area. Tier 1 includes the following: 1) New project equal to one acre or greater of disturbed area and adding more than 10,000 sf of impervious area; 2) New Industrial Park with 10,000 sf or more of surface area; 3) New Commercial mall with 10,000 sf or more of surface area; 4) Redevelopment of 5,000 sf or more of 1), 2), and 3); 5) Redevelopment of 10,000 sf or more to a single family home; 6) Special Provision projects like Green street, or hillside single family home.	\$ 1,518.00			\$ 1,629.00
30	Tier 2 includes the following: 1) New Retail Gasoline outlet with 5,000 sf or more of surface area; 2) New Restaurant with 5,000 sf or more surface area; 3) New parking lot with either 5,000 or more of impervious area or 25 or more parking spaces; 4) New Automotive Service facility with 5,000 sf or more of surface area; 5) Projects located in or directly adjacent to, or discharging directly into a Significant Ecological Area; 6) Redevelopment of 5,000 sf or more of all above categories	\$ 1,291.00			\$ 1,385.00
31	Non-LID Projects	\$ 169.00			\$ 181.00
32	SWPPP Review and Inspection - Less than 2 acres	\$ 1,339.00			\$ 1,437.00
33	SWPPP Review and Inspection - Between 2 and 5 acres	\$ 1,606.00			\$ 1,723.00
34	SWPPP Review and Inspection - Greater than 5 acres	\$ 2,385.00			\$ 2,559.00
	STREET VACATION PERMIT				
35	Summary Street Vacation Fee	\$ 1,889.00			\$ 2,027.00
36	Street Vacation Fee	\$ 2,946.00			\$ 3,161.00
	GRADING				
	Grading Plan Check				
37	0 cubic yards to 1,000 cubic yards	\$ 1,091.00			\$ 1,171.00
38	>1,000 cubic yards	\$ 113.00	per hour	0 to 1,000 cubic yards fee PLUS additional per additional hour dedicated to project.	\$ 121.00
	Grading Permit				

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

Engineering

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
39	0 cubic yards to 1,000 cubic yards	\$ 741.00			\$ 795.00
40	>1,000 cubic yards	\$ 113.00	per hour	0 to 1,000 cubic yards fee PLUS additional per additional hour dedicated to project.	\$ 121.00
41	Technology Fee	\$ 0.00	of Permit & Plan Check Fees	Plan Check, Building Permits, Mech/Elec/Plum Permits, Misc Permits, Fire Plan Check, Fire Permit Fees, Engineering Permit Fees, Storm Water Plan & Inspection, Offsite Plan Check, Landscape Plan Check & Inspection	\$ 0.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

PLANNING

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
SITE PLAN AND DESIGN REVIEWS					
COMMERCIAL/INDUSTRIAL					
1	Preliminary Plan Review	\$ 1,540.00			\$ 1,652.00
2	New	\$ 4,103.00			\$ 4,403.00
3	Amendment	\$ 1,575.00			\$ 1,690.00
4	Remodel/Addition	\$ 1,405.00			\$ 1,508.00
5	Amendment	\$ 1,258.00			\$ 1,350.00
MULTIPLE-FAMILY					
6	Preliminary Plan Review	\$ 1,540.00			\$ 1,652.00
7	New multiple family projects (Up to 20 Dwelling Units)	\$ 2,619.00			\$ 2,810.00
8	Amendment multiple family projects (Up to 20 Dwelling Units)	\$ 1,533.00			\$ 1,645.00
9	New Multifamily Residential (21 or more Dwelling Units)	\$ 6,496.00			\$ 6,970.00
10	Amendment Multifamily Residential (21 or more Dwelling Units)	\$ 2,277.00			\$ 2,443.00
11	Remodel/Addition	\$ 1,541.00			\$ 1,653.00
SINGLE-FAMILY					
12	New	\$ 2,138.00			\$ 2,294.00
13	Amendment	\$ 1,009.00			\$ 1,083.00
14	Remodel/Addition	\$ 1,077.00			\$ 1,156.00
15	Amendment	\$ 483.00		Amendment to Remodel/Addition application	\$ 518.00
SIGNS					
16	Temporary Sign Permit	\$ 229.00			\$ 246.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

PLANNING

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
17	Signs, Awning and Canopy Signs	\$ 398.00			\$ 400.00
18	Comprehensive Sign Program	\$ 813.00			\$ 872.00
ANTENNAS					
19	Antennas and Wireless Facilities	\$ 2,817.00			\$ 3,023.00
20	Antennae panels	\$ 546.00			\$ 586.00
21	Wireless fee waiver	\$ 261.00			\$ 280.00
22	Administrative / Over-the-Counter	\$ 42.00			\$ 45.00
23	Appeal – including HOA / ARB Decision	\$ 600.00			\$ 644.00
24	Extension	\$ 140.00			\$ 150.00
BANNERS					
25	Temporary Banner on a Building	\$ 29.00			\$ 31.00
HISTORIC PRESERVATION					
26	Designation of a Local Landmark	\$ 1,800.00			\$ 1,800.00
27	Designation of a Historic District	\$ 2,500.00			\$ 2,500.00
28	Mills Act Contract Application	\$ 1,000.00			\$ 1,000.00
29	Certificate of Appropriateness (Major)	\$ 1,600.00			\$ 1,600.00
30	Certificate of Appropriateness (Minor)	\$ 900.00			\$ 900.00
CERTIFICATE OF DEMOLITION					
31	Certificate of Demolition (Director's Review)	\$ 178.00			\$ 191.00
32	Certificate of Demolition (Referred to Planning Commission)	\$ 1,200.00		plus CEQA fee	\$ 1,288.00
33	Appeal	\$ 600.00			\$ 644.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

PLANNING

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
	CONDITIONAL USE PERMIT				
34	New	\$ 2,794.00			\$ 2,997.00
35	Amendment	\$ 1,848.00			\$ 1,983.00
36	Extension	\$ 127.00			\$ 136.00
37	Appeal	\$ 600.00			\$ 644.00
	MINOR USE PERMIT				
38	New	\$ 1,086.00			\$ 1,165.00
39	Amendment	\$ 687.00			\$ 737.00
40	Appeal	\$ 600.00			\$ 644.00
	ADMINISTRATIVE MODIFICATIONS				
41	Minor Director's Review	\$ 596.00			\$ 640.00
42	Major Director's Review	\$ 1,059.00			\$ 1,136.00
43	Commission's Review	\$ 2,219.00			\$ 2,381.00
44	Appeal	\$ 600.00			\$ 644.00
45	Extension	\$ 178.00			\$ 191.00
	TREE PERMITS				
46	Encroachment	\$ 362.00			\$ 388.00
47	Removal of a Diseased or Hazardous Tree	\$ 119.00			\$ 128.00
48	Removal of Healthy Tree	\$ 912.00			\$ 979.00
49	Appeal	\$ 600.00			\$ 644.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

PLANNING

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
HOME OCCUPATION PERMITS					
50	Administrative	\$ 40.00			\$ 43.00
51	Hearing	\$ 263.00			\$ 282.00
CODE AMENDMENTS					
52	Determination of Use	\$ 1,835.00			\$ 1,969.00
53	Specific Plan	\$ 8,469.00			\$ 9,087.00
54	Specific Plan Amendment	\$ 4,544.00			\$ 4,876.00
55	General Plan Amendment	\$ 6,955.00			\$ 7,463.00
56	Text Amendment	\$ 4,667.00			\$ 5,008.00
57	Zone Change	\$ 6,460.00			\$ 6,932.00
58	Planned Developments	\$ 7,455.00			\$ 7,999.00
59	General Plan Update Fee	5% of Planning Applications			5% of Planning Applications
SUBDIVISIONS					
60	Lot Line Adjustment w/Certificate of Compliance	\$ 1,686.00			\$ 1,809.00
61	Tentative or Vesting Tentative Parcel Map	\$ 1,215.00			\$ 1,304.00
62	Tentative or Vesting Tentative Tract Map for Single-Family Lots	\$ 2,248.00	Base Fee (first 5 lots)		\$ 2,412.00
63	Tentative or Vesting Tentative Tract Map for Single-Family Lots - each additional lot (over 5)	\$ 30.00	Base Fee (Item #78) Plus \$30 per additional lot added to base fee (over 5 lots)		\$ 32.00
64	Tentative or Vesting Tentative Tract Map for Condominiums	\$ 1,294.00			\$ 1,388.00
65	Appeal	\$ 600.00			\$ 644.00
66	Extension	\$ 245.00			\$ 263.00
67	Final Map	\$ 1,346.00			\$ 1,444.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

PLANNING

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
68	Parcel Map Waiver	\$ 726.00			\$ 779.00
69	Amendment to an Approved Tentative Map and/or Conditions	\$ 973.00			\$ 1,044.00
70	Lot Merger	\$ 1,290.00			\$ 1,384.00
71	Certificate of Compliance	\$ 798.00			\$ 856.00
72	Temporary Use Permit	\$ 574.00			\$ 616.00
73	Temporary Use Permit - Council Review	\$ 1,437.00			\$ 1,542.00
74	ZONING CLEARANCE	\$ 271.00			\$ 291.00
OUTDOOR USE PERMITS					
75	MUP - Incidental Dining (12 or more seats)	\$ 590.00			\$ 633.00
76	Outdoor Dining - Incidental	\$ 220.00			\$ 236.00
77	Outdoor Dining - Sidewalk Dining	\$ 220.00			\$ 236.00
78	Portable Sign	\$ 220.00			\$ 236.00
DEVELOPMENT AGREEMENT					
79	Development Agreement	At Cost			At Cost
80	Development Agreement Amendment	At Cost			At Cost
81	Development Agreement Periodic Review	\$ 985.00			\$ 1,057.00
DOCUMENTS					
82	Covenant Preparation	\$ 311.00			\$ 334.00
83	General Plan Document	\$ 75.00			\$ 80.00
	General Plan Land Use Map				
84	27 X 35 map	\$ 25.00			\$ 27.00
85	11 X 17 map	\$ 2.00			\$ 2.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

PLANNING

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
	Zoning Map				
86	27 X 35 map	\$ 25.00			\$ 27.00
87	11 X 17 map	\$ 2.00			\$ 2.00
	VARIANCE				
88	New	\$ 2,442.00			\$ 2,620.00
89	Amendment	\$ 1,665.00			\$ 1,787.00
90	Appeal	\$ 600.00			\$ 644.00
91	Adult Business Regulatory Permit	\$ 2,300.00			\$ 2,468.00
92	REASONABLE ACCOMMODATION	\$ 1,200.00			\$ -

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

FIRE

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
	FIRE CODE PERMITS & INSPECTION RATES				
1	Aerosol Product	\$ 550.00			\$ 590.00
2	Apartments	\$ 140.00			\$ 140.00
3	Amusement Building	\$ 395.00			\$ 420.00
4	Assembly Facility	\$ 370.00			\$ 395.00
5	Business Occupancy	\$ 140.00			\$ 150.00
6	Business Restaurant Occupancy	\$ 165.00			\$ 175.00
7	Candles/Open Flame in Assembly	\$ 120.00			\$ 125.00
8	Carnivals & Fairs	\$ 550.00			\$ 590.00
9	Combustible Dust Prod Ops	\$ 395.00			\$ 420.00
10	Combustible Fiber Storage	\$ 395.00			\$ 420.00
11	Commercial Rental Occupancy	\$ 165.00			\$ 175.00
12	Compressed Gases	\$ 450.00			\$ 480.00
13	Covered Mall	\$ 815.00			\$ 870.00
14	Cryogenics	\$ 395.00			\$ 420.00
15	Dry Cleaning Plants	\$ 395.00			\$ 420.00
16	Exhibits/Trade Shows	\$ 315.00			\$ 335.00
17	Explosives or Blasting Agents	\$ 315.00			\$ 335.00
18	False Alarm Response	\$ 600.00		Fees applicable only during 3rd occurrence and subsequent response at the same address location	\$ 640.00
19	Fireworks/Aerial Displays	\$ 870.00			\$ 930.00
20	Flammable/Combustible Liquid	\$ 460.00			\$ 490.00
21	Hazardous Materials 1 to 3 chemical(s)	\$ 385.00			\$ 410.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

FIRE

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
22	Hazardous Materials 4 to 6 chemicals	\$ 460.00			\$ 490.00
23	Hazardous Materials 7 or more chemicals	\$ 550.00			\$ 590.00
24	Hazardous Production Materials Facility	\$ 395.00			\$ 420.00
25	Helicopter/Helistop	\$ 130.00			\$ 135.00
26	High Piled Combustible Materials	\$ 570.00			\$ 610.00
27	Hot-Work Operations	\$ 370.00			\$ 395.00
28	Industrial Baking/Drying Oven	\$ 395.00			\$ 420.00
29	Liquid Gas Fueled Vehicles in Assembly Buildings	\$ 315.00			\$ 335.00
30	Liquefied Petroleum Gases > 5 gallons	\$ 315.00			\$ 335.00
31	Lumber Yard	\$ 395.00			\$ 420.00
32	Manufacturing/Industrial Storage Occupancy	\$ 140.00			\$ 150.00
33	Magnesium Working	\$ 395.00			\$ 420.00
34	Mercantile Occupancy	\$ 140.00			\$ 150.00
35	Miscellaneous Comb Material Storage	\$ 395.00			\$ 420.00
36	Motor Vehicle Fuel Dispensing Stations	\$ 371.00			\$ 395.00
37	Open Burning	\$ 165.00			\$ 175.00
38	Organic Coatings	\$ 395.00			\$ 420.00
39	Pyrotechnical Special Effects Material	\$ 550.00			\$ 590.00
40	Refrigeration Equipment	\$ 395.00			\$ 420.00
41	Spraying/Dipping	\$ 395.00			\$ 420.00
42	Tent/Canopy/Temporary Air Supported Structure	\$ 395.00			\$ 420.00
43	Tire Storage	\$ 395.00			\$ 420.00
44	Wood Products	\$ 395.00			\$ 420.00
45	Chief Officer Standby	\$ 320.00	per hour		\$ 340.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

FIRE

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
46	Elevator Rescue Service	\$ 490.00		Fees applicable only during 3rd occurrence and subsequent response at the same address location	\$ 525.00
47	Engine/Truck Company Standby	\$ 580.00	per hour		\$ 620.00
48	EMS Assessment Fee	\$ 400.00			\$ 429.00
49	Expedite/After hours Inspection (Fire Prevention Bureau)	\$ 460.00	per hour		\$ 490.00
50	Fire Standby (Fire Marshal)	\$ 215.00	per hour		\$ 230.00
51	Fire Standby (Fire Inspector)	\$ 155.00	per hour		\$ 165.00
52	Missed appointment	\$ 195.00			\$ 205.00
53	Water Evac (1st response in calendar year)	Free			Free
54	Water Evac (2nd & subsequent responses within calendar yr)	\$ 535.00			\$ 570.00
55	Re-inspections (Engine or Truck Company)	\$ 265.00	per hour		\$ 280.00
56	Re-inspections (Fire Prevention Bureau)	\$ 245.00			\$ 260.00
57	Rescue Ambulance Standby	\$ 440.00	per hour		\$ 470.00
58	Roof Covering (1st response in calendar year)	Free			Free
59	Roof Covering (2nd and subsequent responses)	\$ 1,075.00			\$ 1,150.00
60	High Rise Occupancy	\$ 815.00			\$ 870.00
61	Hospital Occupancy	\$ 2,485.00			\$ 2,665.00
62	Hotel or Motel Occupancy	\$ 340.00			\$ 360.00
63	Private School Occupancy	\$ 285.00			\$ 305.00
64	Public School Occupancy	\$ 460.00	per inspection		\$ 490.00
65	CA Code of Reg. Title 19-Sprinkler System Certifications	\$ 75.00			\$ 80.00
66	Fire Extinguisher Demonstration	\$ 255.00			\$ 270.00
67	Key Box	\$ 75.00			\$ 80.00
68	Failure to obtain fire construction permit	Double Permit Fee			Double Permit Fee

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

FIRE

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
69	Fire Code Compliance Inspection	\$ 180.00			\$ 190.00
70	Carbon Dioxide Beverage Dispensing Systems permit	\$ 90.00			\$ 95.00
71	Building Evacuation	\$ 2,440.00			\$ 2,615.00
72	Occupancy Final Permit Inspection	\$ 135.00	per hour		\$ 140.00
73	Weed Abatement	\$ 195.00			\$ 205.00
PARAMEDIC SERVICES					
74	Paramedic Ambulance Service	LA County Rates			LA County Rates
PLAN REVIEW					
75	Architectural Design Review	\$ 195.00			\$ 205.00
76	Expedite/OTC Plan Check	\$ 195.00			\$ 205.00
77	Flammable/Combustible Tank (Installation & Removal)	\$ 315.00			\$ 335.00
78	In-House Fire Department Plan Check	\$ 305.00	hour		\$ 325.00
79	Tract Application	\$ 215.00			\$ 230.00
BUILDING PLAN REVIEW					
80	New Commercial, Multi-Family or Industrial)	0.1% of the Project Valuation			0.1% of the Project Valuation
Administration Citations for Violations of the Uniform Fire Code					
81	First Violation	\$ 125.00	Each		\$ 125.00
82	Second violation within 12 month period	\$ 250.00	Each		\$ 250.00
83	Third and subsequent violation within 12 month period	\$ 500.00	Each		\$ 500.00
84	Use, possession, storage, sale, or manufacturing of fireworks	\$ 2,500.00	Each		\$ 2,500.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

FIRE

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
85	Delinquent fines	10% of amount due to City, or 10% of the amount of the fine remaining unpaid to the City if a portion of the fine amount was timely paid			10% of amount due to City, or 10% of the amount of the fine remaining unpaid to the City if a portion of the fine amount was timely paid
86	Interest	1/2 of 1% per month, pro rata			1/2 of 1% per month, pro rata
87	Movie Details Fire Safety Office Movie Standby	\$ 195.00	per hour		\$ 195.00
88	Fire Code Appeal	\$ 705.00			\$ 755.00
89	Electronica Patient Care Report (ePCR) processing fee	\$ 4.60	Each		\$ 4.70
90	Dispatch fee	\$ 73.42	Each		\$ 79.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

POLICE

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
1	Vicious and Dangerous Dog Designation	\$ 125.00			\$ 134.00
	Police Records				
2	ATM Safety Law	\$ 25.00	per request		\$ 27.00
3	Citation Verification (Equipment Violation) - Residents	\$ 10.00	per request		\$ 11.00
4	Citation Verification (Equipment Violation) - Non-residents	\$ 25.00	per request		\$ 27.00
5	Copies of Crime Reports	\$ 0.25	per page	First 25 pages free	\$ 0.25
6	Fingerprinting - first card	\$ 10.00	per person		\$ 11.00
7	Fingerprinting - each additional card	\$ 10.00	per person		\$ 11.00
8	Livescan Fingerprinting	\$ 11.00			\$ 12.00
9	Microfilm Reproduction	\$ 30.00	first five pages	\$1.00 for each additional page thereafter.	\$ 32.00
10	Photograph Reproduction	\$ 1.00	per CD per person	no limit to quantity of pictures as long as they fit on one CD, if storage capacity is exceeded then a second CD must be purchased	\$ 1.00
11	Repossession Administrative Fee	\$ 15.00			\$ 16.00
12	Special Reports or Research Fee (for video/audio reproduction; blank tapes provided)	\$ 215.00	per hour	with one hour minimum, additional time charged at 15-minute increments	\$ 231.00
13	Local C.O.R.J. Letter	\$ 33.00	per request		\$ 35.00
14	Sex and Drug Registrants	\$ -			\$ -
15	Police Shooting Range	\$ -			Law Enforcement use only
16	Civil Subpoena Duces Tecum	\$ 15.00		per State Code	\$ 16.00
17	Traffic Accident Report	\$ 33.00			\$ 35.00
18	Adult Business Performer License Annual Fee	\$ 215.00			\$ 231.00
20	Misdemeanor/Infraction Violation	Any person convicted of a misdemeanor under any provision of this Code shall be punishable by a fine of not more than \$1,000.00 or by imprisonment in the City			
	Penalty for Infraction				
21	1st Violation	Not more than \$100			Not more than \$100
23	2nd Violation (of same provision within 1 year)	Not more than \$200			Not more than \$200
24	3rd and any Additional Violation (of same provision within 1 year)	Not more than \$500			Not more than \$500
25	Infraction regarding minors	Set by the court			Set by the court

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

POLICE

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
	Police Towing Services (according to third-party contract with Jan's Towing)				
26	Regular Tow - Class A	\$ 216.00			\$ 231.00
27	Medium Duty Tow - Class B	\$ 259.00			\$ 275.00
28	Heavy Duty Tow - Class C	\$ 374.00			\$ 407.00
29	Super Heavy Duty Tow - Class D	\$ 434.50			\$ 432.00
30	Motorcycle Tow	\$ 216.00			\$ 231.00
31	Regular Storage - Class A (inside)	\$ 58.30	day		\$ 64.90
32	Medium Storage - Class B (inside)	\$ 62.70	day		\$ 65.50
33	Heavy Storage - Class C (inside)	\$ 73.81	day		\$ 70.00
34	Heavy Duty Storage - Class D (inside)	\$ 63.00	day		\$ 70.00
35	Motorcycle Storage (inside)	\$ 58.30	day		\$ 64.90
36	Regular Storage - Class A (outside)	\$ 64.13	day		\$ 65.50
37	Medium Storage - Class B (outside)	\$ 62.70	day		\$ 67.50
38	Heavy Storage - Class C (outside)	\$ 37.10	day		\$ 70.00
39	Heavy Storage - Class D (outside)	\$ 63.00	day		\$ 70.00
40	Motorcycle Storage (outside)	\$ 64.13	day		\$ 65.50
41	Handicap Tow	\$ 216.00	day		\$ 231.00
42	Handicap Storage (indoor)	\$ 58.30	day		\$ 64.90
43	Handicap Storage (outdoor)	\$ 64.13	day		\$ 65.50
	Disorderly Party Fee				
44	First Response	No fee			No fee
44	2nd or subsequent response	Special Assignment Fee (personnel and equipment costs, damage to City property, injuries to City personnel)			Special Assignment Fee (personnel and equipment costs, damage to City property, injuries to City personnel)
	Parking Violations				
	Arcadia Municipal Code Violations				
47	10.1 No Stopping or Standing in Parkway	\$ 65.00			\$ 70.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

POLICE

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
48	10.3 No Stopping or Parking	\$ 65.00			\$ 70.00
49	10.3(7) No Stopping or Parking (Street Sweeping)	\$ 65.00			\$ 70.00
50	10.4 Using Street Storage of Vehicle	\$ 100.00			\$ 107.00
51	10.6 Repairing or Greasing Vehicle on Street	\$ 65.00			\$ 70.00
52	10.7 Washing or Polishing Vehicle on Street	\$ 65.00			\$ 70.00
53	10.11 Unlawful Parking - Peddlers/Vendors	\$ 83.00			\$ 89.00
54	10.12 No Parking (Emergency Signs)	\$ 65.00			\$ 70.00
55	11.0 Green Curb (24 Minutes Only)	\$ 65.00			\$ 70.00
56	11.2 & 11.3 Overtime Parking (1 Hr. Zone and 2 Hr. Zone)	\$ 65.00			\$ 70.00
57	11.6 Park in Space Parking	\$ 65.00			\$ 70.00
58	11.9 Overnight Parking (3 a.m. to 6 a.m.)	\$ 65.00			\$ 70.00
59	11.9.1 Overnight Parking (Vehicle over 6,000 lbs.)	\$ 95.00			\$ 102.00
60	Temporary All Night Parking	\$ 5.00	per night		\$ 5.00
61	12.1 Park in Violation of Curb Markings (R Y W)	\$ 65.00			\$ 70.00
62	12.2 Load or Unload in Excess of 20 Minutes	\$ 65.00			\$ 70.00
63	12.3 Park in Loading Zone	\$ 65.00			\$ 70.00
64	12.4 Park in Passenger Loading Zone	\$ 65.00			\$ 70.00
65	12.5 Park in Alley	\$ 65.00			\$ 70.00
66	3240 Parking on Private Property	\$ 65.00			\$ 70.00
67	13.15 Parking Commercial Vehicle in Residential	\$ 200.00			\$ 215.00
68	13.16 Commercial Vehicle (truck route)	\$ 240.00			\$ 258.00
California Vehicle Code Violations					
69	21113a Parking on Public Grounds	\$ 65.00			\$ 70.00
70	22500a Parking Within an Intersection	\$ 65.00			\$ 70.00
71	22500b On a Crosswalk	\$ 65.00			\$ 70.00
72	22500e In Front of Public or Private Drive	\$ 65.00			\$ 70.00
73	22500f On a Sidewalk	\$ 65.00			\$ 70.00
74	22500h Double Parking	\$ 65.00			\$ 70.00
75	22500i Bus Zone	\$ 300.00			\$ 322.00
76	22500.1 Park in Fire Lane/Accessway	\$ 300.00			\$ 322.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

POLICE

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
77	22502 Park over 18" from R/Curb (or Wrong Side)	\$ 65.00			\$ 70.00
78	22507.8 Handicapped Parking (First Offense Only)	\$ 400.00			\$ 429.00
79	22514 Fire Hydrant (Within 15 feet)	\$ 65.00			\$ 70.00
80	22522 Park Near Curb Access Ramp	\$ 300.00			\$ 322.00
81	22526 Blocking Intersection	\$ 105.00			\$ 113.00
82	5200(a) Improper Display of License Plates	\$ 65.00			\$ 70.00
83	5204(a) Improper Display of Tabs	\$ 65.00			\$ 70.00
	Public Safety Alarm Fees				
	False Security Alarm Fees				
84	First and second false security alarm in any consecutive 365 day period (MC Section - 3907)	No Cost Assessment			No Cost Assessment
85	Third false security alarm in any consecutive 365 day period (MC Section 3907b)	\$ 200.00	Assessment		\$ 215.00
86	Fourth false security alarm in any consecutive 365 day period (MC 3907c)	\$ 300.00	Assessment		\$ 322.00
87	Fifth and all subsequent false security alarms in any consecutive 365 day period (MC 3907d) (Resolution 7047, adopted 10-21-14)	\$ 400.00	Assessment		\$ 429.00
88	Each false security alarm which specifically signals a robbery or panic alarm regardless of any other crime in any 365 day period	\$ 200.00	Cost Assessment	Commencing with the 2nd false security alarm in any consecutive 365 period 3907e	\$ 215.00
89	Reactivation Fee	\$ 200.00			\$ 215.00
	False Fire Alarm				
90	First and Second false Fire Alarm during the calendar year	No Cost Assessment			No Cost Assessment
91	Third and all subsequent false fire alarms during calendar year	Cost Assessment of \$320			Cost Assessment of \$320
92	Fifth and all subsequent false fire alarms during calendar year	Subject to Administrative Citations			Subject to Administrative Citations
	Vehicle Impound/Storage Fees				
93	Vehicle Impound/Storage Release Fee	\$ 170.00			\$ 182.00
94	Vehicle Impound/Storage Release Fee - Incident to Arrest Other than DUI	\$ 700.00			\$ 751.00
95	Vehicle Impound/Storage Release Fee with DUI	\$ 700.00			\$ 751.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

POLICE

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
96	Massage Therapist Permit Application Fee	\$ 250.00			\$ 268.00
97	Massage Therapist Permit Renewal Fee	\$ 215.00			\$ 231.00
98	Movie Detail	Cost Varies			Cost Varies
	Miscellaneous Police Services				
99	Safekeeping of Firearms	\$150 for the first weapon \$50 for each additional weapon, and a \$2 per day per weapon storage free beyond the 30-day limit			\$150 for the first weapon \$50 for each additional weapon, and a \$2 per day per weapon storage free beyond the 30-day limit
100	Annual Overnight Parking Permit	\$ 125.00			\$ 134.00
101	Annual Overnight Parking Permit Transfer Fee	\$ 5.00			\$ 5.00
102	Altered Dogs	\$ 36.00			\$ 36.00
103	Unaltered Dogs	\$ 78.00			\$ 78.00
104	Altered Dogs - Senior rate	\$ 23.00			\$ 23.00
105	Unaltered Dogs - Senior rate	\$ 46.00			\$ 46.00
106	Pet Store/Groomer	\$ 125.00			\$ 125.00
107	Replacement Tags	\$ 25.00			\$ 25.00
108	Penalty Fee for late payments	\$ 30.00			\$ 30.00
109	Taxi Driver Permit Application	\$ 215.00			\$ 231.00
110	Solicitation Permit Application	\$ 135.00			\$ 145.00
111	Audio/Video Recording (on CD)	\$ 1.00			\$ 1.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

PUBLIC WORKS					
	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
1	Inspection Charges				
2	Backflow test and inspection (new construction) (Resolution 7239, adopted 12-18-18)	\$ 224.00			\$ 240.00
3	Annual administration of backflow device (Resolution 7239, adopted 12-18-18)	\$ 38.00			\$ 38.00
4	Street Maintenance Charges				
5	Curb number painting	\$ 95.00			\$ 95.00
6	Private street sweeping (per curb mile)	\$ 58.00			\$ 62.00
7	Maintenance Charges for Water Service				
8	Bacteriological test for new development's water lines	\$ 100.00		Plus Lab Cost	\$ 107.00
9	Field Monitor water meter (Flo-Search) - 1st time within 1 year	No charge		No Charge for 1st time within 1 year	No charge
10	Field Monitor water meter (Flo-Search) - 2nd and subsequent service within 1 year	\$ 90.00			\$ 97.00
11	Flow test hydrant (perform test)	\$ 385.00			\$ 413.00
12	Request to check water quality	\$ 235.00		Plus Lab Cost	\$ 252.00
13	Sewer Dye Test	\$ 115.00			\$ 123.00
14	Stand-pipe inspection (for developer access to water during const)	\$ 225.00			\$ 241.00
15	Water meter re-read - (1st within 1 year)	No charge		No Charge for 1st time within 1 year	No charge
16	Water meter re-read - (2nd and subsequent within 1 year)	\$ 50.00			\$ 54.00
17	Water meter turn-on after service shut-off (for change of ownership)	\$ 100.00	each		\$ 107.00
18	Water meter turn-on after service shut-off (for change of ownership)	\$ 250.00		after hours	\$ 268.00
19	Water turn-off notice for failure to test backflow prevention device	\$ 115.00			\$ 123.00
20	Unauthorized use of fire hydrant	\$ 120.00		Plus water cost	\$ 129.00
21	Flow test meter	\$ 180.00			\$ 193.00
22	Water turn-off/turn-on for non payment (during business hours)	\$ 130.00			\$ 139.00
23	Water turn-off/turn-on for non payment (after business hours)	\$ 250.00			\$ 268.00
24	Turn-on water per request during after-hours	\$ 260.00			\$ 279.00
25	Off-site Improvement plan check	\$ 200.00		\$135 for each hour after	\$ 215.00
26	Hydrant flow test performed with water model	\$ 250.00			\$ 250.00
27	Abandon Existing Service - water inspection fee	\$ 135.00			\$ 145.00
28	Water Permit Inspection Fees: Pre-Construction Inspection- for Private Development Projects for water permits.	\$ 200.00			\$ 215.00
29	Water Permit Inspection Fees: Water Service Inspection of Installation- Meter Reading documentation - setting up service for new development	\$ 175.00			\$ 188.00
30	GIASP No Exposure Certification (NEC) or non-fliers - Stormwater inspection fee	\$ 162.00			\$ 174.00
31	Stormwater and Urban Runoff Service Fees				
32	Urban Storm Water Mitigation Plan Check				

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

PUBLIC WORKS

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
33	Non-SUSMP projects (minimum NPDES requirements)	\$ 100.00			\$ 100.00
34	Storm Water Inspection Fees				
35	Restaurants	\$ 199.00			\$ 199.00
36	Auto Service Businesses	\$ 230.00			\$ 230.00
37	Industrial Commercial	\$ 260.00			\$ 260.00
38	GIASP sites (large complex industrial projects)	\$ 450.00			\$ 450.00
39	Low Impact Development (LID annual inspection)	\$ 290.00			\$ 290.00
40	Industrial Waste and Related Services				
41	Industrial Waste Disposal Permits				
42	New Sewer Disposal	\$ 287.00			\$ 287.00
43	Sewer Disposal Permit Revision	\$ 224.00			\$ 224.00
44	New on-site Disposal	\$ 412.00			\$ 412.00
45	On-site Disposal Permit Revision	\$ 226.00			\$ 226.00
46	New- Off Site Disposal	\$ 412.00			\$ 412.00
47	Off-Site Disposal Permit Revision	\$ 224.00			\$ 224.00
48	Industrial Waste Plan Review				
49	Disposal to Sewer - New				
50	1	\$ 412.00			\$ 412.00
51	2	\$ 505.00			\$ 505.00
52	3	\$ 622.00			\$ 622.00
53	4	\$ 768.00			\$ 768.00
54	5	\$ 950.00			\$ 950.00
55	6	\$ 1,180.00			\$ 1,180.00
56	Disposal to Sewer - Revision				
57	1	\$ 337.00			\$ 337.00
58	2	\$ 411.00			\$ 411.00
59	3	\$ 505.00			\$ 505.00
60	4	\$ 621.00			\$ 621.00
61	5	\$ 767.00			\$ 767.00
62	6	\$ 949.00			\$ 949.00
63	On-site Disposal - New				
64	1	\$ 537.00			\$ 537.00
65	2	\$ 662.00			\$ 662.00
66	3	\$ 818.00			\$ 818.00
67	4	\$ 1,013.00			\$ 1,013.00
68	5	\$ 1,257.00			\$ 1,257.00
69	6	\$ 1,562.00			\$ 1,562.00
70	On-site Disposal - Revision				
71	1	\$ 437.00			\$ 437.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

PUBLIC WORKS

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
72	2	\$ 537.00			\$ 537.00
73	3	\$ 661.00			\$ 661.00
74	4	\$ 817.00			\$ 817.00
75	5	\$ 1,013.00			\$ 1,013.00
76	6	\$ 1,257.00			\$ 1,257.00
77	Off-site Disposal - New				
78	1	\$ 412.00			\$ 412.00
79	2	\$ 505.00			\$ 505.00
80	3	\$ 622.00			\$ 622.00
81	4	\$ 768.00			\$ 768.00
82	5	\$ 950.00			\$ 950.00
83	6	\$ 1,178.00			\$ 1,178.00
84	Off-site Disposal - Revision				
85	1	\$ 337.00			\$ 337.00
86	2	\$ 411.00			\$ 411.00
87	3	\$ 505.00			\$ 505.00
88	4	\$ 621.00			\$ 621.00
89	5	\$ 767.00			\$ 767.00
90	6	\$ 949.00			\$ 949.00
91	Industrial Waste Annual Inspections				
92	Inspection Fee Class				
93	A	\$ 125.00			\$ 125.00
94	B	\$ 250.00			\$ 250.00
95	C	\$ 375.00			\$ 375.00
96	D	\$ 500.00			\$ 500.00
97	E	\$ 750.00			\$ 750.00
98	M	\$ 1,500.00			\$ 1,500.00
99	RDS	\$ 187.00			\$ 187.00
100	* Immediately upon issuance of a new permit, the permitted shall be billed a percentage of the above inspection fee, determined by the days remaining in the billing period, as scheduled below. The annual inspection fee shall also be increased by an additional \$138.00 for each approved rainwater diversion system.				
101	Days remaining in billing: 1-60	\$ -			\$ -
102	Days remaining in billing: 61-120	\$ 0.25			\$ 0.25
103	Days remaining in billing: 121-210	\$ 0.50			\$ 0.50
104	Days remaining in billing: 211-300	\$ 0.75			\$ 0.75
105	Days remaining in billing: 301-365	\$ 1.00			\$ 1.00
106	Wastewater sampling and analysis fee - per analysis	\$ 187.00			\$ 187.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

PUBLIC WORKS

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
107	Miscellaneous Fees				
108	Inspection of pretreatment facility for permit cancellation	\$ 125.00			\$ 125.00
109	Review of site remedial investigation and cleanup plan to correct unauthorized release of industrial waste, initial deposit	\$ 155.00			\$ 155.00
110	Additional site remedial investigation and cleanup plan review and approval, per hour	\$ 155.00			\$ 155.00
111	Inspection s outside of normal business hours, per hour	\$ 125.00			\$ 125.00
112	Inspection for which no fee is specifically indicated	\$ 125.00			\$ 125.00
113	Additional plan review or revisions of previously approved plans, per hour	\$ 155.00			\$ 155.00
114	Delinquent fees (for fees not paid within 30 calendar days from the billing date):	10% penalty fee for each 30 day period beyond the billing date.			10% penalty fee for each 30 day period beyond the billing date.
115	Annual Inspection Fee Refunds				
116	1 - 60 (days from previous billing date)	\$ 0.75			\$ 0.75
117	61 - 150 (days from previous billing date)	\$ 0.50			\$ 0.50
118	151 - 240 (days from previous billing date)	\$ 0.25			\$ 0.25
119	241 or more (days from previous billing date)	\$ -			\$ -

	Classess of Businesses, Processess and Industries for Plan Review and Inspection	Plan Review Class	Inspection Class
120	Agricultural Production, Food Processing and Handling		
121	Animal Slaughtering (except fowl)	\$ 3.00	D
122	Bakery plants	\$ 2.00	C
123	Beverages, canning and bottling	\$ 2.00	C
124	Breweries, wineries	\$ 3.00	D
125	Canned and preserved fruits and vegetables	\$ 3.00	B
126	Cold storage and refrigeration plants	\$ 1.00	A
127	Dairies and dairy products	\$ 2.00	D
128	Food markets	\$ 1.00	A
129	Frozen foods	\$ 2.00	B
130	Hydroponic farms	\$ 2.00	B
131	Poultry	\$ 3.00	E
132	Prepared meat, poultry, and fish products	\$ 2.00	C
133	Restaurants, public eating places and plant cafeterias	\$ 1.00	A
134	Rendering	\$ 3.00	C
135	Sugar and confectionery products	\$ 1.00	A
136	Vegetable fats and oils	\$ 2.00	B
137	Vegetable packing	\$ 3.00	D

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

PUBLIC WORKS

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
138	Mining, Manufacturing and Processing				
139	Aircraft	\$ 3.00	C		
140	Aircraft Engines, parts and accessories	\$ 3.00	C		
141	Ammunition and explosives	\$ 2.00	D		
142	asphalt and asphalt products	\$ 4.00	E		
143	Battery manufacturing, servicing and reclaiming	\$ 3.00	E		
144	Blast furnaces, steel works, rolling and finishing mills	\$ 4.00	E		
145	Carpet mills with dyeing	\$ 4.00	D		
146	Carpet mills without dyeing	\$ 1.00	A		
147	Cement manufacturing	\$ 3.00	B		
148	Ceramics	\$ 2.00	D		
149	Chemical milling	\$ 5.00	E		
150	Chemical plants	\$ 5.00	E		
151	Coating, electroplating, engraving, and related services	\$ 4.00	E		
152	Concrete batch plants	\$ 2.00	D		
153	Cut stone and stone products	\$ 2.00	A		
154	Electric power generation plants except waste-to-energy facilities	\$ 3.00	B		
155	Enameled products	\$ 2.00	B		
156	Guided missiles, space vehicles, space vehicle propulsion units and propulsion unit parts	\$ 4.00	D		
157	Iron and steel foundries and heat treating	\$ 4.00	D		
158	Linoleum, asphalt-felt-base and other hard-surface floor covering	\$ 2.00	B		
159	Metal fabrication (no chemical waste)	\$ 1.00	B		
160	Metals - with chemical waste (not otherwise classified)	\$ 1.00	A		
161	Metals - with no chemical wastes (not otherwise classified)	\$ 1.00	B		
162	Motor vehicles parts and accessories	\$ 2.00	B		
163	Motor vehicles, vehicle bodies, and trailers	\$ 3.00	B		
164	Musical instruments (metal)	\$ 2.00	C		
165	Non-metals - with chemical wastes (not otherwise classified)	\$ 3.00	D		
166	Non-metals - with no chemical wastes (not otherwise classified)	\$ 1.00	A		
167	Oil field production	\$ 2.00	C		
168	Paint manufacturing	\$ 3.00	D		
169	Paper manufacturing	\$ 3.00	C		
170	Paper products	\$ 2.00	B		
171	Pesticides	\$ 4.00	D		
172	Petroleum refining and processing	\$ 5.00	E		
173	Pharmaceuticals	\$ 4.00	D		
174	Photographic equipment and supplies	\$ 2.00	C		
175	Pottery, china, earthenware, porcelain and related products	\$ 2.00	C		

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

PUBLIC WORKS

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
176	Primary smelting and refining of nonferrous metals	\$ 3.00	B		
177	Printed circuit boards	\$ 4.00	E		
178	Quarrying and rock crushing	\$ 4.00	D		
179	Railroad equipment	\$ 2.00	B		
180	Rolling, drawing and extruding nonferrous metals	\$ 2.00	C		
181	Rubber and plastics products	\$ 3.00	C		
182	Sand and gravel washing and screening	\$ 3.00	D		
183	Secondary smelting and refining of nonferrous metals	\$ 2.00	C		
184	Semiconductor and related devices	\$ 3.00	D		
185	Silverware, plated ware and stainless steel ware	\$ 4.00	E		
186	Spray-painting shops	\$ 1.00	A		
187	Steel springs manufacturing	\$ 3.00	E		
188	Tanning and wool pulling	\$ 3.00	D		
189	Textile mills, treating and dyeing	\$ 4.00	D		
190	Wood fabrication (no chemical wastes)	\$ 1.00	A		
191	Retail Trade and Services				
192	Airports, flying fields and airport terminal services	\$ 1.00	B		
193	Automotive repair	\$ 1.00	C		
194	Bottle and can washing	\$ 2.00	B		
195	Car wash	\$ 1.00	C		
196	Chemical Laboratories	\$ 1.00	B		
197	Cleaners, retail	\$ 1.00	B		
198	Commercial laundries (not coin-operated)	\$ 2.00	B		
199	Cooperages	\$ 3.00	D		
200	Dry cleaning plants	\$ 2.00	D		
201	Film processing plants	\$ 2.00	C		
202	Film processing, retail	\$ 1.00	A		
203	Kennels, dog and cat hospitals	\$ 1.00	A		
204	Marine service	\$ 2.00	C		
205	Schools, churches and institutions	\$ 1.00	A		
206	Service stations - incidental car washing, repairs, and maintenance	\$ 1.00	A		
207	Tank truck interior washing	\$ 2.00	D		
208	Truck repair and exterior washing	\$ 1.00	C		
209	Waste Disposal Facilities				
210	Cogeneration facilities (not otherwise classified)	\$ 2.00	C		
211	Hazardous waste treatment, recycling, storage and transfer facilities	\$ 6.00	M		
212	Injection wells, non-oilfield wastes (liquids)	\$ 3.00	M		
213	Landfill gas recovery facilities	\$ 6.00	M		
214	Liquid waste storage and transfer facilities, non-hazardous	\$ 4.00	E		

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

PUBLIC WORKS

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
215	Open facilities, not used	\$ 1.00	A		
216	Solid-waste transfer, recycling and composting facilities	\$ 3.00	D		
217	Solid-waste incinerators	\$ 6.00	M		
218	Waste-to-energy facilities	\$ 6.00	M		

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

RECREATION AND COMMUNITY SERVICES

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
1	Classes and Activities				
2	Class Registration Administration Fee	\$ 5.00			\$ 6.00
3	Volleyball (per meeting) Adults and Teens	\$35/ per session			\$38/ per session
4	Kids Night Out Program	\$ 30.00			\$ 32.00
5	Adult Basketball League Cost per Team	\$ 850.00			\$ 910.00
6	Fee for processing refund for cancellation of recreation activity	\$ 20.00			\$ 21.00
7	Intramural Basketball, Volleyball, and Football (includes uniform)	\$ 100.00			\$ 107.00
8	Wilderness Park Fees				
9	Overnight Youth Campouts (per day/night) up to 50	\$ 300.00			\$ 320.00
10	If reservation for 100 requested, fee will be doubled	\$ 300.00			\$ 320.00
11	Security deposit per group (refundable)	\$ 100.00			\$ 110.00
12	School Picnics	\$ 100.00			\$ 110.00
13	Groups 1-5 (daily rates)	\$ -			\$ -
14	Groups 6-20 (daily rates)	\$ 30.00			\$ 32.00
15	Day Camp (1 week session)	\$ 150.00			\$ 160.00
16	Sports Camp (1 week session)	\$ 150.00			\$ 160.00
17	Bonita Park				
18	Bonita Park Light Use (per hour)	\$ 10.00			\$ 11.00
19	Dana Gym				
20	Teen Nights	\$ 30.00			\$ 32.00
21	Adult Badminton	\$ 35.00			\$ 38.00
22	Various Sites				
23	Winter, Spring, Thanksgiving, and Teen Camps	\$ 35.00	day		\$ 38.00
24	Summer Fun N Play	New			\$ 50.00
25	Hourly Fee for Use of Synthetic Turf Fields	\$ 35.00	hr		\$ 38.00
26	Annual Security Deposit For Use of Concession Stands	\$ 250.00			\$ 270.00
27	Annual Security Deposit For Use of Athletic Fields	\$ 250.00			\$ 270.00
28	Museum Education Center rentals	\$ 50.00	hr	2 hour minimum	\$ 54.00
29	Community Center Meeting Rooms				
30	Large Banquet Meeting Room (6 A-E)				
31	Attendance: 231 to 260	\$ 150.00	hr	FULL BALLROOM *Changing 6 hr. block to 1 hr. block*	\$ 160.00
32	Attendance: 131 to 230	\$ 100.00	hr	2/3 Ballroom* Changing 6 hr. block to 1 hr. block*	\$ 110.00
33	Attendance: Up to 130	\$ 75.00	hr	1/3 Ballroom *Changing 6 hr. block to 1 hr. block*	\$ 80.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

RECREATION AND COMMUNITY SERVICES

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
34	Security Deposit (refundable)	\$ 300.00			\$ 320.00
35	Rates for Retirement Events for City Employees	\$ 200.00		6 hour maximum, including set up/breakdown	\$ 215.00
36	Small Meeting Rooms (7AB or other small room)				
37	Rental Fee	\$ 60.00	hr		\$ 64.00
38	Security Deposit (refundable)	\$ 100.00			\$ 110.00
39	Custodial Care of Children - Late Fees				
40	5 minutes	Free			\$ -
41	6 - 10 minutes	\$ 20.00			\$ 21.00
42	11 - 15 minutes	\$ 30.00			\$ 32.00
43	16 - 20 minutes	\$ 40.00			\$ 43.00
44	21 - 25 minutes	\$ 50.00		\$10.00 additional charge for each 5 minutes	\$ 54.00
45	Council Chambers Room Facility Rental	\$ 50.00	hr	2 hour minimum	\$ 54.00
46	Council Chambers Room Facility Rental Security Deposit	\$ 100.00	hr		\$ 110.00
47	MEC Security Deposit	\$ 100.00			\$ 110.00
48	Extended Care AM	\$ 20.00			\$ 21.00
49	Extended Care PM	\$ 20.00			\$ 21.00
50	Extended Care AM&PM	\$ 40.00			\$ 42.00

**CITY OF ARCADIA
USER FEE SCHEDULE
EFFECTIVE JULY 1, 2022**

LIBRARY

	DESCRIPTION	CURRENT FEE / CHARGE	UNIT	NOTES	NEW FEES EFFECTIVE JULY 1, 2022
1	Library Fees				
2	Overdue Library Materials				
3	Per day, per item	\$ 0.25			\$ 0.25
4	Maximum fine, per item	\$ 10.00			\$ 10.00
5	Referral fee to collection agency per item	\$ 15.00			\$ 15.00
6	Items Lost or Damaged Beyond Repair				
7	Replacement	Cost of Items			Cost of Items
8	Processing Charge (paperback)	\$ 15.00			\$ 15.00
9	Processing Charge (all other materials)	\$ 15.00			\$ 3.00
10	Book Reserve				
11	Adult materials	NA			NA
12	Children's materials	NA			NA
13	Interlibrary Loan Requests: Each request (plus postage and other fees added by	\$ 5.00			\$ 5.00
14	Photocopies				
15	Photocopies (first 25 pages)	\$ 0.15			Free
16	Photocopies (26th and subsequent pages)	\$ 0.15	per page		\$ 0.15
17	Historical Materials for Private or Not for Profit Use	\$ 20.00			\$ 20.00
18	Historical Materials, commercial use, public display, publication	\$ 100.00			\$ 100.00
19	Library Card				
20	First card	\$ -			\$ -
21	Replacement fee for lost card	\$ 4.00			\$ 2.00
22	Library Meeting Room Reservations				
23	Ca. Mortenson Auditorium				
24	Per Hour Rental Fee (2 hour minimum)	\$ 125.00			\$ 125.00
25	Auditorium Security Deposit (refundable)	\$ 150.00			\$ 150.00
26	Cleaning Fee per use when food is served	\$ 50.00			\$ 50.00
27	Auditorium Piano Rental Use Fee	\$ 50.00			\$ 50.00
30	Internet Computer Use Guest Pass	\$ 2.00			Free
28	Museum Patio				
29	Per Hour (2 hour minimum)	\$ 40.00			\$ 40.00
31	Passport Services				
32	Passport Fee	\$ 35.00			\$ 35.00
33	Photo Fee	\$ 15.00			\$ 15.00
34	Express Mail	\$ 35.00			\$ 27.00
35	Class Fees				
36	English Conversation Fee	\$ 40.00	yr/student		\$ -
37	Per Hour Rental Fee Imagination Theater (1 hour min.)	\$ 50.00	per hour		\$ 55.00
38	Security Deposit (refundable)	\$ 50.00			\$ 55.00



STAFF REPORT

Office of the City Manager

DATE: May 17, 2022

TO: Honorable Mayor and City Council

FROM: Dominic Lazzaretto, City Manager
By: Michael Bruckner, Deputy City Manager
Michael Maurer, Assistant City Attorney

SUBJECT: PUBLIC HEARING TO RECEIVE INPUT FROM THE COMMUNITY REGARDING PROPOSED AMENDMENTS TO THE ARCADIA CITY CHARTER

Recommendation: Receive Public Input and Provide Direction

SUMMARY

The City is in need of updating its Charter in order to conform with various state laws, such as moving the election date to November in even numbered years and moving to district based voting. The City Council, with the assistance of input from a citizen Charter Review Committee, has been reviewing the document and preparing amendments for consideration. Proposed amendments include removing outdated provisions, providing the City Council more legislative flexibility for the administration of City services, and streamlining municipal functions for 21st Century governance.

At the May 3, 2022, Study Session, the City Council concluded its review of proposed Charter amendments and directed staff to schedule two public hearings pursuant to Government Code § 34458 to receive public input on the proposed amendments to the Arcadia City Charter in order to prepare for submitting the document to voters at the November 8, 2022, municipal election.

It is recommended that the City Council conduct a public hearing to receive public input regarding the proposed amendments to the Arcadia City Charter for community ratification at the November 8, 2022, General Municipal Election.

BACKGROUND

At the March 3, 2021, Study Session, the City Council voted to hold its next regularly scheduled election on November 8, 2022, to comply with the spirit and intent of SB 415 and Ordinance No. 2352, affirming the same. To avoid any potential legal challenges to future elections, the City Council requested that the City Manager prepare a Charter amendment for the November 8, 2022, General Municipal Election asking Arcadia voters

to ratify moving the City's municipal elections from April to November in even numbered years, beginning with the 2024 election cycle. In addition, the City Manager shared that the City's Charter has not been updated since 1998 and the City Council may wish to revisit several of the provisions that are outdated.

To assist the City Council with recommendations for updating and modernizing the City's Charter, at the July 6, 2021, City Council Meeting, the City Council adopted Resolution No. 7356 empaneling an Ad Hoc Charter Review Committee consisting of Arcadia residents to review the City's Charter and make recommendations for amendments. On September 7, 2021, the City Council conducted interviews for prospective members of the Committee. Seven candidates were selected; however, shortly after the Committee was empaneled a Committee Member resigned. As a result, the Committee continued its work with six members.

The Committee held its first meeting on October 14, 2021, and established a regular meeting schedule of twice per month, generally on Friday mornings at 10:00 a.m. in the City Council Chambers Conference Room. All meetings for the Committee were duly noticed in accordance with the Ralph M. Brown Act. All copies of the Committee's agendas and minutes can be found at ArcadiaCA.gov/Charterreview. The organizing principle of the Charter Review Committee was to review and update the City's Municipal Charter for 21st Century governance standards.

At its second meeting on October 29, 2021, the Committee requested copies of relevant Charter sections considered for amendment from the following cities to use as a comparison: Alhambra, Big Bear Lake, Cypress, Irvine, Mountain View, Newport Beach, Pasadena, Santa Monica, and Temple City. In addition, the Committee was provided with a copy of the National Civic League *Model Charter City, Ninth Edition*, which offers a contemporary view on modern City Charters. The Committee also requested additional information on Charter cities by population, their last Charter update, City election dates by Charter, City Council compensation, and public works contract authorities.

On February 18, 2022, the Committee concluded its review and transmitted its formal recommendation on Charter amendments to the City Council. On March 18, 2022, the City Council and Charter Review Committee held a Joint Special Meeting to discuss the Committee's recommendations. On May 3, 2022, the City Council held a Study Session to review additional information related to the Committee's proposed amendments and provided direction to staff on final amendments.

DISCUSSION

Below is a summary of proposed amendments recommended by the Charter Review Committee and approved by the City Council. Copies of the amended City Charter are included as Attachment "A" (red-lined) and Attachment "B" (clean).

Gender Pronouns and General Language Clean-up

Throughout the current Charter, references to individual Council Members use the gender pronouns he/his/him. The language in the Charter was amended to be more gender neutral and was changed to they/their. Several dozen sections of the Charter were amended with this change. Further, position titles have changed over time and there are several edits throughout the document that make contemporary changes.

Section 400. City Council

The section was amended to reflect the change from at-large to by-district voting in Arcadia.

Section 401. Eligibility

This section was amended to reflect that a Council Member must reside in the district for which they seek election or appointment.

Further, the current Charter allows for two consecutive four-year terms, after which a Council Member must sit out at least one election cycle before running again. The Council Member could repeat this cycle indefinitely. The Committee provided two recommendations for the City Council to consider that would place a lifetime limit on the number of terms allowed; however, the City Council has remained undecided on the issue of term limits. As a result, no amendment is being proposed to modify term limits at this time.

Section 403. Vacancies, Forfeiture of Office. Filling of Vacancies.

Under the current Charter, the City Council has 30 days to fill a vacancy on the City Council. This amendment increases the amount of time to 60 days, which is consistent with the Government Code for General Law cities. This will allow more time for the City Council to advertise for applicants to fill the vacancy, conduct interviews, and deliberate.

This section was also amended to create a new mechanism if the City Council fails to fill a vacancy or call for a Special Election to fill a vacancy. Under this amendment, the City Clerk shall be charged with automatically calling for a Special Election if a vacancy is not filled after the 60-day period for appointment.

Section 404. Mayor – Mayor Pro Tempore.

This amendment would establish a formal rotation system for the Mayor and Mayor Pro Tem and each would serve a term of approximately 9.5 months so that each Council Member will have the opportunity to serve in both positions during a 4-year term. It also requires that the City Council establish a procedure for implementing the rotation by ordinance or resolution.

Section 413. Proceedings.

This amendment allows for the electronic casting of the ayes and noes in lieu of a roll call vote. This would allow for further technological improvements at City Council meetings.

Section 415. Adoption of Ordinances and Resolutions.

At the start of each Council Meeting, a Council Member is asked to make a motion to read all ordinances and resolutions by title only and waive the reading in full. This amendment removes the Charter requirement to provide a motion to waive the reading in full; however, a majority of the Council Members present may still request that an ordinance or resolution be read in full.

Section 416. Ordinances. Publication.

The current Charter requires an ordinance to be published in the City's newspaper of record after adoption. Print newspapers no longer enjoy the wide appeal they used to and are a somewhat outmoded form of communication. In addition, the publishing of ordinances can be costly as well. This amendment does not eliminate the publishing in newspapers but does create an alternative option that ordinances be posted in at least three public places and on the City's website in lieu of in the newspaper. Staff recommends that the City Council approve City Hall, the Community Center, and the Arcadia Public Library as the alternate sites.

Section 417. Adoption of Codes by Reference.

This amendment eliminates the need to create three volumes of City Codes for inspection by the public. Instead, this Section would require a copy of the Code be available for public review in the City Clerk's Office and on the City's website.

Section 420. Publishing of Legal Notices.

This amendment follows the framework outlined in Section 416 by removing the requirement to post in the City's newspaper of record and creating the alternative to post legal notices in at least three public places and on the City's website.

Article V. City Clerk

This amendment eliminates the elected City Clerk position upon the expiration of the current term in 2024 or upon any vacancy in the current office. The City Manager shall have the authority to appoint a City Clerk to perform the powers and duties outlined in the Charter. Due to changes to the role of the City Clerk over time, the position has become largely ceremonial, with the vast majority of traditional City Clerk duties being performed by professional staff in the City Manager's Office. The elimination of the elected City Clerk

position will also save the City money over time as the position is the only seat still elected citywide. The current City Clerk has endorsed this amendment.

Section 807. General Plan.

This amendment adds language to the Charter to assert the City's right to home rule as it relates to land use policies. The California Legislature has become increasingly assertive in this area of municipal affairs. Should the City be required to defend its home rule authority, this additional Charter provision would strengthen the City's position.

Section 808. Human Resources Commission. Powers and Duties.

Under the current Charter language, the Human Resources Commission must review all changes to job classifications and specifications and personnel rules and regulations, which are then sent to the City Council for adoption. This has significantly slowed down the City's ability to recruit for vacant positions and/or stagnated creativity from hiring managers who did not want to take the time to go through the lengthy process. Moreover, the Human Resources Commission and City Council have typically had no comments on proposed amendments, so the steps have added little to no benefit to the organization.

This amendment redefines the role of the Human Resources Commission to serve as an independent, quasi-judicial hearing board solely related to appeals stemming from employee discipline and related matters, with job specifications and the like being the purview of the City Manager.

Section 809. Library Board of Trustees. Powers and Duties.

From time to time, the Arcadia Public Library receives monetary gifts from the Arcadia Community to further its educational and service mission. Provisions in the current Charter require that the City Council accept all donations over \$1,000, which requires staff time to prepare reports for City Council consideration. This amendment removes the requirement from this section and creates a new section that applies to donations received for all City purposes and requires the City Council to adopt new donation threshold by ordinance or resolution. Please see Section 1218 below for further details.

Section 1100. General Municipal Elections.

Commencing with the November 8, 2022, General Municipal Election, all future City elections will be held on the first Tuesday after the first Monday in November, to coincide with statewide general elections.

Section 1203. Capital Program.

The current Charter defines a capital expenditure as an improvement in excess of \$30,000. While this limit was likely very practical 20 years ago, the cost of public

improvements has increased exponentially over time and the limit does not create the same purchasing power it once did. The artificially low threshold amount results in substantial staff time to prepare corresponding procurement documents, and formally conduct the bidding process. Final procurement is further impeded by City Council approval of a purchase order of nominal value. The current threshold is also anti-competitive as contractors tend to withdraw bids or refuse to bid because of the time of procurement on low-value projects.

This amendment would allow the threshold amount of a capital expenditure in Section 1203 to be set by Council resolution or ordinance. This would allow the City Council to review and set a threshold amount which can be amended over time by additional City Council action instead of requiring a future Charter amendment.

Staff recommends that the definition of a capital project be established by resolution to \$60,000. A further explanation is detailed in the next section.

Section 1212. Contracts on Public Works Projects.

Like Section 1203 related to capital expenditures, the current Charter creates a threshold amount of \$30,000 for public works contracts which is currently less than what State law allows. Under the California Uniform Public Construction Cost Accounting Act, signatory cities receive an increase to their force accounts limits to \$60,000. If that value of the project is under \$60,000 the City can contract without bidding; between \$60,000 and \$200,000, they are required to use informal bidding; and above \$200,000 formal bidding is required.

While the City has its own procurement rules, regulations, and threshold amounts, aligning the City's definition of a capital project with its contract authority creates administrative efficiencies, economies of scale, and would generate significant cost savings over time. Like the previous section, this amendment would allow the contract authority limit to be set by Council resolution or ordinance to create capacity for adjustments over time.

Section 1218. Donations.

This amendment would create a new section in the Charter to allow the City Council to set threshold amounts by ordinance or resolution for the administrative acceptance donations for all municipal purposes. Donations in excess of the threshold amount will still require City Council approval.

Next Steps

Pursuant to Government Code Section 34458, the City is required to hold two public hearings to receive public input on the proposed amendments to the Arcadia City Charter. The public hearings require posting notices for 21 days and publishing notices 14 days

prior to the hearings. After this public hearing, the second public hearing is scheduled for June 21, 2022. The resolutions calling for the Charter Amendment to be placed on the November 8, 2022, ballot will be brought back to the City Council for adoption at the July 19, 2022, City Council Meeting.

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

There is not impact to the General Fund to conduct this public hearing. The cost of placing the Charter Amendment on the November 8, 2022, ballot is included in the Proposed Fiscal Year 2022-23 budget.

RECOMMENDATION

It is recommended that the City Council determine that this action is exempt under CEQA; and conduct a public hearing to receive public input regarding the proposed amendments to the Arcadia City Charter for community ratification at the November 8, 2022, General Municipal Election.

Attachment “A” – Amended Charter (red-lined)

Attachment “B” – Amended Charter (clean)

Attachment "A"



CITY OF ARCADIA, CALIFORNIA

CITY CHARTER

As Amended

19982022

CITY COUNCIL

~~1997~~2021-~~1998~~2022

- ~~Sheng H. Chang~~
- ~~Sho Tay~~Tom Beck
- ~~Barbara D. Kuhn~~
- Paul P. Cheng
- ~~Robert C. Harbicht~~
- ~~Tom Beck~~Michael
- Danielson
- Sho Tay
- ~~Gary A.~~
- ~~Kovacic~~Roger
- ~~Chandler~~Mary B.
- ~~Young~~
- April A. Verlato

CITY CLERK

~~June D. Alford~~Gene
Glasco

CITY MANAGER

Dominic Lazzaretto

CITY ATTORNEY
~~Michael H.~~
~~Miller~~Stephen P. Deitsch

**CHARTER
CITY OF ARCADIA
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- Section 101. Rights and Liabilities of the City
- Section 102. Ordinances, Codes, and Other Regulations
- Section 103. Officers and Employees
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- Section 200. Powers
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ARTICLE III - Form of Government

- Section 300. Form of Government

ARTICLE IV - The City Council

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- Section 401. Eligibility
- Section 402. Compensation
- Section 403. Vacancies, Forfeiture of Office.
 - Filling of Vacancies
- Section 404. Mayor - Mayor Pro Tempore
- Section 405. Powers Vested in the Council
- Section 406. Prohibitions
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Section 701. City Attorney. Powers and Duties

Section 702. Finance Office

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**CHARTER
CITY OF ARCADIA**

We, the People of the City of Arcadia, State of California, do ordain and establish this Charter as the organic law of the City under the Constitution of the State.

**ARTICLE I
INCORPORATION AND SUCCESSION**

Section 100. NAME AND BOUNDARIES. The City of Arcadia, hereinafter termed the City, shall continue to be a municipal corporation under its present name, "City of Arcadia." The boundaries of the City shall be as established at the time this Charter takes effect, or as they may be changed thereafter in the manner authorized by law.

Section 101. RIGHTS AND LIABILITIES OF THE CITY. The City shall continue to own, possess, and control all rights and property of every kind and nature owned, possessed, or controlled by it at the time this Charter takes effect and shall be subject to all its debts, obligations, liabilities, and contracts.

Section 102. ORDINANCES, CODES, AND OTHER REGULATIONS. All ordinances, codes, resolutions, regulations, or portions thereof, in force at the time this Charter takes effect, and not in conflict or inconsistent herewith, shall continue in force until they shall have been duly repealed, amended, changed, or superseded by proper authority.

Section 103. OFFICERS AND EMPLOYEES. Subject to the provisions of this Charter, the present officers and employees shall continue to perform the duties of their respective offices and employments without interruption and for the same compensations and under the same conditions until the election or appointment and qualification of their successors and subject to such removal and control as herein provided.

Section 104. EFFECTIVE DATE OF CHARTER. This Charter shall take effect upon its approval by the Legislature of the State of California and any amendment hereto shall be effective when filed pursuant to the California Constitution.

ARTICLE II POWERS OF CITY

Section 200. POWERS. The City shall have the power to make and enforce all laws and regulations in respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter and in the Constitution of the state of California. It shall also have the power to exercise any and all rights, powers, and privileges heretofore or hereafter established, granted or prescribed by any law of the State, by this Charter, or by other lawful authority, or which a municipal corporation might or could exercise under the Constitution of the State of California. The enumeration in this Charter of any particular power, duty, or procedure shall not be held to be exclusive of, or any limitation or restriction upon, this general grant of power. The City shall have the power and may act pursuant to procedure established by ordinance or any law of the State.

Section 201. INTERGOVERNMENTAL RELATIONS. The City may exercise any of its powers or perform any of its functions jointly, or in cooperation, by contract or otherwise, with any one or more cities, counties, states, or civil divisions or agencies thereof, or the United States or any agency thereof.

ARTICLE III FORM OF GOVERNMENT

Section 300. FORM OF GOVERNMENT. The municipal government established by this Charter shall be known as the “Council-Manager” form of government.

**ARTICLE IV
THE CITY COUNCIL**

Section 400. CITY COUNCIL. The City Council, hereinafter termed “Council,” shall consist of five Councilmembers each representing a respective district within the City and elected to office ~~from the City at large~~ in the manner provided in this Charter. The term of office shall be four years. Alternatively, and successively, three four-year terms shall be filled at one general municipal election and two four-year terms at the next such election, consistent with the sequence of terms of Councilmembers existing on the effective date hereof. The term of a Councilmember shall commence on the first Tuesday following certification of their~~his~~ election and ~~they~~he shall serve until their~~his~~ successor qualifies. Any ties in voting shall be settled by the casting of lots.

Each Councilmember in office at the time this Charter takes effect shall continue in office until the end of the term for which ~~they~~he ~~was~~were elected under the previous ~~charter~~Charter; an appointed Councilmember shall continue in office during such time as hereinafter provided.

Section 401. ELIGIBILITY. No person shall be eligible to hold the office of Councilmember unless that person shall reside in the City, shall be a resident of the district from which the Councilmember is elected or appointed, and shall be a registered voter of the City upon appointment or when nomination papers are issued. A Councilmember who has been elected or appointed for ~~two two, consecutive~~ four-year terms, including two years of any unexpired term, excluding part or all of any unexpired term, shall not be eligible to hold the office of Councilmember again ~~until two years after expiration of the second consecutive term, regardless of redistricting.~~ This section shall apply to all former duly elected or appointed Councilmembers and current Councilmembers holding office on the effective date of this Charter.

Section 402. COMPENSATION. ~~The members of the City Council shall receive no other compensation for their services, except as provided for below:~~

~~(a) The members of the City Council shall receive compensation in the amount of \$XXX.XX each month;~~

~~(b) Notwithstanding the amount provided for in paragraph (a) of this section, the compensation received by the members of the City~~

~~Council and Mayor shall be automatically increased effective July 1 of each year, in an amount equal to the increase in the Consumer Price Index (CPI) for the twelve month period immediately preceding July 1. As used in this section, the CPI shall be the index for All Urban Consumers for the Los Angeles, Long Beach, Anaheim Metropolitan Area (All items), provided by the United States Bureau of Labor Statistics or other comparable index as may be developed to take its place;~~

~~(c) The members of the City Council and Mayor shall receive medical, dental, health, and other benefits of employment paid for by the City, provided these benefits are routinely and customarily available and paid for by the City to City miscellaneous employees. The members of the City Council and Mayor shall receive reimbursement and allowance for travel and for other expenses related to their fulfilling their official duties and the holding of public office upon the same terms and conditions applicable to City departmental directors. The sums received pursuant to this paragraph shall not be included for purposes of determining monthly compensation under paragraph (a) of this section.~~

Compensation for Councilmembers is hereby set, and from time to time shall be changed, in accordance with the schedule applicable to the City of Arcadia set forth in the provisions of the Government Code relating to salaries of Councilmembers in general law cities. Such compensation may be increased or decreased by an affirmative vote of a majority of the voters voting on the proposition at any election.

**Section 403. VACANCIES, FORFEITURE OF OFFICE.
FILLING OF VACANCIES.**

(a) A vacancy shall exist on the Council, and shall be declared by the Council, if a Councilmember resigns, is legally removed other than by recall, dies, or forfeits ~~his~~their office.

~~(b)~~—A Councilmember shall forfeit ~~his~~their office if ~~they~~he (1) lacks at any time while holding office any qualification for election prescribed by this Charter or by law, (2) violates any provision of this Charter, (3) is convicted of a crime involving moral turpitude, (4) without consent of the Council is absent from all regular Council meetings for a period of sixty consecutive days and the first regular meeting thereafter, said period to be computed from the last regular Council meeting ~~they~~he attends,

~~(e)~~(b) (5) or accepts or retains any other elective public office. A declaration by the Council of a vacancy resulting from forfeiture of office shall be subject to judicial review, provided that within two weeks after such declaration an appropriate action, or proceeding, for review is filed in a court having jurisdiction of the action or proceeding. During the pendency of any such action or proceeding, anyone appointed by the Council to fill such vacancy shall have all the rights, duties, and powers of a Councilmember, and continue in such office as provided herein unless and until said court rules the declaration of the Council invalid and such ruling has become final.

(c) Any vacancy on the Council shall be filled by a majority vote of the remaining Councilmembers within ~~thirty~~sixty days after the vacancy occurs. If more than one vacancy exists, successive appointments shall be made, and each appointee shall participate in any succeeding appointment. If the Council fails, for any reason, to fill such vacancy within said ~~thirty~~sixty-day period, it shall forthwith call an election for the next established election date. ~~for the earliest possible date to fill such vacancy.~~

~~(d)~~—In the event the Council does not call an election within sixty days of the effective date of the vacancy, the City Clerk shall call a special election to fill the vacancy, provided that the term of the vacant office does not expire at the next established election date. The special election shall take place at the next established election date. A special election called by the City Clerk shall be conducted by the County of Los Angeles and shall follow the same procedures as the most recent general municipal election for a vacant district seat. The City Clerk shall take any actions, including adoption of resolutions, necessary to effectuate the

special election. The City Clerk shall call the special election within five working days. To effectuate this section, the City Manager shall have the powers to (i) expend funds of the City to pay for the costs of the special election, and (ii) in the absence of the City Clerk, to appoint an acting City Clerk to take any necessary actions under this section. A person appointed by the Council to fill a vacancy shall hold office until the next general municipal election and until theirhis successor qualifies; provided upon the occurrence of a second vacancy more than one year prior to the next general municipal election at a time an appointee is holding office, a special election shall be held forthwith to fill any vacancy and any office held by an appointee. At said election, Councilmembers shall be elected to serve for the remainder of the unexpired terms. A Councilmember elected to fill a vacancy shall hold office for the remainder of the unexpired term.

(d)

(e) For purposes of this section, "established election dates" are the dates established in California Elections Code section 1000, or any successor statute or amendments, unless the Council establishes additional or alternative election dates by ordinance. The "next" established election date is the established election date that is at least 114 days away.

(e)

(f) The Council shall provide by ordinance or resolution for the continuity of the Council in the event that five vacancies simultaneously exist on the Council. If less than a quorum of Council seats are filled, the remaining Councilmembers may meet and take action to consider, deliberate on, and make appointments until a quorum is achieved.

Section 404. MAYOR - MAYOR PRO TEMPORE. The offices of Mayor and Mayor Pro Tem shall be filled automatically by rotation among the Councilmembers with each serving a term of approximately nine (9) and one-half (1/2) months. It is the intent of this provision that the Councilmember for each Council district to serve as Mayor and Mayor Pro Tem once during a four-year term. The Council shall adopt an appropriate procedure for implementing this requirement by ordinance or resolution.

By the affirmative votes of not less than three Councilmembers, the Council shall elect one of its members as Mayor, and one of its members as Mayor Pro Tempore, upon the following occasions:

(a) In even numbered years, at the regular Council meeting held

~~for the purpose of canvassing the results of the general municipal election; and~~

~~(b) In odd numbered years, at the second second regular Council meeting held during the month of April ~~December~~; or~~

~~(c) At such other times as a majority of the Council shall so order. The Council may, by ordinance or resolution, establish a procedure for the selection of, or for the succession of, the Mayor and Mayor Pro Tem.~~

The Mayor shall preside at Council meetings; ~~He~~ shall be the chief official of the City for all ceremonial purposes; ~~and; He~~ shall perform such other duties consistent with ~~his~~ the office as may be prescribed by the Council. The Mayor Pro Tempore shall perform the duties of the Mayor during ~~his~~ their absence or disability.

Both the Mayor and Mayor Pro Tempore shall have a voice and a vote in all proceedings of the Council.

Section 405. POWERS VESTED IN THE COUNCIL.

All powers of the City shall be vested in the Council except as otherwise provided in this Charter.

Section 406. PROHIBITIONS.

(a) HOLDING OTHER OFFICES.

No Councilmember shall hold any other City office or City employment, and no former Councilmember shall hold any compensated City office or City employment until two years after leaving the office of Councilmember.

(b) INTERFERENCE IN ADMINISTRATIVE SERVICE.

~~(b)~~ Neither the Council nor any of its members shall interfere with the execution by the City Manager of ~~his~~ the the City Manager's powers and duties, or order, directly or indirectly, the appointment by the City Manager or by any of the departmental officers in the administrative service of the City, of

any person to an office or employment or ~~their~~ removal therefrom. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service under the City Manager solely through the City Manager, and neither the Council nor any member thereof shall give orders to any subordinates of the City Manager, either publicly or privately.

Section 407. REGULAR MEETINGS OF THE COUNCIL.

The Council shall hold regular meetings at least twice each month at such times as it shall fix by ordinance or resolution, except that the Council may hold only one regular meeting in up to four months each fiscal year. At any time a regular meeting falls on a holiday, such meeting shall be held on the day designated by motion of the City Council or cancelled in accordance with this section.

Section 408. SPECIAL MEETINGS. Special meetings may be called at any time by the Mayor or by three members of the Council ~~by delivering, personally or by mail, written notice to each Councilmember and to each local newspaper of general circulation, radio, and television station requesting notice in writing. Such notice must be delivered personally or by mail at least twenty four hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting. Such written notice may be dispensed with as to any Councilmember who at or prior to the time the meeting convenes files with the Clerk a written waiver of notice. Such waiver may be given by telegram. Such written notice may also be dispensed with as to any Councilmember who is actually present at the meeting at the time it convenes. Notice of special meetings shall be given in accordance with the Ralph M. Brown Act, commencing with Section 54950 of the Government Code~~

Section 409. ADJOURNED MEETINGS. Any regular, adjourned regular, special, or adjourned special meeting may be adjourned to a time and place specified in the order of adjournment. Any adjourned regular meeting is a regular meeting for all purposes.

Section 410. QUORUM. Subject to other provisions of this Charter, three Councilmembers shall constitute a quorum to do business, but a lesser number may adjourn from time to time or compel the attendance of other ~~councilmembers~~ Councilmembers in such a manner and under

such penalties as the Council may have provided.

Section 411. OPEN MEETINGS. RALPH M. BROWN ACT. All meetings of the Council shall be open to the public, provided the Council may adjourn to an executive session as provided by law. The provisions of the Ralph M. Brown Act, commencing with Section 54950 of the Government Code, shall apply to all meetings of the Council.

Section 412. PLACE OF MEETINGS. All Council meetings shall be held in the Council Chamber of the City Hall, or in a place to which any meeting may be adjourned. If, by reason of fire, flood, or other emergency, it shall be unsafe to meet in the Council Chamber, the meetings may be held for the duration of the emergency at a place designated by the Mayor, or if ~~he~~they~~the~~ Mayor should fail to act, by three members of the Council. A Council meeting may be held at, or adjourned to, a publicly accessible telephonic or electronic location.

Section 413. PROCEEDINGS. The Council shall cause the City Clerk to keep a correct record of all its proceedings. The Council may establish rules for the conduct of its proceedings. It may evict any member or other person for disorderly conduct at any of its meetings. Each member of the Council shall have the power to administer oaths and affirmations in any proceeding pending before the Council. The Council shall have the power to compel the attendance of witnesses, to examine them under oath, and to compel the production of evidence before it. Subpoenas shall be issued in the name of the City, signed by the Mayor, and be attested by the City Clerk. Disobedience of such subpoenas, or the refusal to testify, shall constitute a misdemeanor; the Mayor shall report such disobedience to a judge of the Superior Court for further proceedings under the provisions of the Government Code.

Upon adoption of any ordinance, resolution, or order for payment of money, or upon the demand of any member, the City Clerk shall call the roll and shall cause the ayes and noes taken on the question to be entered in the minutes of the meeting. The electronic casting of ayes and noes may be conducted in lieu of a roll call vote.

Section 414. ~~CITIZEN~~PUBLIC PARTICIPATION. Any ~~citizen~~member of the public, personally or through counsel, shall have the right to present grievances at any regular meeting of the Council regarding any matter that is within the subject matter jurisdiction of the

| Council, or offer suggestions for the betterment of municipal affairs.

Section 415. ADOPTION OF ORDINANCES AND RESOLUTIONS. With the exception of ordinances which take effect upon adoption, referred to in this Article, no ordinance shall be adopted by the Council on the day of its introduction, nor within five days thereafter, nor at any time other than at a regular or adjourned regular meeting. At the time of its introduction an ordinance shall become a part of the proceedings of such meeting in the custody of the City Clerk. At the time of adoption of an ordinance or resolution it shall not be read in full, unless ~~after the reading of the title thereof, the further reading thereof is waived~~ reading in full is requested by unanimous consent of a majority of the Councilmembers present and voting. In the event that any ordinance is altered after its introduction, it shall not be finally adopted except at a meeting held not less than five days after the date upon which such ordinance was altered. Correction of a typographical or clerical error shall not constitute an alteration within the meaning of the foregoing sentence.

Unless otherwise required by this Charter, the affirmative votes of at least three Councilmembers shall be required for the enactment of any ordinance or resolution, or for the making or approving of any order for the payment of money.

All ordinance and resolutions shall be signed by the Mayor and attested by the City Clerk.

EMERGENCY ORDINANCES. Any ordinance declared by the Council to be necessary as an emergency measure for preserving the public peace, health, or safety and containing a statement of the reasons for its urgency, may be introduced and adopted at one and the same meeting if it is read in full and passed by at least four affirmative votes or, if less than four Councilmembers are present, then by unanimous vote of the Councilmembers present. ~~Reading in full can be waived by the affirmative vote of four (4) Councilmembers.~~

Section 416. ORDINANCES. PUBLICATION. The City Clerk shall cause each ordinance, or a summary of each ordinance, to be published at least once in the official newspaper within fifteen days after its adoption; provided, however as an alternative, that when an ordinance

~~solely pertains to the municipal affairs of the City, except as otherwise provided by this Charter or by ordinance of the Council, the City Clerk may satisfy the publication requirement by posting the ordinance in at least three public places in the City as designated by the Council and posted on the City's ~~online~~ website or other publicly available City-controlled internet site. ~~presence in lieu of such publication.~~~~

Section 417. ADOPTION OF CODES BY REFERENCE.

Detailed regulations, pertaining to any subject, when arranged as a comprehensive code may be adopted by reference by the passage of an ordinance for such purpose. Such code need not be published in the

~~in the manner required for other ordinances, but not less than three copies thereof shall be filed for use and examination by the public in the office of the City Clerk, prior to the adoption thereof. Subsequent amendments to sections of such code shall be enacted in the same manner as herein required for the enactment of ordinances. A copy~~Copies of any adopted code of regulations shall be made available for inspection in the City Clerk's Office or available for purchase at a reasonable price.

Section 418. THE ARCADIA MUNICIPAL CODE. The Arcadia Municipal Code may be amended, repealed, or added to in whole or in part by ordinance. Said Code may be rearranged and renumbered and thereupon adopted by reference in the same manner as set forth in Section 417, above.

Section 419. ORDINANCE. WHEN EFFECTIVE. An ordinance shall become effective on the thirty-first day after its adoption, or at any later date specified therein, except the following, which shall take effect upon adoption:

- (a) An ordinance calling or otherwise relating to an election.
- (b) An improvement proceeding ordinance adopted under some law or procedural ordinance.
- (c) An ordinance declaring the amount of money necessary to be raised by taxation, fixing the rate of taxation, levying the annual tax upon property, or levying any other tax.
- (d) An emergency ordinance adopted in the manner provided for in this Charter.

Section 420. PUBLISHING OF LEGAL NOTICES ~~In the~~
The publication of legal notices or other matters solely pertaining to the municipal affairs of the City, except as otherwise provided in this Charter or by ordinance of the Council, may be accomplished by (1) posting copies thereof at three or more public places in the City as designated by the Council and posted on the City's website. or; (2) publishing thereof in the official newspaper.

The publication of legal notices or other matters that do not solely pertain to the municipal affairs of the City shall be published in a manner consistent with applicable law.

The newspaper with which the Council contracts for publication of legal notices shall be deemed the official newspaper.

~~event that there is more than one newspaper of general circulation in the City, the Council, annually, prior to the beginning of each fiscal year, shall solicit bids and contract for the publication of all legal notices or other matter required to be published in a newspaper of general circulation, during the ensuing fiscal year. If there is only one newspaper of general circulation in the City, then the Council shall have the power to contract with such newspaper for the publishing of such legal notices and other matter without soliciting bids therefor. If the City has a contract with a newspaper of general circulation in the City, it shall be deemed to be the official newspaper.~~

~~If there is no newspaper of general circulation in the City, or if such a newspaper will not contract with the City at rates which do not exceed those charged private persons, and the Council has not designated an official newspaper, then such notices and other matter, and notices required to be published in the official newspaper, shall be published by posting copies thereof at three or more public places in the City as designated by the Council.~~

No defect or irregularity in proceedings taken under this section, ~~or failure to designate an official newspaper,~~ shall invalidate any publication where the same is otherwise in conformity with this Charter or law.

ARTICLE V CITY CLERK

Section 500. CITY CLERK. There shall be a City Clerk who shall be appointed by the City Manager. elected at large for a term of four years. The term of the City Clerk shall commence on the first Tuesday following certification of their election, and shall serve until their successor qualifies., ~~commencing on the first Tuesday following his election, and who shall serve until his successor qualifies.~~

~~**Section 501. CONTINUATION OF PRESENT CITY CLERK.** The City Clerk in office at the time this Charter takes effect, or his successor, shall continue in office during the term which commenced April 16, 1968, and shall serve until his successor qualifies.~~

Section 501.2. ELIGIBILITY. ~~No person shall be eligible to hold the office of City Clerk unless they are~~ is a legally registered voter and resident of the City. The City Clerk shall engage in no other business or occupation except as may be permitted by the affirmative vote of four members of the Council.

~~Section 5023. VACANCIES. FORFEITURE OF OFFICE. FILLING OF VACANCIES. The provisions of Section 403, subdivisions (a) and (b) hereof, relating to vacancies on the Council, shall apply to the office of City Clerk in the same manner as they apply to the office of Councilmember. After declaring a vacancy, the Council by a majority vote of its members shall fill such vacancy by appointment. Said appointee shall serve until the expiration of the unexpired term or~~

~~until the next municipal election, whichever shall first occur. At said election a clerk shall be elected to serve for the remainder of any unexpired term.~~

~~**Section 5034. COMPENSATION.** Compensation for the City Clerk shall be set by resolution or ordinance.~~

Section 50145. POWERS AND DUTIES. The City Clerk shall:

(a) Attend all meetings of the Council and be responsible for the recording and maintaining of a full and true record of all of the proceedings of the Council. ~~in books that shall bear appropriate titles and be devoted to such purpose.~~

(b) Maintain separate ~~books~~files, in which shall be recorded respectively all ordinances and resolutions, with the certificate of the Clerk annexed to each document stating that said document is the original or a correct copy, and with respect to an ordinance, stating that said ordinance has been published or posted in accordance with this Charter; all of said ~~books~~files shall be properly indexed and open to public inspection when not in actual use.

(c) Maintain separate ~~books~~files, in which a record shall be made of all written contracts and official bonds.

(d) Be the custodian of the seal of the City.

(e) Administer oaths or affirmations, take affidavits and depositions pertaining to the affairs and business of the City and certify copies of official records.

(f) Be the City Assessor, if the Council so requires.

(g) Sign all checks, except payroll checks.

(h) Conduct all City elections

(i) Perform such other duties as may be prescribed by the Council or City Manager.

Section 502. ELIMINATION OF ELECTED OFFICE. The office of elected City Clerk shall be eliminated upon the earlier of: (1) the expiration of the term of the elected City Clerk serving at the time of adoption of this Charter, or (2) any vacancy in the elected office.

ARTICLE VI CITY MANAGER

Section 600. CITY MANAGER. SELECTION AND QUALIFICATIONS. There shall be a City Manager who shall be the chief administrative officer of the City. The Council shall appoint, by

not less than four votes, the person who it believes to be best qualified on the basis of ~~their~~his executive and administrative qualifications, with special reference to ~~their~~his experience in and ~~his~~their knowledge of accepted practice in respect to the duties of the office as set forth in this Charter.

The City Manager shall engage in no other business or occupation except as may be permitted by the affirmative vote of four members of the Council.

REMOVAL OF CITY MANAGER. The affirmative vote of a majority of the members of the Council shall be required to remove the City Manager from office, provided the City Manager shall not be removed by the Council within 135 days after a ~~councilmanic~~ Councilmanic election, except by the unanimous vote of the entire Council.

Section 601. CITY MANGER. POWERS AND DUTIES.

The City Manager shall be responsible to the Council for the proper administration of all affairs of the City. Without limiting the foregoing general grant of powers, responsibilities, and duties, the City Manager, subject to the provisions of this Charter and any regulations adopted pursuant thereto, shall:

(a) Appoint and remove administrative officers, except those appointed by the Council; and when he deems it necessary for the good of the service, suspend or remove any employee.

(b) Direct and supervise the administration of all departments, offices, and agencies of the City.

(c) Prepare and submit the annual budget and capital program to the Council, and be responsible for administration of the annual budget and capital program after its adoption.

(d) Prepare and submit to the Council as of the end of the fiscal year a comprehensive report on the finances and administrative activities of the City for the preceding year.

(e) Make such other reports as the Council may require concerning the operations of City departments, offices, and agencies subject to ~~his~~their the City Manager's direction and supervision.

(f) Keep the Council advised of the financial condition and future needs of the City and make such recommendations as may seem to him desirable.

~~(g)~~ Prepare rules and regulations governing the contracting for, purchasing, storing, distribution, and disposal of, all supplies, materials,

and equipment required by any office department, or agency of the City government and recommend them to the Council for adoption.

~~(h)~~(g) See that all laws, provisions of this Charter, and acts of the Council, subject to enforcement by him or by officers subject to ~~his~~their direction and supervision, are faithfully executed.

~~(i)~~(h) Perform such other duties as may be prescribed by the Council.

Section 602. CITY MANAGER. MEETINGS. The City Manager shall be accorded a seat at the Council table and at all meetings of boards and commissions and shall be entitled to participate in their deliberations, but shall not have a vote.

Section 603. CITY MANAGER PRO TEMPORE. The City Manager shall appoint, subject to the approval of the Council, one of the other officers of the City to serve as City Manager Pro Tempore during any temporary absence or disability of the City Manager. During such absence or disability, the Council may revoke such designation at any time and appoint another officer of the City to serve until the City Manager shall return ~~of his or~~their disability shall cease.

ARTICLE VII OFFICERS AND EMPLOYEES

Section 700. ADMINISTRATIVE DEPARTMENTS

(a) Creation of Departments. The Council may establish City departments, offices, or agencies in addition to those created by this Charter and may prescribe the functions of all departments, offices, and agencies, except that no function assigned by this Charter to a particular department, office, or agency may be discontinued or, unless this Charter specifically so provides, assigned to any other.

~~(b)~~Direction by City Manager. Except as otherwise provided by this Charter, all departments, offices, and agencies under the direction and supervision of the City Manager shall be administered by an officer appointed by and subject to the direction and supervision of the Manager. With the consent of the Council, the Manager may serve as the departmental ~~administrator~~director of one or more such departments, offices or agencies or may appoint one person as the departmental ~~administrator~~director of two or more of them.

~~(e)~~(b) Not inconsistent with this Charter, the Council may provide for the number, titles, qualifications, powers, duties, and compensation of all officers and employees.

~~(d)~~(c) Merit Principle. All appointments and promotions of City officers and employees shall be made solely on the basis of merit and fitness demonstrated by examination of other evidence of competence.

Section 701. CITY ATTORNEY. POWERS AND DUTIES.

There shall be a City Attorney who shall be appointed and subject to removal by a majority vote of the entire Council. Under the administrative direction of the City Manager, ~~he~~they shall serve as chief legal adviser to the Council, the City Manager, and all City departments, offices, and agencies; ~~he~~they shall represent the City in all legal proceedings and shall perform such other duties as may be prescribed by the Council.

To become eligible for City Attorney, the person appointed shall be an attorney-at-law duly licensed as such under the laws of the State of California, and shall have been engaged in the practice of law for at least two years prior to ~~his~~ appointment.

Section 702. FINANCE OFFICE. The City Manager shall appoint an individual responsible for the Finance Office who shall:

(a) Have charge of the administration of the financial affairs of the City under the direction of the City Manager.

(b) Compile the budget expense and income estimates and supply data for the capital program as requested by the City Manager.

(c) Maintain a general accounting system for the City government and each of its offices, departments, and agencies.

(d) Supervise and be responsible for the disbursement of all moneys and have control of all expenditures to ensure that budget appropriations are not exceeded; audit all purchase orders before issuance; audit and approve before payment, all bills, invoices, payrolls, demands, or charges against the City government and, with the advice of the City Attorney, when necessary, determine the regularity, legality, and correctness of such claims, demands, or charges.

~~(e)~~ Supervise the collection, receipt, and the deposit of all moneys payable to the City in a depository designated by the Council or by the City Manager or ~~their~~his designee, if the Council has not acted, and in compliance with all applicable laws.

(e)

(f) Submit to the Council through the City Manager a monthly statement of all receipts and disbursements in sufficient detail to show the exact financial condition of the City; and, as of the end of each fiscal year, submit a complete financial statement and report.

(g) Supervise the keeping of current inventories of all property of the City by all City departments, offices, and agencies.

(h) Perform such other duties as may be prescribed by the Council.

TREASURER. There shall be a Treasurer in the Finance Office who shall be appointed and may be removed by the Director of Administrative Services subject to the approval of the City Manager. The Treasurer shall perform those duties required by law, assigned by the Director of Administrative Services, and those provided by ordinance or resolution.

Section 703. PLANNING OFFICE. The City Manager shall appoint an individual responsible for the Planning Office who shall:

(a) Advise the City Manager on any matter affecting the physical development of the City.

(b) Formulate and recommend to the City Manager a general plan and modifications thereof.

(c) Review and make recommendations regarding proposed Council action implementing the general plan.

(d) Participate in the preparation and revision of the capital program.

(e) Advise the City Planning Commission in the exercise of its responsibilities and in connection therewith provide necessary staff assistance.

(f) Perform such other duties as may be prescribed by the ~~Council~~City Manager.

**Section 704. DEPARTMENTAL
~~ADMINISTRATORS~~DIRECTORS.**

APPOINTIVE POWERS. Each departmental ~~administrator~~directors shall have the power to appoint, supervise, suspend, or remove such assistants, deputies, subordinates, and employees as are provided for by the Council for ~~his~~their department, subject to approval of the City Manager and subject to the civil service provisions of this Charter and the rules and regulations promulgated hereunder.

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Section 705. PERSONAL FINANCIAL INTEREST.

Except as permitted by the Governmental Code, any City officer or employee who has a financial interest in any contract with the City or in the sale of any land, materials, supplies, or services to the City or to a contractor supplying the City shall make known that interest and shall refrain from voting upon or otherwise participating in ~~his~~-~~their~~ capacity as a City officer or employee in the making of such sale or in the making or performance of such contract. Any City officer or employee who willfully conceals such a financial interest or willfully violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit ~~his~~-~~their~~ office or position. Violation of this section with the knowledge, express or implied, of the person or corporation contracting with or making a sale to the City shall render the contract or sale voidable by the City Manager or the Council.

Section 706. ADMINISTERING OATHS.

Each departmental ~~administrator~~-~~director~~ and ~~such of his~~ or ~~their~~ deputies as ~~they~~~~he~~ may designate shall have the power to administer oaths and affirmations in connection with any official business pertaining to ~~their~~~~his~~ department.

Section 707. ACCEPTANCE OF OTHER OFFICE. Any administrative officer or any employee of the City who shall accept or retain any elective public office of the City of Arcadia shall be deemed thereby to have resigned from ~~their~~~~his~~ office or employment under the City government.

Section 708. NEPOTISM. The Council shall not appoint to a salaried position in the City government any person who is a relative by blood or marriage within the third degree of any member of the Council, nor shall any administrative officer or other officer having appointive power appoint any relative of ~~theirs~~-~~his~~ within such degree to any such position.

Section 709. OFFICIAL BONDS. The Council shall fix by ordinance or resolution the amounts and terms of the official bonds of all officers or employees who are required by ordinance or resolution to give such bonds. All bonds shall be executed by a responsible corporate surety, shall be approved as to form by the City Attorney, and shall be filed with the City Clerk. Premiums on official bonds shall be paid by the City.

There shall be no personal liability upon, or any right to recover against, a superior officer, or ~~their~~~~his~~ bond, for any wrongful act or omission of ~~his~~~~their~~ subordinate, unless such superior officer was a party to, or conspired in, such wrongful act or omission.

ARTICLE VIII BOARDS AND COMMISSIONS

Section 800. IN GENERAL. There shall be the following boards and commissions which shall have the powers and duties set forth in this Charter and by ordinance not inconsistent with this Charter:

- Planning Commission
- Human Resources Commission
- Library Board of Trustees
- Recreation and Parks Commission

In addition, the Council may create by ordinance such other boards or commissions as in its judgment are required and may grant to them such powers and duties as are not inconsistent with the provisions of this Charter.

Section 801. APPROPRIATIONS. The Council shall include in its annual budget such appropriations of funds as the Council shall determine to be sufficient for the efficient and proper functioning of boards and commissions.

Section 802. APPOINTMENTS. TERMS. The number of members of boards and commissions shall be specified by the Council. Except as hereafter provided, each member of each board or commission shall be appointed for a term of four years and shall serve until ~~his~~~~their~~ successor qualifies; ~~they~~~~he~~ shall be subject to removal by motion of the Council adopted by at least three affirmative votes. In the event an incumbent is removed or otherwise vacates ~~his~~~~their~~ office, ~~his~~~~their~~ successor shall be appointed for the unexpired term of said office. The members thereof shall be appointed from the legally registered voters of the City, and shall not hold any other City office or employment.

A member who has held office on the same board or commission for two consecutive four-year terms, excluding part or all of an unexpired term, shall not be eligible to hold office on such board or commission until two years after the expiration of the second consecutive term.

Section 803. EXISTING BOARDS. The members of the boards and commissions holding office when this Charter takes effect shall continue to hold office thereafter until their respective terms of office shall expire and until their successors are appointed and qualify.

Section 804. MEETINGS. ~~CHAIRMEN~~CHAIRPERSON. As soon as practicable, following the first day of July of every year, each of such boards and commissions shall organize by electing one of its members as presiding officer, and another as ~~chairman~~chairperson pro tempore, to serve at the pleasure of such board or commission. Each board or commission shall hold regular meetings as the Council may require, and such special meetings as otherwise may be necessary. The provisions of Section 411 hereof, relating to the Ralph M. Brown Act, shall apply to all meetings of boards and commissions and, subject to the provisions of said Act, all meetings shall be open to the public.

The affirmative vote of a majority of the quorum of such board or commission shall be necessary for it to take any action.

The City Manager may designate a City employee for the recording of minutes for each of such boards and commissions, who shall keep a record of its proceedings and transactions. Each board or commission may prescribe its own procedures and rules of operation which shall be kept on file in the office of the City Clerk where they shall be available for public inspection.

Section 805. COMPENSATION. VACANCIES. The members of boards and commissions shall serve without compensation for their services as such, but may receive reimbursement for necessary traveling and other expenses incurred on official duty when such expenditures have received authorization by the Council.

Any vacancies in any board or commission, from whatever cause arising, shall be filled by appointment by the Council. Upon a vacancy occurring leaving an unexpired portion of a term, any appointment to fill such vacancy shall be for the unexpired portion of such term.

If a member of a board or commission is absent from three consecutive regular meetings of such board or commission, unless by permission of such board or commission expressed in its official minutes; is convicted of a crime involving moral turpitude; ceases to be a legally registered voter of the City; or files or causes to be filed nomination papers with the City Clerk for elective City office, ~~his~~their office shall become vacant and shall be so declared by the Council.

Section 806. PLANNING COMMISSION. There shall be a City Planning Commission which shall make recommendations to the City Manager and the Council on all matters affecting the physical development of the City, shall be consulted on the general plan and the implementation thereof, and shall perform such other duties as may be prescribed by the Council.

Section 807. GENERAL PLAN.

(a) Content. The Council shall adopt, and may from time to time modify, a general plan setting forth in graphic and textual form ~~policies poli-cies~~ to govern the future physical development of the City. Such plan may cover the entire City and all of its functions and services or may consist of a combination of plans governing specific functions and services or specific geographic areas which together cover the entire City and all of its functions and services.

(b) Effect. The general plan shall serve as a guide to all future Council action concerning land use, development regulations, and expenditures for capital improvements.

~~(b)~~(c) Land Use Policies. Land use policies and regulations of zoning and development standards, including but not limited to policies contained within the General Plan, are municipal affairs and this Charter shall prevail over state statutes regulating land use within the City. The City Council shall have plenary authority over land use policies and regulation of zoning and development standards.

Section 808. HUMAN RESOURCES COMMISSION. POWERS AND DUTIES. There shall be a Human Resources

Commission which shall:

~~(a) Recommend to the Council, after a public hearing thereon, the adoption, amendment, or repeal of civil service rules and regulations.~~

~~(b) Act in an advisory capacity to the Council on problems concerning personnel administration.~~

~~(e)(a)~~ Hear appeals of any person in the Classified Service relative to any suspension, demotion, or dismissal.

~~(d) Make any investigation which it may consider desirable concerning the administration of personnel in the municipal service and report its findings to the Council and City Manager.~~

~~(e)(b)~~ Perform such other Human Resources and personnel related duties as may be prescribed by the ~~City~~ Council.

~~(f)(c)~~ Have the authority to issue subpoenas under penalty of law.

Section 809. LIBRARY BOARD OF TRUSTEES. POWERS AND DUTIES. There shall be a Library Board of Trustees which shall:

(a) Administer and operate the City libraries.

(b) Establish and enforce such by-laws, procedures, and rules of operation as may be necessary for, and make all purchases and other contracts in connection with, the administration, government, and protection of the City libraries and shall designate its own Secretary.

(c) Appoint and remove the Librarian, who shall be the departmental ~~administrator~~director, and pass upon and approve all proposed appointments and removals by the Librarian.

~~(d) Subject to the approval of the CouncilAs established by resolution or ordinance of the City Council, accept money, personal property, or real estate donated to the City for library purposes.~~

~~(e)(d)~~ Subject to the approval of the Council, contract with schools, county, or other governmental agencies to render or receive library services or facilities.

Section 810. RECREATION AND PARKS COMMISSION. POWERS AND DUTIES. There shall be a Recreation and Parks Commission which shall:

(a) Act in an advisory capacity to the ~~City~~ Council in all matters pertaining to community recreation and parks.

(b) Perform such other duties as may be prescribed by the Council.

**ARTICLE IX
CIVIL SERVICE**

Section 900. EXISTING CIVIL SERVICE SYSTEM.

To the extent that existing Civil Service ordinances and rules and regulations of the City are not in conflict with this Charter, they are continued in full force and effect, and to the extent that they are in conflict they are hereby repealed.

Section 901. UNCLASSIFIED AND CLASSIFIED SERVICE. The Civil Service of the City shall be divided into the Unclassified and the Classified Service.

(a) The Unclassified Service shall comprise the following officers and positions:

1. Councilmember.
2. City Manager, City Attorney, City Clerk, Chief of Police, and Fire Chief. Assistants, deputies, management and clerical ~~and stenographic~~ employees authorized for said departmental ~~administrators~~ directors and designated by the Council to be in the Unclassified Service.
3. All other departmental ~~administrators~~ directors.
4. City Manager Pro Tempore.
5. Human Resources ~~Manager~~ Administrator.
6. ~~The City~~ Librarian.
7. All members of boards and commissions.
8. Positions in any class or grade created for a special or temporary purpose and for a period of not exceeding one hundred eighty days in any one calendar year.
9. Persons employed to render professional, scientific, technical, or expert service of an occasional and exceptional character.
10. Part-time employees.

(b) The Classified Service shall comprise all positions not specifically included by this section in the Unclassified Service.

Section 902. APPOINTMENTS FROM CLASSIFIED SERVICE POSITIONS. In the event an employee of the City holding a position in the Classified Service is appointed to a position in the Unclassified Service, and should thereafter within one year be removed or resign therefrom, ~~he~~they shall revert to his former position in the Classified Service upon the same terms and conditions as if ~~he~~they had remained in said position continuously.

Section 903. RECRUITMENT. Examinations of applicants for positions in the Classified Service shall fairly test the relative capacity of the applicants to discharge the duties of the positions to which they seek to be appointed. Applicants must be citizens of the United States.

Section 904. SUSPENSION. DEMOTION AND DISMISSAL. The boards and officers having appointive power are vested with the right to exercise the disciplinary and removal powers provided in this section.

An employee holding a position in the Classified Service shall be subject to suspension without pay for a period not exceeding thirty days in any one calendar year, to demotion, or to removal from ~~his~~their position, but subject in each case to the right of the employee, other than one serving a probationary period, to a hearing before the Human Resources Commission in the manner set forth herein.

Such employee shall be entitled to receive upon ~~his~~their request, at the office of the board of officer taking such action, a written statement in which shall be separately stated each of the charges against ~~him~~them upon which such suspension, demotion, or removal is based, a copy of which statement shall be furnished to ~~the City Clerk~~Human Resources for delivery to the Human Resources Commission. Such statement shall be furnished such employee within two business days after ~~his~~their request therefor, which request must be filed in ~~the office of the City Clerk~~Human Resources within ten days after ~~he~~they have been notified of such demotion, removal, or suspension. If such employee is absent from work, ~~they~~he shall be deemed to be so notified when such notice is mailed to ~~his~~their last address on file with the City by registered mail. ~~He~~They shall have thirty days after receipt of such statement within which to file with ~~the City Clerk~~Human Resources an answer to such statement of charges should he desire to do so.

In ~~his~~-~~their~~ answer, or otherwise if no statement of charges has been made available to ~~him~~-~~them~~ as required, such employee may request a hearing by the Human Resources Commission to review such suspension, demotion, or removal, which hearing shall be called and held as provided for in the rules and regulations. Within thirty days from such notification, such answer or request for a hearing shall be filed ~~in the office of the City Clerk in Human Resources~~ for delivery to the Human Resources Commission. Hearings may be conducted informally and the rules of evidence need not apply.

The Human Resources Commission shall make written findings which shall state as to each charge whether or not such charge is sustained. Such Commission shall also set forth in writing its conclusions and recommendations based upon such findings and, within ten days after concluding the hearing, it shall certify its findings, conclusions, and recommendations to the City Manager ~~and the parties involved, the officer~~ from whose action the appeal was taken, ~~and the Council.~~

The recommendations of the Human Resources Commission shall be advisory only. The City Manager shall make a final decision with respect to such recommendations, and ~~his~~-~~their~~ decision shall be final and conclusive and no further appeal shall be taken therefrom.

When an appeal is taken to the Human Resources Commission from an order of dismissal, the vacancy in the position shall be considered a temporary vacancy pending final action by the Human Resources Commission and may be filled only by a temporary appointment.

Section 905. POLITICAL ACTIVITIES PROHIBITED.

Any City employee, upon becoming a candidate for an elective public office of the City of Arcadia, shall be required to take and shall be granted a leave of absence without pay to remain in effect during the period of time such person is a candidate.

No City employee shall take any part in any political campaign while in a uniform bearing the insignia or name of the City of Arcadia. No person shall use the administrative offices and facilities of the City for the purpose of furthering a political campaign for public office.

Section 906. PROHIBITIONS. GENERAL.

(a) No person shall be appointed, removed, favored, or discriminated against with respect to any City position or office because of race, sex, political or religious opinions or affiliations.

(b) No person shall willfully make any false statement, certificate, mark, rating, or report in regard to any test, certification, or appointment under the personnel provisions of this Charter or the rules and regulations made thereunder, or in any manner commit or attempt to commit any fraud preventing the impartial execution of such provisions, rules, and regulations.

(c) No person who seeks appointment or promotion with respect to any City position or office shall directly or indirectly give, render, or pay or offer to give, render, or pay any money, service, or other valuable thing to any person for or in connection with ~~his~~their test, appointment proposed appointment, promotion, or proposed promotion.

(d) In addition to the penalties provided in Section 1501 of this Charter, any person who by ~~himself~~themselves or with another willfully violates any provisions of subdivisions (b) and (c) of this section shall, upon conviction thereof, be ineligible for a period of five years for employment in the City service and shall immediately forfeit ~~his~~their office or position if ~~he~~they are an officer or employee of the City.

**ARTICLE X
RETIREMENT**

Section 1000. PUBLIC EMPLOYEES RETIREMENT SYSTEM. Plenary authority and power are hereby vested in the City, its Council, and its several officers, agents, and employees to do and perform any act, or exercise any authority granted, permitted, or required under the provisions of the Public Employees Retirement Law, as it now exists or hereafter may be amended, to enable the City to continue as a contracting City under said Retirement system. The ~~—~~ Council may terminate any such contract with the Board of Administration of the Public Employees Retirement System only under authority granted by ordinance adopted by a majority vote of the legally registered voters of the City, voting on such proposition at an election at which such proposal is presented.

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ARTICLE XI ELECTIONS

Section 1100. GENERAL MUNICIPAL ELECTIONS.

Commencing with the election of November 8, 2022, general municipal elections for the election of officers and for such purposes as the Council may prescribe shall be held in the City on the first Tuesday after the first Monday in November in each even-numbered year, except as otherwise provided by ordinance of the Council. ~~General municipal elections for the election of officers and for such other purposes as the Council may prescribe shall be held in the City on the second Tuesday in April in each even numbered year.~~

Section 1101. SPECIAL MUNICIPAL ELECTIONS.

Other municipal elections shall be known as special municipal elections.

Section 1102. PROCEDURE FOR HOLDING ELECTIONS. Unless otherwise provided by ordinance hereafter enacted, all elections shall be held in accordance with the provisions of the Elections Code of the State of California, as it exists or is amended, for the holding of municipal elections, so far as the same are not in conflict with this Charter.

Section 1103. INITIATIVE, REFERENDUM, AND RECALL. There are hereby reserved to the voters of the City the powers of the initiative and referendum and of the recall of municipal elective officers. The provisions of the Elections Code of the State of California, as it exists or is amended, governing the initiative and referendum and the recall of municipal officers shall apply so far as the same are not in conflict with this Charter.

ARTICLE XII FISCAL ADMINISTRATION

Section 1200. FISCAL YEAR. The fiscal year of the City government shall begin on the first day of July of each year and end on the thirtieth day of June of the following year. ~~The~~ Council may by ordinance change the fiscal year.

Section 1201. SUBMISSION OF BUDGET AND BUDGET

MESSAGE. On or before the twenty-fifth day of May of each year, or at such other time as the Council may prescribe, the City Manager shall submit to the —Council a budget for the ensuing fiscal year and an accompanying message.

The City Manager's message shall explain the budget both in fiscal terms and in terms of the work programs. It shall outline the proposed financial policies of the City for the ensuing fiscal year; describe the important features of the budget; indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes; summarize the City's debt position; and include such other material as the City Manager deems desirable.

Section 1202. BUDGET. The budget shall provide a complete financial plan of all City funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the City Manager deems desirable or the City Council may require. In organizing the budget the City Manager shall utilize the most feasible combination of expenditure classification by fund, organization unit, program, purpose or activity, and object. It shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the preceding fiscal year. It shall indicate in separate sections:

(a) Proposed expenditures for current operations during the ensuing fiscal year, detailed by offices, departments, and agencies in terms of their respective work programs, and the method of financing such expenditures;

(b) Proposed capital expenditures during the ensuing fiscal year, detailed by offices, departments, and agencies when practicable, and the proposed method of financing each such capital expenditure; and

(c) Anticipated net surplus or deficit for the ensuing fiscal year of each utility owned or operated by the City and the proposed method of its disposition.

The total of proposed expenditures shall not exceed the total of estimated income plus available reserves.

Section 1203. CAPITAL PROGRAM. As used in this section, a capital improvement shall mean an improvement with an estimated cost cost in excess of \$30,000 as established by Council resolution or ordinance.

~~(a)~~—Submission to City Council. The City Manager shall prepare and submit to the Council a five-year capital program no later than the final date for submission of the budget.

(a)

~~(a)~~(b) Contents. The capital program shall include:

1. A clear general summary of its contents;
2. A list of all capital improvements which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements.
3. Cost estimates, method of financing, and recommended time schedules for each such improvement; and
4. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

Section 1204. COUNCIL ACTION ON BUDGET.

(a) Notice and Hearing. The City Clerk shall publish in the official newspaper a general summary of the budget and a notice stating:

1. The times and places where copies of the message and budget are available for inspection by the public, and
2. The time and place, not less than ten days after such publication, for a public hearing on the budget.

Further Consideration and Adoption. After the conclusion of the public hearing, the Council shall further consider the proposed budget and make any revision thereof that it may deem advisable; and on or before July 1 it shall adopt the budget. Adoption of the budget shall constitute appropriations of the amounts specified therein as expenditures from the funds indicated. If it fails to adopt the budget by said date, the amounts appropriated for current operation for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items in it prorated accordingly, until such time as the Council adopts a budget for the ensuing fiscal year.

Section 1205. COUNCIL ACTION ON CAPITAL PROGRAM.

(a) Notice and Hearing. The City Clerk shall publish in the official newspaper a general summary of the capital program and a notice stating:

1. The times and places where copies of the capital program are available for inspection by the public, and
2. The time and place, not less than ten days after such publication, for a public hearing on the capital program.

(b) Adoption. The Council by resolution shall adopt the capital program with or without amendment after the public hearing.

Section 1206. PUBLIC RECORDS. Copies of the budget and the capital program as adopted shall be public records and shall be made available to the public at suitable places in the City.

Section 1207. AMENDMENTS AFTER ADOPTION.

(a) Supplemental Appropriations. If during the fiscal year the City Manager certifies that there are available for appropriation revenues in excess of those estimated in the budget, the Council by resolution may make supplemental appropriations for the year up to the amount of such excess.

(b) Reduction of Appropriations. If at any time during the fiscal year it appears probable to the City Manager that the revenues available will be insufficient to meet the amount appropriated, ~~he~~they shall report to the Council without delay, indicating the estimated amount of the deficit, any remedial action taken by ~~him~~them, and ~~his~~their recommendations as to any other steps to be taken. The Council shall then take such further action as it deems necessary to prevent or minimize and deficit, and for the purpose it may by resolution reduce one or more appropriations.

~~(c)~~ Transfer of Appropriations. At any time during the fiscal year the City Manager may transfer part or all of any unencumbered appropriation balance among programs within a department, office or agency and, upon written request by the City Manager, the Council may by resolution transfer part of all of any unencumbered appropriation balance from one department, office, or agency to another.

(c)

(d) Limitations; Effective Date. No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof. The supplemental appropriations and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.

Section 1208. LAPSE OF APPROPRIATIONS. Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if three years pass without any disbursement from or encumbrance of the appropriation.

Section 1209. TAX LIMITS.

(a) The Council shall not levy a property tax, for municipal purposes, in excess of One Dollar and Thirty Cents annually on each One Hundred Dollars of the assessed value of taxable property in the City, except as otherwise provided in this section, unless authorized by the affirmative votes of a majority of the voters voting on a proposition to increase such levy at any election at which the question of such additional levy for municipal purposes is submitted to the voters. The number of years that such additional levy is to be made shall be specified in such proposition.

(b) There shall be levied and collected at the time and in the same manner as other property taxes for municipal purposes are levied and collected, as additional taxes, if no other provision for payment thereof is made:

~~1.~~ A tax sufficient to meet all liabilities of the City for principal and interest of all bonds of judgments due and unpaid, or to become due during the ensuing fiscal year, which constitute general obligations of the City; and

1.

2. A tax sufficient to meet all obligations of the City to the Public Employees Retirement System for the retirement of City employees, due and unpaid or to become due during the ensuing fiscal year.

Section 1210. TAX PROCEDURE. The procedure for the assessment, levy, and collection of taxes upon property, taxable for municipal purposes, may be prescribed by ordinance of the Council.

Section 1211. BONDED DEBT LIMIT. The City shall not incur an indebtedness evidenced by general obligation bonds which shall in the aggregate exceed the sum of fifteen percent of the total assessed value, for purposes of City taxation, of all taxable real and personal property within the City.

No bonded indebtedness which shall constitute a general obligation of the City may be created unless authorized by the affirmative votes of two-thirds of the voters voting on such proposition at any election at which the question is submitted to the voters and unless in compliance with the provisions of the State Constitution and of this Charter.

Section 1212. CONTRACTS ON PUBLIC WORKS.

~~Every contract involving an expenditure of more than Thirty Thousand Dollars (\$30,000) in an amount determined by Council resolution or ordinance for public works construction or improvement shall be let to the lowest responsible bidder after notice by publication in a newspaper of general circulation by two (2) insertions, the first of which shall be at least ten (10) days before the time for opening bids. The Council may reject any and all bids presented and may readvertise at its discretion. Such contract may be let without advertising for bids if such purchase shall be deemed by the Council to be of urgent necessity for the preservation of life, health, or property and shall be authorized by resolution passed by at least four (4) affirmative votes of the Council and containing a declaration of the facts constituting the urgency. The Council shall have the right to waive any minor informality, technicality, variance or alteration in a bid. This section shall not apply to work done by the City with its own personnel if the Council determines that such work can be performed more economically by City forces than by contracting for such work through a competitive~~

selection process under such rules as the Council may prescribe. The Council may establish exceptions to this competitive process requirement, provided that the Council finds that the exception will be in the best interest of the City.

Section 121533. CASH BASIS FUND. The Council shall maintain unrestricted cash reserves that are adequate for the purpose of placing the payment of the operating expenses of the City on a cash basis. Said reserves shall consist of cash funds from any available sources in an amount which the Council deems sufficient with which to meet all lawful demands against the City for the first five months or longer necessary period of the succeeding fiscal year prior to the receipt of ad valorem tax revenues.

Section 121464. PRESENTATION AND AUDIT OF DEMANDS. Any demand against the City must be in writing and may be in the form of a bill, invoice, payroll, or formal demand. Each such demand shall be presented to the individual in charge of the Finance Office, who shall examine the same. If the amount thereof is legally due and there remains on the books an unexhausted balance of an appropriation against which the same may be charged, such individual shall approve such demand and draw a warrant on the Treasurer therefor, payable out of the proper fund.

The individual in charge of the Finance Office shall transmit such demand, with approval or rejection thereof endorsed thereon, and warrant, if any, to the City Manager. If a demand is one for an item included within an approved budget appropriation, it shall require the approval of the City Manager; otherwise it shall require the approval of the Council, following the adoption by it of an amendment to the budget authorizing such payment. Any person dissatisfied with the refusal of the City Manager to approve any demand, in whole or in part, may present the same to the Council which, after examining into the matter, may approve or disapprove the demand in whole or in part.

Section 121575. REGISTERING WARRANTS. Warrants on the Treasurer which are not paid for lack of funds shall be registered. All registered warrants shall be paid in the order of their registration when funds therefor are available and shall bear interest from the date of registration at such rate as shall be fixed by the Council by resolution.

Section 121686. CLAIMS AGAINST THE CITY. The Council by ordinance may provide for conditions precedent to the commencement of any action or proceeding to bringing suit against the City, its officers, and employees, except as the subject is preempted by State law.

Section 121977. INDEPENDENT AUDIT. The Council shall employ, at the beginning of each fiscal year, a certified public accountant who shall, at such time or times as may be specified by the Council and at such other times as ~~they~~ shall determine, examine the books, records, inventories, and reports of all officers and employees who receive, handle, or disburse public funds and all such other officers, employees, or departments as the Council may direct. As soon as practicable after the end of the fiscal year, a final certified audit and report shall be submitted by such accountant to the Council, one copy thereof to be submitted by such accountant to the Council, one copy thereof to be distributed to each member, one to the City Manager, Treasurer, and City Attorney, respectively, and three additional copies to be placed on file in the office of the City Clerk where they shall be available for inspection by the general public.

Section 1218. DONATIONS. The Council may accept money, personal property, or real estate donated, devised, or bequeathed to the City and authorize the City Manager to carry out the terms and conditions of the donation, devise, or bequeathment. If no terms or conditions are attached to the donation, devise, or bequeathment, the Council may designate its use for any municipal purpose. The Council may establish procedures for the administrative acceptance of donations, devises, and bequeathments by ordinance or resolution.

ARTICLE XIII FRANCHISES

Section 1300. GRANTING OF FRANCHISES. The Council may grant a franchise to any person, partnership, corporation, or other legal entity capable of exercising the privilege conferred, whether operating under an existing franchise or not, and may prescribe the terms, conditions, and limitations of such grant, including the compensation to be paid to the City therefor. The Council may prescribe by ordinance or resolution the method or procedure for granting franchises, together with additional terms and conditions for making such grants. In the absence of such provision the method provided by the general laws of the State shall apply.

Section 1301. TERMS OF FRANCHISE. No franchise shall be granted for a longer period than twenty-five years, unless there be reserved to the City the right to take over at any time the works, plant, and property constructed under the grant at their physical valuation and without compensation for franchise or good will.

Section ~~1032~~1302. EMINENT DOMAIN. No franchise or grant of a franchise shall in any way or to any extent impair or affect the right of the City to acquire the property of the possessor thereof by purchase or condemnation, and nothing therein contained shall be construed to contract away or to modify or abridge, either for a term or in perpetuity, the City's right of eminent domain with respect to the property of the possessor of any franchise. Every franchise granted by the City is granted upon the condition, whether expressed in the grant or not, that such franchise shall not be given any value before any court or other public authority in any proceeding of any character in excess of any amount actually paid by the grantee to the City at the time of the grant.

Section 1303. PROCEDURE FOR GRANTING FRANCHISES. Before granting any franchise, the ~~City~~-Council shall adopt a resolution declaring its intention to grant same and stating the name of the proposed grantee, the character of the proposed franchise, and the terms and conditions upon which it is proposed to be granted. Such resolution shall fix and set forth the day, hour, and place when and where any person having an interest in or objecting to the granting of such franchise may appear before the ~~City~~-Council and be heard thereon. Said resolution shall be published at least once, not less than ten days prior to said hearing in the official newspaper. After hearing all persons desiring to be heard, the Council may by ordinance deny or grant the franchise on the terms and conditions specified in the resolution subject to the referendum of the people. No ordinance granting a franchise shall be adopted as an emergency ordinance.

ARTICLE XIV BOARD OF EDUCATION

Section 1400. ESTABLISHMENT OF A BOARD OF EDUCATION. The control, management, and administration of the public schools of the City of Arcadia and the territory that is now or may hereafter be annexed thereto for school purposes, in accordance with the Constitution and general laws of the State of California, is hereby vested in a Board of Education consisting of five members who shall be voters

in the school district; said Board is hereby vested with all the powers and charged with all the duties provided by the laws of the State for city boards of education.

Section 1401. TERM OF OFFICE. The members of such Board of Education shall be elected from the school district at large and shall hold office for the term of four years, and until their successors are elected and duly qualified.

Section 1402. ELECTION. School board elections shall be held on the third Tuesday on April of each odd-numbered year. The members of such Board of Education holding office at the time this Charter becomes effective shall continue in office for their respective terms of office and until their respective successors are elected and duly qualified as herein provided. The officers of the election for members of the Board of Education shall be compensated for their services as provided by the general laws of the State governing school elections; such compensation and any other expense incurred in the conduct of said election shall be a charge upon the School District and not upon the City.

In the preparation of ballots for the election of members for the Board of Education, there shall be printed, stamped, or written the name of each candidate for such office who has filed the required documents pursuant to the requirements of the general law of the State relating to the election of Boards of Education.

In all other matters the election for members of the Board of Education shall be governed by the general law of the State relating to the election of city boards of education.

Section 1403. MEETINGS. The members of the Board of Education shall enter upon the discharge of their duties on or before the second Tuesday in July after their election, and the Board shall meet upon said day and annually thereafter and organize by electing one of their number President, one of their number Vice President, and one of their number Clerk, whose terms of office shall be one year. They shall hold regular meetings at least once each month, at such time and place as may be determined by their rules. Special meetings may be called by the President or by written request of any three members. A majority of the members shall constitute a quorum. The Board may determine the rules of its proceedings, and the ayes and noes shall be taken, recorded and entered on the records of the Board. Any vacancy occurring on the Board shall be filled by the remaining members of the Board, and if there be no members, then by the Council.

Section 1404. BOARD SECRETARY. The Board of Education shall, at the first meeting in each school year, or at such other time as shall be fixed by resolution of the Board, appoint the Superintendent of Schools as Secretary to the Board and shall prescribe the duties of such secretary.

Section 1405. GENERAL LAW APPLICABLE. In all matters not specifically provided for in this Article, the Board of Education shall be governed by the provisions of the general law relating to such matters.

ARTICLE XV MISCELLANEOUS

Section 1500. DEFINITIONS. Unless the provision or the context otherwise requires, as used in this Charter:

- (a) “Shall” is mandatory, and “may” is permissive.
- (b) “City” is the City of Arcadia, and “department,” “board,” “commission,” “agency,” “officer,” or “employee” is a department board, commission, agency, officer, or employee, as the case may be, of the City of Arcadia.
- (c) “Council” is the City Council of the City.
- (d) “Councilmember” is a member of the Council.
- (e) “Departmental ~~administrator~~director” is the person in charge of a City department.
- (f) “Government Code” is the California Government Code as it exists upon adoption of this Charter, or is thereafter amended.
- (g) “Municipal Code” is the Arcadia Municipal Code.
- (h) “Law” includes ordinance.
- (i) “Officer” is a person holding an elected office, a member of a board of commission, the City Manager, and a departmental ~~administrator~~director in charge of a City department or a person acting in his place.
- (j) “State” is the State of California.
- (k) “Voter” is a legally registered voter.
- (l) The masculine, feminine, and neuter genders shall be interchangeable, as shall be the singular and plural. In particular, the terms “they,” “their” and “them” are intended to be the singular where the context so indicates.

Section 1501. VIOLATIONS. A violation of this Charter or of any ordinance of the City shall constitute a misdemeanor or infraction as deemed by ordinance of the City and may be prosecuted in the name of the People of the State of California or may be redressed by civil action filed by the City Attorney on behalf of the City. The maximum fine or penalty for any violation of a City ordinance shall be that sum authorized by State Penal Code provisions applicable to misdemeanors, or a term of imprisonment for a period not exceeding six months, or both such fine and imprisonment.

Section 1502. VALIDITY. If any provision of the Charter, or the application thereof to any person or circumstance is held invalid, the remainder of the Charter, and the application of such provision to other persons or circumstances, shall not be affected thereby.

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CHARTER
OF THE
CITY OF ARCADIA

(Amended to **May 12, 1998**)

HISTORY

THE ORIGINAL CITY CHARTER WAS ADOPTED AT A SPECIAL ELECTION HELD ON APRIL 24, 1951, CERTIFIED BY THE CALIFORNIA SECRETARY OF STATE, AND BECAME EFFECTIVE MAY 15, 1951.

AMENDMENTS

ELECTION:	EFFECTIVE:
November 6, 1956	January 15, 1957
February 2, 1965	March 31, 1965
November 5, 1968	January 16, 1969
September 15, 1992	October 22, 1992
April 9, 1996	May 16, 1996
April 14, 1998	May 12, 1998
November 8, 2022	DATE

NOTES

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NOTES



CITY OF ARCADIA, CALIFORNIA

CITY CHARTER As Amended 2022

CITY COUNCIL

2021-2022

Tom Beck
Paul P. Cheng
Michael Danielson
Sho Tay
April A. Verlato

CITY CLERK
Gene Glasco

CITY MANAGER
Dominic Lazzaretto

CITY ATTORNEY
Stephen P. Deitsch

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CITY OF ARCADIA
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**CHARTER
CITY OF ARCADIA**

We, the People of the City of Arcadia, State of California, do ordain and establish this Charter as the organic law of the City under the Constitution of the State.

**ARTICLE I
INCORPORATION AND SUCCESSION**

Section 100. NAME AND BOUNDARIES. The City of Arcadia, hereinafter termed the City, shall continue to be a municipal corporation under its present name, "City of Arcadia." The boundaries of the City shall be as established at the time this Charter takes effect, or as they may be changed thereafter in the manner authorized by law.

Section 101. RIGHTS AND LIABILITIES OF THE CITY. The City shall continue to own, possess, and control all rights and property of every kind and nature owned, possessed, or controlled by it at the time this Charter takes effect and shall be subject to all its debts, obligations, liabilities, and contracts.

Section 102. ORDINANCES, CODES, AND OTHER REGULATIONS. All ordinances, codes, resolutions, regulations, or portions thereof, in force at the time this Charter takes effect, and not in conflict or inconsistent herewith, shall continue in force until they shall have been duly repealed, amended, changed, or superseded by proper authority.

Section 103. OFFICERS AND EMPLOYEES. Subject to the provisions of this Charter, the present officers and employees shall continue to perform the duties of their respective offices and employments without interruption and for the same compensations and under the same conditions until the election or appointment and qualification of their successors and subject to such removal and control as herein provided.

Section 104. EFFECTIVE DATE OF CHARTER. This Charter shall take effect upon its approval by the Legislature of the State of California and any amendment hereto shall be effective when filed pursuant to the California Constitution.

ARTICLE II POWERS OF CITY

Section 200. POWERS. The City shall have the power to make and enforce all laws and regulations in respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter and in the Constitution of the state of California. It shall also have the power to exercise any and all rights, powers, and privileges heretofore or hereafter established, granted or prescribed by any law of the State, by this Charter, or by other lawful authority, or which a municipal corporation might or could exercise under the Constitution of the State of California. The enumeration in this Charter of any particular power, duty, or procedure shall not be held to be exclusive of, or any limitation or restriction upon, this general grant of power. The City shall have the power and may act pursuant to procedure established by ordinance or any law of the State.

Section 201. INTERGOVERNMENTAL RELATIONS. The City may exercise any of its powers or perform any of its functions jointly, or in cooperation, by contract or otherwise, with any one or more cities, counties, states, or civil divisions or agencies thereof, or the United States or any agency thereof.

ARTICLE III FORM OF GOVERNMENT

Section 300. FORM OF GOVERNMENT. The municipal government established by this Charter shall be known as the “Council-Manager” form of government.

ARTICLE IV THE CITY COUNCIL

Section 400. CITY COUNCIL. The City Council, hereinafter termed "Council," shall consist of five Councilmembers each representing a respective district within the City and elected to office in the manner provided in this Charter. The term of office shall be four years. Alternatively, and successively, three four-year terms shall be filled at one general municipal election and two four-year terms at the next such election, consistent with the sequence of terms of Councilmembers existing on the effective date hereof. The term of a Councilmember shall commence on the first Tuesday following certification of their election and they shall serve until their successor qualifies. Any ties in voting shall be settled by the casting of lots.

Each Councilmember in office at the time this Charter takes effect shall continue in office until the end of the term for which they were elected under the previous Charter; an appointed Councilmember shall continue in office during such time as hereinafter provided.

Section 401. ELIGIBILITY. No person shall be eligible to hold the office of Councilmember unless that person shall reside in the City, shall be a resident of the district from which the Councilmember is elected or appointed, and shall be a registered voter of the City upon appointment or when nomination papers are issued. A Councilmember who has been elected or appointed for two, four-year terms including two years of any unexpired term, shall not be eligible to hold the office of Councilmember again regardless of redistricting. This section shall apply to all Councilmembers holding office on the effective date of this Charter.

Section 402. COMPENSATION.
.Compensation for Councilmembers is hereby set, and from time to time shall be changed, in accordance with the schedule applicable to the City of Arcadia set forth in the provisions of the Government Code relating to salaries of Councilmembers in general law cities. Such compensation may be increased or decreased by an affirmative vote of a majority of the voters voting on the proposition at any election.

**Section 403. VACANCIES, FORFEITURE OF OFFICE.
FILLING OF VACANCIES.**

(a) A vacancy shall exist on the Council, and shall be declared by the Council, if a Councilmember resigns, is legally removed other than by recall, dies, or forfeits their office.

(b) A Councilmember shall forfeit their office if they (1) lack at any time while holding office any qualification for election prescribed by this Charter or by law, (2) violate any provision of this Charter, (3) is convicted of a crime involving moral turpitude, (4) without consent of the Council is absent from all regular Council meetings for a period of sixty consecutive days and the first regular meeting thereafter, said period to be computed from the last regular Council meeting they attend, (5) or accepts or retains any other elective public office. A declaration by the Council of a vacancy resulting from forfeiture of office shall be subject to judicial review, provided that within two weeks after such declaration an appropriate action, or proceeding, for review is filed in a court having jurisdiction of the action or proceeding. During the pendency of any such action or proceeding, anyone appointed by the Council to fill such vacancy shall have all the rights, duties, and powers of a Councilmember, and continue in such office as provided herein unless and until said court rules the declaration of the Council invalid and such ruling has become final.

(c) Any vacancy on the Council shall be filled by a majority vote of the remaining Councilmembers within sixty days after the vacancy occurs. If more than one vacancy exists, successive appointments shall be made, and each appointee shall participate in any succeeding appointment. If the Council fails, for any reason, to fill such vacancy within said sixty-day period, it shall forthwith call an election for the next established election date.

(d) In the event the Council does not call an election within sixty days of the effective date of the vacancy, the City Clerk shall call a special election to fill the vacancy, provided that the term of the vacant office does not expire at the next established election date. The special election shall take place at the next established election date. A special election called by the City Clerk shall be conducted by the County of Los Angeles and shall follow the same procedures as the most recent general municipal election for a vacant district seat. The City Clerk shall take any actions, including adoption of resolutions, necessary to effectuate the special election. The City Clerk shall call the special election within five working days. To effectuate this section, the City Manager shall have the powers to (i) expend funds of the City to pay for the costs of the special election, and (ii) in the absence of the City Clerk, to appoint an acting

City Clerk to take any necessary actions under this section.

(e) For purposes of this section, "established election dates" are the dates established in California Elections Code section 1000, or any successor statute or amendments, unless the Council establishes additional or alternative election dates by ordinance. The "next" established election date is the established election date that is at least 114 days away.

(f) The Council shall provide by ordinance or resolution for the continuity of the Council in the event that five vacancies simultaneously exist on the Council. If less than a quorum of Council seats are filled, the remaining Councilmembers may meet and take action to consider, deliberate on, and make appointments until a quorum is achieved.

Section 404. MAYOR - MAYOR PRO TEMPORE. The offices of Mayor and Mayor Pro Tem shall be filled automatically by rotation among the Councilmembers with each serving a term of approximately nine (9) and one-half (1/2) months. It is the intent of this provision that the Councilmember for each Council district to serve as Mayor and Mayor Pro Tem once during a four-year term. The Council shall adopt an appropriate procedure for implementing this requirement by ordinance or resolution.

The Mayor shall preside at Council meetings; shall be the chief official of the City for all ceremonial purposes; and shall perform such other duties consistent with the office as may be prescribed by the Council. The Mayor Pro Tempore shall perform the duties of the Mayor during their absence or disability.

Both the Mayor and Mayor Pro Tempore shall have a voice and a vote in all proceedings of the Council.

Section 405. POWERS VESTED IN THE COUNCIL. All powers of the City shall be vested in the Council except as otherwise provided in this Charter.

Section 406. PROHIBITIONS.

(a) **HOLDING OTHER OFFICES.**

No Councilmember shall hold any other City office or City employment, and no former Councilmember shall hold any compensated City office or City employment until two years after leaving the office of Councilmember.

(b) **INTERFERENCE IN ADMINISTRATIVE SERVICE.**

Neither the Council nor any of its members shall interfere with the execution by the City Manager of the City Manager's powers and duties, or order, directly or indirectly, the appointment by the City Manager or by any of the departmental officers in the administrative service of the City, of any person to an office or employment or their removal therefrom. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service under the City Manager solely through the City Manager, and neither the Council nor any member thereof shall give orders to any subordinates of the City Manager, either publicly or privately.

Section 407. REGULAR MEETINGS OF THE COUNCIL.

The Council shall hold regular meetings at least twice each month at such times as it shall fix by ordinance or resolution, except that the Council may hold only one regular meeting in up to four months each fiscal year. At any time a regular meeting falls on a holiday, such meeting shall be held on the day designated by motion of the City Council or cancelled in accordance with this section.

Section 408. SPECIAL MEETINGS. Special meetings may be called at any time by the Mayor or by three members of the Council. Notice of special meetings shall be given in accordance with the Ralph M. Brown Act, commencing with Section 54950 of the Government Code

Section 409. ADJOURNED MEETINGS. Any regular, adjourned regular, special, or adjourned special meeting may be adjourned to a time and place specified in the order of adjournment. Any adjourned regular meeting is a regular meeting for all purposes.

Section 410. QUORUM. Subject to other provisions of this Charter, three Councilmembers shall constitute a quorum to do business, but a lesser number may adjourn from time to time or compel the attendance of other Councilmembers in such a manner and under such penalties as the Council may have provided.

Section 411. OPEN MEETINGS. RALPH M. BROWN ACT. All meetings of the Council shall be open to the public, provided the Council may adjourn to an executive session as provided by law. The provisions of the Ralph M. Brown Act, commencing with Section 54950 of the Government Code, shall apply to all meetings of the Council.

Section 412. PLACE OF MEETINGS. All Council meetings shall be held in the Council Chamber of the City Hall, or in a place to which any meeting may be adjourned. If, by reason of fire, flood, or other emergency, it shall be unsafe to meet in the Council Chamber, the meetings may be held for the duration of the emergency at a place designated by the Mayor, or if the Mayor should fail to act, by three members of the Council. A Council meeting may be held at, or adjourned to, a publicly accessible telephonic or electronic location.

Section 413. PROCEEDINGS. The Council shall cause the City Clerk to keep a correct record of all its proceedings. The Council may establish rules for the conduct of its proceedings. It may evict any member or other person for disorderly conduct at any of its meetings. Each member of the Council shall have the power to administer oaths and affirmations in any proceeding pending before the Council. The Council shall have the power to compel the attendance of witnesses, to examine them under oath, and to compel the production of evidence before it. Subpoenas shall be issued in the name of the City, signed by the Mayor, and be attested by the City Clerk. Disobedience of such subpoenas, or the refusal to testify, shall constitute a misdemeanor; the Mayor shall report such disobedience to a judge of the Superior Court for further proceedings under the provisions of the Government Code.

Upon adoption of any ordinance, resolution, or order for payment of money, or upon the demand of any member, the City Clerk shall call the roll and shall cause the ayes and noes taken on the question to be entered in the minutes of the meeting. The electronic casting of ayes and noes may be conducted in lieu of a roll call vote.

Section 414. PUBLIC PARTICIPATION. Any member of the public, personally or through counsel, shall have the right to present grievances at any regular meeting of the Council regarding any matter that is within the subject matter jurisdiction of the Council, or offer suggestions for the betterment of municipal affairs.

Section 415. ADOPTION OF ORDINANCES AND RESOLUTIONS. With the exception of ordinances which take effect upon adoption, referred to in this Article, no ordinance shall be adopted by the Council on the day of its introduction, nor within five days thereafter, nor at any time other than at a regular or adjourned regular meeting. At the time of its introduction an ordinance shall become a

part of the proceedings of such meeting in the custody of the City Clerk. At the time of adoption of an ordinance or resolution it shall not be read in full, unless reading in full is requested by consent of a majority of the Councilmembers present and voting. In the event that any ordinance is altered after its introduction, it shall not be finally adopted except at a meeting held not less than five days after the date upon which such ordinance was altered. Correction of a typographical or clerical error shall not constitute an alteration within the meaning of the foregoing sentence.

Unless otherwise required by this Charter, the affirmative votes of at least three Councilmembers shall be required for the enactment of any ordinance or resolution, or for the making or approving of any order for the payment of money.

All ordinance and resolutions shall be signed by the Mayor and attested by the City Clerk.

EMERGENCY ORDINANCES. Any ordinance declared by the Council to be necessary as an emergency measure for preserving the public peace, health, or safety and containing a statement of the reasons for its urgency, may be introduced and adopted at one and the same meeting if it is read in full and passed by at least four affirmative votes or, if less than four Councilmembers are present, then by unanimous vote of the Councilmembers present.

Section 416. ORDINANCES. PUBLICATION. The City Clerk shall cause each ordinance, or a summary of each ordinance, to be published at least once in the official newspaper within fifteen days after its adoption; provided, as an alternative, that the City Clerk may satisfy the publication requirement by posting the ordinance in at least three public places in the City as designated by the Council and on the City's website or other publicly available City-controlled internet site.

Section 417. ADOPTION OF CODES BY REFERENCE. Detailed regulations, pertaining to any subject, when arranged as a comprehensive code may be adopted by reference by the passage of an ordinance for such purpose. Such code need not be published in the manner required for other ordinances. A copy of any adopted code of regulations shall be made available for inspection in the City Clerk's Office or available for purchase at a reasonable price.

Section 418. THE ARCADIA MUNICIPAL CODE. The Arcadia Municipal Code may be amended, repealed, or added to in whole or in part by ordinance. Said Code may be rearranged and renumbered and thereupon adopted by reference in the same manner as set forth in Section 417, above.

Section 419. ORDINANCE. WHEN EFFECTIVE. An ordinance shall become effective on the thirty-first day after its adoption, or at any later date specified therein, except the following, which shall take effect upon adoption:

- (a) An ordinance calling or otherwise relating to an election.
- (b) An improvement proceeding ordinance adopted under some law or procedural ordinance.
- (c) An ordinance declaring the amount of money necessary to be raised by taxation, fixing the rate of taxation, levying the annual tax upon property, or levying any other tax.
- (d) An emergency ordinance adopted in the manner provided for in this Charter.

Section 420. PUBLISHING OF LEGAL NOTICES The publication of legal notices or other matters solely pertaining to the municipal affairs of the City, except as otherwise provided in this Charter or by ordinance of the Council, may be accomplished by posting copies thereof at three or more public places in the City as designated by the Council and posted on the City's website.

The publication of legal notices or other matters that do not solely pertain to the municipal affairs of the City shall be published in a manner consistent with applicable law.

The newspaper with which the Council contracts for publication of legal notices shall be deemed the official newspaper.

No defect or irregularity in proceedings taken under this section shall invalidate any publication where the same is otherwise in conformity with this Charter or law.

**ARTICLE V
CITY CLERK**

Section 500. CITY CLERK. There shall be a City Clerk who shall be appointed by the City Manager.

Section 501. POWERS AND DUTIES. The City Clerk shall:

(a) Attend all meetings of the Council and be responsible for the recording and maintaining of a full and true record of all of the proceedings of the Council.

(b) Maintain separate files, in which shall be recorded respectively all ordinances and resolutions, with the certificate of the Clerk annexed to each document stating that said document is the original or a correct copy, and with respect to an ordinance, stating that said ordinance has been published or posted in accordance with this Charter; all of said files shall be properly indexed and open to public inspection when not in actual use.

(c) Maintain separate files, in which a record shall be made of all written contracts and official bonds.

(d) Be the custodian of the seal of the City.

(e) Administer oaths or affirmations, take affidavits and depositions pertaining to the affairs and business of the City and certify copies of official records.

(f) Be the City Assessor, if the Council so requires.

(g) Sign all checks, except payroll checks.

(h) Conduct all City elections

(i) Perform such other duties as may be prescribed by the Council or City Manager.

Section 502. ELIMINATION OF ELECTED OFFICE. The office of elected City Clerk shall be eliminated upon the earlier of: (1) the expiration of the term of the elected City Clerk serving at the time of adoption of this Charter, or (2) any vacancy in the elected office.

**ARTICLE VI
CITY MANAGER**

Section 600. CITY MANAGER. SELECTION AND

QUALIFICATIONS. There shall be a City Manager who shall be the chief administrative officer of the City. The Council shall appoint, by not less than four votes, the person who it believes to be best qualified on the basis of their executive and administrative qualifications, with special reference to their experience in and their knowledge of accepted practice in respect to the duties of the office as set forth in this Charter.

The City Manager shall engage in no other business or occupation except as may be permitted by the affirmative vote of four members of the Council.

REMOVAL OF CITY MANAGER. The affirmative vote of a majority of the members of the Council shall be required to remove the City Manager from office, provided the City Manager shall not be removed by the Council within 135 days after a Councilmanic election, except by the unanimous vote of the entire Council.

Section 601. CITY MANGER. POWERS AND DUTIES.

The City Manager shall be responsible to the Council for the proper administration of all affairs of the City. Without limiting the foregoing general grant of powers, responsibilities, and duties, the City Manager, subject to the provisions of this Charter and any regulations adopted pursuant thereto, shall:

(a) Appoint and remove administrative officers, except those appointed by the Council; and when he deems it necessary for the good of the service, suspend or remove any employee.

(b) Direct and supervise the administration of all departments, offices, and agencies of the City.

(c) Prepare and submit the annual budget and capital program to the Council, and be responsible for administration of the annual budget and capital program after its adoption.

(d) Prepare and submit to the Council as of the end of the fiscal year a comprehensive report on the finances and administrative activities of the City for the preceding year.

(e) Make such other reports as the Council may require concerning the operations of City departments, offices, and agencies subject to the City Manager's direction and supervision.

(f) Keep the Council advised of the financial condition and future needs of the City and make such recommendations as may seem to him desirable.

Prepare rules and regulations governing the contracting for, purchasing, storing, distribution, and disposal of, all supplies, materials, and

equipment required by any office department, or agency of the City government and recommend them to the Council for adoption.

(g) See that all laws, provisions of this Charter, and acts of the Council, subject to enforcement by him or by officers subject to their direction and supervision, are faithfully executed.

(h) Perform such other duties as may be prescribed by the Council.

Section 602. CITY MANAGER. MEETINGS. The City Manager shall be accorded a seat at the Council table and at all meetings of boards and commissions and shall be entitled to participate in their deliberations, but shall not have a vote.

Section 603. CITY MANAGER PRO TEMPORE. The City Manager shall appoint, subject to the approval of the Council, one of the other officers of the City to serve as City Manager Pro Tempore during any temporary absence or disability of the City Manager. During such absence or disability, the Council may revoke such designation at any time and appoint another officer of the City to serve until the City Manager shall return or their disability shall cease.

ARTICLE VII OFFICERS AND EMPLOYEES

Section 700. ADMINISTRATIVE DEPARTMENTS

(a) Creation of Departments. The Council may establish City departments, offices, or agencies in addition to those created by this Charter and may prescribe the functions of all departments, offices, and agencies, except that no function assigned by this Charter to a particular department, office, or agency may be discontinued or, unless this Charter specifically so provides, assigned to any other.

(b) Direction by City Manager. Except as otherwise provided by this Charter, all departments, offices, and agencies under the direction and supervision of the City Manager shall be administered by an officer appointed by and subject to the direction and supervision of the Manager. With the consent of the Council, the Manager may serve as the departmental director of one or more such departments, offices or agencies or may appoint one person as the departmental director of two or more of them. Not inconsistent with this Charter, the Council may provide for the number, titles, qualifications, powers, duties, and compensation of all officers and employees.

(c) Merit Principle. All appointments and promotions of City officers and employees shall be made solely on the basis of merit and fitness demonstrated by examination of other evidence of competence.

Section 701. CITY ATTORNEY. POWERS AND DUTIES.

There shall be a City Attorney who shall be appointed and subject to removal by a majority vote of the entire Council. Under the administrative direction of the City Manager, they shall serve as chief legal adviser to the Council, the City Manager, and all City departments, offices, and agencies; they shall represent the City in all legal proceedings and shall perform such other duties as may be prescribed by the Council.

To become eligible for City Attorney, the person appointed shall be an attorney-at-law duly licensed as such under the laws of the State of California, and shall have been engaged in the practice of law for at least two years prior to appointment.

Section 702. FINANCE OFFICE. The City Manager shall appoint an individual responsible for the Finance Office who shall:

(a) Have charge of the administration of the financial affairs of the City under the direction of the City Manager.

(b) Compile the budget expense and income estimates and supply data for the capital program as requested by the City Manager.

(c) Maintain a general accounting system for the City government and each of its offices, departments, and agencies.

(d) Supervise and be responsible for the disbursement of all moneys and have control of all expenditures to ensure that budget appropriations are not exceeded; audit all purchase orders before issuance; audit and approve before payment, all bills, invoices, payrolls, demands, or charges against the City government and, with the advice of the City Attorney, when necessary, determine the regularity, legality, and correctness of such claims, demands, or charges.

(e) Supervise the collection, receipt, and the deposit of all moneys payable to the City in a depository designated by the Council or by the City Manager or their designee, if the Council has not acted, and in compliance with all applicable laws.

(f) Submit to the Council through the City Manager a monthly statement of all receipts and disbursements in sufficient detail to show the exact financial condition of the City; and, as of the end of each fiscal year, submit a complete financial statement and report.

(g) Supervise the keeping of current inventories of all property of the City by all City departments, offices, and agencies.

(h) Perform such other duties as may be prescribed by the Council.

TREASURER. There shall be a Treasurer in the Finance Office who shall be appointed and may be removed by the Director of Administrative Services subject to the approval of the City Manager. The Treasurer shall perform those duties required by law, assigned by the Director of Administrative Services, and those provided by ordinance or resolution.

Section 703. PLANNING OFFICE. The City Manager shall appoint an individual responsible for the Planning Office who shall:

(a) Advise the City Manager on any matter affecting the physical development of the City.

(b) Formulate and recommend to the City Manager a general plan and modifications thereof.

(c) Review and make recommendations regarding proposed Council action implementing the general plan.

(d) Participate in the preparation and revision of the capital program.

(e) Advise the City Planning Commission in the exercise of its responsibilities and in connection therewith provide necessary staff assistance.

(f) Perform such other duties as may be prescribed by the City Manager.

Section 704. DEPARTMENTAL DIRECTORS.

APPOINTIVE POWERS. Each departmental director shall have the power to appoint, supervise, suspend, or remove such assistants, deputies, subordinates, and employees as are provided for by the Council for their department, subject to approval of the City Manager and subject to the civil service provisions of this Charter and the rules and regulations promulgated hereunder.

Section 705. PERSONAL FINANCIAL INTEREST.

Except as permitted by the Governmental Code, any City officer or employee who has a financial interest in any contract with the City or in the sale of any land, materials, supplies, or services to the City or to a contractor supplying the City shall make known that interest and shall refrain from voting upon or otherwise participating in their capacity as a City officer or employee in the making of such sale or in the making or performance of such contract. Any City officer or employee who

willfully conceals such a financial interest or willfully violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit their office or position. Violation of this section with the knowledge, express or implied, of the person or corporation contracting with or making a sale to the City shall render the contract or sale voidable by the City Manager or the Council.

Section 706. ADMINISTERING OATHS.

Each department director or their deputies as they may designate shall have the power to administer oaths and affirmations in connection with any official business pertaining to their department.

Section 707. ACCEPTANCE OF OTHER OFFICE. Any administrative officer or any employee of the City who shall accept or retain any elective public office of the City of Arcadia shall be deemed thereby to have resigned from their office or employment under the City government.

Section 708. NEPOTISM. The Council shall not appoint to a salaried position in the City government any person who is a relative by blood or marriage within the third degree of any member of the Council, nor shall any administrative officer or other officer having appointive power appoint any relative of theirs within such degree to any such position.

Section 709. OFFICIAL BONDS. The Council shall fix by ordinance or resolution the amounts and terms of the official bonds of all officers or employees who are required by ordinance or resolution to give such bonds. All bonds shall be executed by a responsible corporate surety, shall be approved as to form by the City Attorney, and shall be filed with the City Clerk. Premiums on official bonds shall be paid by the City.

There shall be no personal liability upon, or any right to recover against, a superior officer, or their bond, for any wrongful act or omission of their subordinate, unless such superior officer was a party to, or conspired in, such wrongful act or omission.

**ARTICLE VIII
BOARDS AND COMMISSIONS**

Section 800. IN GENERAL. There shall be the following

boards and commissions which shall have the powers and duties set forth in this Charter and by ordinance not inconsistent with this Charter:

- Planning Commission
- Human Resources Commission
- Library Board of Trustees
- Recreation and Parks Commission

In addition, the Council may create by ordinance such other boards or commissions as in its judgment are required and may grant to them such powers and duties as are not inconsistent with the provisions of this Charter.

Section 801. APPROPRIATIONS. The Council shall include in its annual budget such appropriations of funds as the Council shall determine to be sufficient for the efficient and proper functioning of boards and commissions.

Section 802. APPOINTMENTS. TERMS. The number of members of boards and commissions shall be specified by the Council. Except as hereafter provided, each member of each board or commission shall be appointed for a term of four years and shall serve until their successor qualifies; they shall be subject to removal by motion of the Council adopted by at least three affirmative votes. In the event an incumbent is removed or otherwise vacates their office, their successor shall be appointed for the unexpired term of said office. The members thereof shall be appointed from the legally registered voters of the City, and shall not hold any other City office or employment.

A member who has held office on the same board or commission for two consecutive four-year terms, excluding part or all of an unexpired term, shall not be eligible to hold office on such board or commission until two years after the expiration of the second consecutive term.

Section 803. EXISTING BOARDS. The members of the boards and commissions holding office when this Charter takes effect shall continue to hold office thereafter until their respective terms of office shall expire and until their successors are appointed and qualify.

Section 804. MEETINGS. CHAIRPERSON. As soon as practicable, following the first day of July of every year, each of such boards and commissions shall organize by electing one of its members as presiding officer, and another as chairperson pro tempore, to serve at the pleasure of such board or commission. Each board or commission

shall hold regular meetings as the Council may require, and such special meetings as otherwise may be necessary. The provisions of Section 411 hereof, relating to the Ralph M. Brown Act, shall apply to all meetings of boards and commissions and, subject to the provisions of said Act, all meetings shall be open to the public.

The affirmative vote of a majority of the quorum of such board or commission shall be necessary for it to take any action.

The City Manager may designate a City employee for the recording of minutes for each of such boards and commissions, who shall keep a record of its proceedings and transactions. Each board or commission may prescribe its own procedures and rules of operation which shall be kept on file in the office of the City Clerk where they shall be available for public inspection.

Section 805. COMPENSATION. VACANCIES. The members of boards and commissions shall serve without compensation for their services as such, but may receive reimbursement for necessary traveling and other expenses incurred on official duty when such expenditures have received authorization by the Council.

Any vacancies in any board or commission, from whatever cause arising, shall be filled by appointment by the Council. Upon a vacancy occurring leaving an unexpired portion of a term, any appointment to fill such vacancy shall be for the unexpired portion of such term.

If a member of a board or commission is absent from three consecutive regular meetings of such board or commission, unless by permission of such board or commission expressed in its official minutes; is convicted of a crime involving moral turpitude; ceases to be a legally registered voter of the City; or files or causes to be filed nomination papers with the City Clerk for elective City office, their office shall become vacant and shall be so declared by the Council.

Section 806. PLANNING COMMISSION. There shall be a City Planning Commission which shall make recommendations to the City Manager and the Council on all matters affecting the physical development of the City, shall be consulted on the general plan and the implementation thereof, and shall perform such other duties as may be prescribed by the Council.

Section 807. GENERAL PLAN.

(a) Content. The Council shall adopt, and may from time to time modify, a general plan setting forth in graphic and textual form policies to govern the future physical development of the City. Such plan may cover the entire City and all of its functions and services or may consist of a combination of plans governing specific functions and services or specific geographic areas which together cover the entire City and all of its functions and services.

(b) Effect. The general plan shall serve as a guide to all future Council action concerning land use, development regulations, and expenditures for capital improvements.

(c) Land Use Policies. Land use policies and regulations of zoning and development standards, including but not limited to policies contained within the General Plan, are municipal affairs and this Charter shall prevail over state statutes regulating land use within the City. The Council shall have plenary authority over land use policies and regulation of zoning and development standards.

Section 808. HUMAN RESOURCES COMMISSION. POWERS AND DUTIES. There shall be a Human Resources Commission which shall:

(a) Hear appeals of any person in the Classified Service relative to any suspension, demotion, or dismissal.

(b) Perform such other Human Resources and personnel related duties as may be prescribed by the Council.

(c) Have the authority to issue subpoenas under penalty of law.

Section 809. LIBRARY BOARD OF TRUSTEES. POWERS AND DUTIES. There shall be a Library Board of Trustees which shall:

(a) Administer and operate the City libraries.

(b) Establish and enforce such by-laws, procedures, and rules of operation as may be necessary for, and make all purchases and other contracts in connection with, the administration, government, and protection of the City libraries and shall designate its own Secretary.

(c) Appoint and remove the Librarian, who shall be the departmental director, and pass upon and approve all proposed appointments and removals by the Librarian.

(d) Subject to the approval of the Council, contract with schools, county, or other governmental agencies to render or receive

library services or facilities.

Section 810. RECREATION AND PARKS COMMISSION. POWERS AND DUTIES. There shall be a Recreation and Parks Commission which shall:

(a) Act in an advisory capacity to the Council in all matters pertaining to community recreation and parks.

(b) Perform such other duties as may be prescribed by the Council.

ARTICLE IX CIVIL SERVICE

Section 900. EXISTING CIVIL SERVICE SYSTEM.

To the extent that existing Civil Service ordinances and rules and regulations of the City are not in conflict with this Charter, they are continued in full force and effect, and to the extent that they are in conflict they are hereby repealed.

Section 901. UNCLASSIFIED AND CLASSIFIED SERVICE. The Civil Service of the City shall be divided into the Unclassified and the Classified Service.

(a) The Unclassified Service shall comprise the following officers and positions:

1. Councilmember.
2. City Manager, City Attorney, City Clerk, Chief of Police, and Fire Chief. Assistants, deputies, management and clerical employees authorized for said departmental directors and designated by the Council to be in the Unclassified Service.
3. All other departmental directors.
4. City Manager Pro Tempore.
5. Human Resources Administrator.
6. City Librarian.
7. All members of boards and commissions.
8. Positions in any class or grade created for a special or temporary purpose and for a period of not exceeding one hundred eighty days in any one calendar year.
9. Persons employed to render professional, scientific, technical, or expert service of an occasional and

exceptional character.

10. Part-time employees.

(b) The Classified Service shall comprise all positions not specifically included by this section in the Unclassified Service.

Section 902. APPOINTMENTS FROM CLASSIFIED SERVICE POSITIONS. In the event an employee of the City holding a position in the Classified Service is appointed to a position in the Unclassified Service, and should thereafter within one year be removed or resign therefrom, they shall revert to his former position in the Classified Service upon the same terms and conditions as if they had remained in said position continuously.

Section 903. RECRUITMENT. Examinations of applicants for positions in the Classified Service shall fairly test the relative capacity of the applicants to discharge the duties of the positions to which they seek to be appointed. Applicants must be citizens of the United States.

Section 904. SUSPENSION. DEMOTION AND DISMISSAL. The boards and officers having appointive power are vested with the right to exercise the disciplinary and removal powers provided in this section.

An employee holding a position in the Classified Service shall be subject to suspension without pay for a period not exceeding thirty days in any one calendar year, to demotion, or to removal from their position, but subject in each case to the right of the employee, other than one serving a probationary period, to a hearing before the Human Resources Commission in the manner set forth herein.

Such employee shall be entitled to receive upon their request, at the office of the board of officer taking such action, a written statement in which shall be separately stated each of the charges against them upon which such suspension, demotion, or removal is based, a copy of which statement shall be furnished to Human Resources for delivery to the Human Resources Commission. Such statement shall be furnished such employee within two business days after their request therefor, which request must be filed in Human Resources within ten days after they have been notified of such demotion, removal, or suspension. If such employee is absent from work, they shall be deemed to be so notified when such notice is mailed to their last address on file with the City by registered mail. They shall have thirty days after receipt of such statement

within which to file with Human Resources an answer to such statement of charges should he desire to do so.

In their answer, or otherwise if no statement of charges has been made available to them as required, such employee may request a hearing by the Human Resources Commission to review such suspension, demotion, or removal, which hearing shall be called and held as provided for in the rules and regulations. Within thirty days from such notification, such answer or request for a hearing shall be filed in Human Resources for delivery to the Human Resources Commission. Hearings may be conducted informally and the rules of evidence need not apply.

The Human Resources Commission shall make written findings which shall state as to each charge whether or not such charge is sustained. Such Commission shall also set forth in writing its conclusions and recommendations based upon such findings and, within ten days after concluding the hearing, it shall certify its findings, conclusions, and recommendations to the City Manager and the parties involved from whose action the appeal was taken.

The recommendations of the Human Resources Commission shall be advisory only. The City Manager shall make a final decision with respect to such recommendations, and their decision shall be final and conclusive and no further appeal shall be taken therefrom.

When an appeal is taken to the Human Resources Commission from an order of dismissal, the vacancy in the position shall be considered a temporary vacancy pending final action by the Human Resources Commission and may be filled only by a temporary appointment.

Section 905. POLITICAL ACTIVITIES PROHIBITED.

Any City employee, upon becoming a candidate for an elective public office of the City of Arcadia, shall be required to take and shall be granted a leave of absence without pay to remain in effect during the period of time such person is a candidate.

No City employee shall take any part in any political campaign while in a uniform bearing the insignia or name of the City of Arcadia. No person shall use the administrative offices and facilities of the City for the purpose of furthering a political campaign for public office.

Section 906. PROHIBITIONS. GENERAL.

(a) No person shall be appointed, removed, favored, or discriminated against with respect to any City position or office because of race, sex, political or religious opinions or affiliations.

(b) No person shall willfully make any false statement, certificate, mark, rating, or report in regard to any test, certification, or appointment under the personnel provisions of this Charter or the rules and regulations made thereunder, or in any manner commit or attempt to commit any fraud preventing the impartial execution of such provisions, rules, and regulations.

(c) No person who seeks appointment or promotion with respect to any City position or office shall directly or indirectly give, render, or pay or offer to give, render, or pay any money, service, or other valuable thing to any person for or in connection with their test, appointment proposed appointment, promotion, or proposed promotion.

(d) In addition to the penalties provided in Section 1501 of this Charter, any person who by themselves or with another willfully violates any provisions of subdivisions (b) and (c) of this section shall, upon conviction thereof, be ineligible for a period of five years for employment in the City service and shall immediately forfeit their office or position if they are an officer or employee of the City.

**ARTICLE X
RETIREMENT**

Section 1000. PUBLIC EMPLOYEES RETIREMENT SYSTEM. Plenary authority and power are hereby vested in the City, its Council, and its several officers, agents, and employees to do and perform any act, or exercise any authority granted, permitted, or required under the provisions of the Public Employees Retirement Law, as it now exists or hereafter may be amended, to enable the City to continue as a contracting City under said Retirement system. The Council may terminate any such contract with the Board of Administration of the Public Employees Retirement System only under authority granted by ordinance adopted by a majority vote of the legally registered voters of the City, voting on such proposition at an election at which such proposal is presented.

ARTICLE XI ELECTIONS

Section 1100. GENERAL MUNICIPAL ELECTIONS.

Commencing with the election of November 8, 2022, general municipal elections for the election of officers and for such purposes as the Council may prescribe shall be held in the City on the first Tuesday after the first Monday in November in each even-numbered year, except as otherwise provided by ordinance of the Council.

Section 1101. SPECIAL MUNICIPAL ELECTIONS.

Other municipal elections shall be known as special municipal elections.

Section 1102. PROCEDURE FOR HOLDING ELECTIONS. Unless otherwise provided by ordinance hereafter enacted, all elections shall be held in accordance with the provisions of the Elections Code of the State of California, as it exists or is amended, for the holding of municipal elections, so far as the same are not in conflict with this Charter.

Section 1103. INITIATIVE, REFERENDUM, AND RECALL. There are hereby reserved to the voters of the City the powers of the initiative and referendum and of the recall of municipal elective officers. The provisions of the Elections Code of the State of California, as it exists or is amended, governing the initiative and referendum and the recall of municipal officers shall apply so far as the same are not in conflict with this Charter.

ARTICLE XII FISCAL ADMINISTRATION

Section 1200. FISCAL YEAR. The fiscal year of the City government shall begin on the first day of July of each year and end on the thirtieth day of June of the following year. The Council may by ordinance change the fiscal year.

Section 1201. SUBMISSION OF BUDGET AND BUDGET MESSAGE. On or before the twenty-fifth day of May of each year, or at such other time as the Council may prescribe, the City Manager shall submit to the Council a budget for the ensuing fiscal year and an accompanying message.

The City Manager's message shall explain the budget both in fiscal terms and in terms of the work programs. It shall outline the proposed financial policies of the City for the ensuing fiscal year; describe the important features of the budget; indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes; summarize the City's debt position; and include such other material as the City Manager deems desirable.

Section 1202. BUDGET. The budget shall provide a complete financial plan of all City funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the City Manager deems desirable or the City Council may require. In organizing the budget the City Manager shall utilize the most feasible combination of expenditure classification by fund, organization unit, program, purpose or activity, and object. It shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the preceding fiscal year. It shall indicate in separate sections:

(a) Proposed expenditures for current operations during the ensuing fiscal year, detailed by offices, departments, and agencies in terms of their respective work programs, and the method of financing such expenditures;

(b) Proposed capital expenditures during the ensuing fiscal year, detailed by offices, departments, and agencies when practicable, and the proposed method of financing each such capital expenditure; and

(c) Anticipated net surplus or deficit for the ensuing fiscal year of each utility owned or operated by the City and the proposed method of its disposition.

The total of proposed expenditures shall not exceed the total of estimated income plus available reserves.

Section 1203. CAPITAL PROGRAM. As used in this section, a capital improvement shall mean an improvement with an estimated cost as established by Council resolution or ordinance.

(a) Submission to City Council. The City Manager shall prepare and submit to the Council a five-year capital program no later than

the final date for submission of the budget.

(b) Contents. The capital program shall include:

1. A clear general summary of its contents;
2. A list of all capital improvements which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements.
3. Cost estimates, method of financing, and recommended time schedules for each such improvement; and
4. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

Section 1204. COUNCIL ACTION ON BUDGET.

(a) Notice and Hearing. The City Clerk shall publish in the official newspaper a general summary of the budget and a notice stating:

1. The times and places where copies of the message and budget are available for inspection by the public, and
2. The time and place, not less than ten days after such publication, for a public hearing on the budget.

Further Consideration and Adoption. After the conclusion of the public hearing, the Council shall further consider the proposed budget and make any revision thereof that it may deem advisable; and on or before July 1 it shall adopt the budget. Adoption of the budget shall constitute appropriations of the amounts specified therein as expenditures from the funds indicated. If it fails to adopt the budget by said date, the amounts appropriated for current operation for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items in it prorated accordingly, until such time as the Council adopts a budget for the ensuing fiscal year.

Section 1205. COUNCIL ACTION ON CAPITAL PROGRAM.

(a) Notice and Hearing. The City Clerk shall publish in the official newspaper a general summary of the capital program and a notice stating:

1. The times and places where copies of the capital

program are available for inspection by the public, and
2. The time and place, not less than ten days after such publication, for a public hearing on the capital program.

(b) Adoption. The Council by resolution shall adopt the capital program with or without amendment after the public hearing.

Section 1206. PUBLIC RECORDS. Copies of the budget and the capital program as adopted shall be public records and shall be made available to the public at suitable places in the City.

Section 1207. AMENDMENTS AFTER ADOPTION.

(a) Supplemental Appropriations. If during the fiscal year the City Manager certifies that there are available for appropriation revenues in excess of those estimated in the budget, the Council by resolution may make supplemental appropriations for the year up to the amount of such excess.

(b) Reduction of Appropriations. If at any time during the fiscal year it appears probable to the City Manager that the revenues available will be insufficient to meet the amount appropriated, they shall report to the Council without delay, indicating the estimated amount of the deficit, any remedial action taken by them, and their recommendations as to any other steps to be taken. The Council shall then take such further action as it deems necessary to prevent or minimize and deficit, and for the purpose it may by resolution reduce one or more appropriations.

(c) Transfer of Appropriations. At any time during the fiscal year the City Manager may transfer part or all of any unencumbered appropriation balance among programs within a department, office or agency and, upon written request by the City Manager, the Council may by resolution transfer part of all of any unencumbered appropriation balance from one department, office, or agency to another.

(d) Limitations; Effective Date. No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof. The supplemental appropriations and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.

Section 1208. LAPSE OF APPROPRIATIONS. Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure

shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if three years pass without any disbursement from or encumbrance of the appropriation.

Section 1209. TAX LIMITS.

(a) The Council shall not levy a property tax, for municipal purposes, in excess of One Dollar and Thirty Cents annually on each One Hundred Dollars of the assessed value of taxable property in the City, except as otherwise provided in this section, unless authorized by the affirmative votes of a majority of the voters voting on a proposition to increase such levy at any election at which the question of such additional levy for municipal purposes is submitted to the voters. The number of years that such additional levy is to be made shall be specified in such proposition.

(b) There shall be levied and collected at the time and in the same manner as other property taxes for municipal purposes are levied and collected, as additional taxes, if no other provision for payment thereof is made:

1. A tax sufficient to meet all liabilities of the City for principal and interest of all bonds of judgments due and unpaid, or to become due during the ensuing fiscal year, which constitute general obligations of the City; and
2. A tax sufficient to meet all obligations of the City to the Public Employees Retirement System for the retirement of City employees, due and unpaid or to become due during the ensuing fiscal year.

Section 1210. TAX PROCEDURE. The procedure for the assessment, levy, and collection of taxes upon property, taxable for municipal purposes, may be prescribed by ordinance of the Council.

Section 1211. BONDED DEBT LIMIT. The City shall not incur an indebtedness evidenced by general obligation bonds which shall in the aggregate exceed the sum of fifteen percent of the total assessed value, for purposes of City taxation, of all taxable real and personal property within the City.

No bonded indebtedness which shall constitute a general obligation of the City may be created unless authorized by the affirmative votes of two-thirds of the voters voting on such proposition at any election at which the question is submitted to the voters and unless in compliance

with the provisions of the State Constitution and of this Charter.

Section 1212. CONTRACTS ON PUBLIC WORKS.

Every contract involving an expenditure in an amount determined by Council resolution or ordinance for public works construction or improvement shall be let through a competitive selection process under such rules as the Council may prescribe. The Council may establish exceptions to this competitive process requirement, provided that the Council finds that the exception will be in the best interest of the City.

Section 1213. CASH BASIS FUND. The Council shall maintain unrestricted cash reserves that are adequate for the purpose of placing the payment of the operating expenses of the City on a cash basis. Said reserves shall consist of cash funds from any available sources in an amount which the Council deems sufficient with which to meet all lawful demands against the City for the first five months or longer necessary period of the succeeding fiscal year prior to the receipt of ad valorem tax revenues.

Section 1214. PRESENTATION AND AUDIT OF DEMANDS. Any demand against the City must be in writing and may be in the form of a bill, invoice, payroll, or formal demand. Each such demand shall be presented to the individual in charge of the Finance Office, who shall examine the same. If the amount thereof is legally due and there remains on the books an unexhausted balance of an appropriation against which the same may be charged, such individual shall approve such demand and draw a warrant on the Treasurer therefor, payable out of the proper fund.

The individual in charge of the Finance Office shall transmit such demand, with approval or rejection thereof endorsed thereon, and warrant, if any, to the City Manager. If a demand is one for an item included within an approved budget appropriation, it shall require the approval of the City Manager; otherwise it shall require the approval of the Council, following the adoption by it of an amendment to the budget authorizing such payment. Any person dissatisfied with the refusal of the City Manager to approve any demand, in whole or in part, may present the same to the Council which, after examining into the matter, may approve or disapprove the demand in whole or in part.

Section 1215. REGISTERING WARRANTS. Warrants on the Treasurer which are not paid for lack of funds shall be registered. All

registered warrants shall be paid in the order of their registration when funds therefor are available and shall bear interest from the date of registration at such rate as shall be fixed by the Council by resolution.

Section 1216. CLAIMS AGAINST THE CITY. The Council by ordinance may provide for conditions precedent to the commencement of any action or proceeding to bringing suit against the City, its officers, and employees, except as the subject is preempted by State law.

Section 1217. INDEPENDENT AUDIT. The Council shall employ, at the beginning of each fiscal year, a certified public accountant who shall, at such time or times as may be specified by the Council and at such other times as they shall determine, examine the books, records, inventories, and reports of all officers and employees who receive, handle, or disburse public funds and all such other officers, employees, or departments as the Council may direct. As soon as practicable after the end of the fiscal year, a final certified audit and report shall be submitted by such accountant to the Council, one copy thereof to be submitted by such accountant to the Council, one copy thereof to be distributed to each member, one to the City Manager, Treasurer, and City Attorney, respectively, and three additional copies to be placed on file in the office of the City Clerk where they shall be available for inspection by the general public.

Section 1218. DONATIONS. The Council may accept money, personal property, or real estate donated, devised, or bequeathed to the City and authorize the City Manager to carry out the terms and conditions of the donation, devise, or bequeathment. If no terms or conditions are attached to the donation, devise, or bequeathment, the Council may designate its use for any municipal purpose. The Council may establish procedures for the administrative acceptance of donations, devises, and bequeathments by ordinance or resolution.

ARTICLE XIII FRANCHISES

Section 1300. GRANTING OF FRANCHISES. The Council may grant a franchise to any person, partnership, corporation, or other legal entity capable of exercising the privilege conferred, whether operating under an existing franchise or not, and may prescribe the terms, conditions, and limitations of such grant, including the compensation to be paid to the City therefor. The Council may prescribe by ordinance or

resolution the method or procedure for granting franchises, together with additional terms and conditions for making such grants. In the absence of such provision the method provided by the general laws of the State shall apply.

Section 1301. TERMS OF FRANCHISE. No franchise shall be granted for a longer period than twenty-five years, unless there be reserved to the City the right to take over at any time the works, plant, and property constructed under the grant at their physical valuation and without compensation for franchise or good will.

Section 1302. EMINENT DOMAIN. No franchise or grant of a franchise shall in any way or to any extent impair or affect the right of the City to acquire the property of the possessor thereof by purchase or condemnation, and nothing therein contained shall be construed to contract away or to modify or abridge, either for a term or in perpetuity, the City's right of eminent domain with respect to the property of the possessor of any franchise. Every franchise granted by the City is granted upon the condition, whether expressed in the grant or not, that such franchise shall not be given any value before any court or other public authority in any proceeding of any character in excess of any amount actually paid by the grantee to the City at the time of the grant.

Section 1303. PROCEDURE FOR GRANTING FRANCHISES. Before granting any franchise, the Council shall adopt a resolution declaring its intention to grant same and stating the name of the proposed grantee, the character of the proposed franchise, and the terms and conditions upon which it is proposed to be granted. Such resolution shall fix and set forth the day, hour, and place when and where any person having an interest in or objecting to the granting of such franchise may appear before the Council and be heard thereon. Said resolution shall be published at least once, not less than ten days prior to said hearing in the official newspaper. After hearing all persons desiring to be heard, the Council may by ordinance deny or grant the franchise on the terms and conditions specified in the resolution subject to the referendum of the people. No ordinance granting a franchise shall be adopted as an emergency ordinance.

ARTICLE XIV BOARD OF EDUCATION

Section 1400. ESTABLISHMENT OF A BOARD OF EDUCATION. The control, management, and administration of the public schools of the City of Arcadia and the territory that is now or may hereafter be annexed thereto for school purposes, in accordance with the Constitution and general laws of the State of California, is hereby vested in a Board of Education consisting of five members who shall be voters in the school district; said Board is hereby vested with all the powers and charged with all the duties provided by the laws of the State for city boards of education.

Section 1401. TERM OF OFFICE. The members of such Board of Education shall be elected from the school district at large and shall hold office for the term of four years, and until their successors are elected and duly qualified.

Section 1402. ELECTION. School board elections shall be held on the third Tuesday on April of each odd-numbered year. The members of such Board of Education holding office at the time this Charter becomes effective shall continue in office for their respective terms of office and until their respective successors are elected and duly qualified as herein provided. The officers of the election for members of the Board of Education shall be compensated for their services as provided by the general laws of the State governing school elections; such compensation and any other expense incurred in the conduct of said election shall be a charge upon the School District and not upon the City.

In the preparation of ballots for the election of members for the Board of Education, there shall be printed, stamped, or written the name of each candidate for such office who has filed the required documents pursuant to the requirements of the general law of the State relating to the election of Boards of Education.

In all other matters the election for members of the Board of Education shall be governed by the general law of the State relating to the election of city boards of education.

Section 1403. MEETINGS. The members of the Board of Education shall enter upon the discharge of their duties on or before the second Tuesday in July after their election, and the Board shall meet upon said day and annually thereafter and organize by electing one of their number President, one of their number Vice President, and one of their

number Clerk, whose terms of office shall be one year. They shall hold regular meetings at least once each month, at such time and place as may be determined by their rules. Special meetings may be called by the President or by written request of any three members. A majority of the members shall constitute a quorum. The Board may determine the rules of its proceedings, and the ayes and noes shall be taken, recorded and entered on the records of the Board. Any vacancy occurring on the Board shall be filled by the remaining members of the Board, and if there be no members, then by the Council.

Section 1404. BOARD SECRETARY. The Board of Education shall, at the first meeting in each school year, or at such other time as shall be fixed by resolution of the Board, appoint the Superintendent of Schools as Secretary to the Board and shall prescribe the duties of such secretary.

Section 1405. GENERAL LAW APPLICABLE. In all matters not specifically provided for in this Article, the Board of Education shall be governed by the provisions of the general law relating to such matters.

ARTICLE XV MISCELLANEOUS

Section 1500. DEFINITIONS. Unless the provision or the context otherwise requires, as used in this Charter:

- (a) “Shall” is mandatory, and “may” is permissive.
- (b) “City” is the City of Arcadia, and “department,” “board,” “commission,” “agency,” “officer,” or “employee” is a department board, commission, agency, officer, or employee, as the case may be, of the City of Arcadia.
- (c) “Council” is the City Council of the City.
- (d) “Councilmember” is a member of the Council.
- (e) “Departmental director” is the person in charge of a City department.
- (f) “Government Code” is the California Government Code as it exists upon adoption of this Charter, or is thereafter amended.
- (g) “Municipal Code” is the Arcadia Municipal Code.
- (h) “Law” includes ordinance.
- (i) “Officer” is a person holding an elected office, a member of a board of commission, the City Manager, and a departmental director in charge of a City department or a person acting in his place.

- (j) “State” is the State of California.
- (k) “Voter” is a legally registered voter.
- (l) The masculine, feminine, and neuter genders shall be interchangeable, as shall be the singular and plural. In particular, the terms “they,” “their” and “them” are intended to be the singular where the context so indicates.

Section 1501. VIOLATIONS. A violation of this Charter or of any ordinance of the City shall constitute a misdemeanor or infraction as deemed by ordinance of the City and may be prosecuted in the name of the People of the State of California or may be redressed by civil action filed by the City Attorney on behalf of the City. The maximum fine or penalty for any violation of a City ordinance shall be that sum authorized by State Penal Code provisions applicable to misdemeanors, or a term of imprisonment for a period not exceeding six months, or both such fine and imprisonment.

Section 1502. VALIDITY. If any provision of the Charter, or the application thereof to any person or circumstance is held invalid, the remainder of the Charter, and the application of such provision to other persons or circumstances, shall not be affected thereby.

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CHARTER
OF THE
CITY OF ARCADIA

(Amended to **May 12, 1998**)

HISTORY

THE ORIGINAL CITY CHARTER WAS ADOPTED AT A SPECIAL ELECTION HELD ON APRIL 24, 1951, CERTIFIED BY THE CALIFORNIA SECRETARY OF STATE, AND BECAME EFFECTIVE MAY 15, 1951.

AMENDMENTS

ELECTION:	EFFECTIVE:
November 6, 1956	January 15, 1957
February 2, 1965	March 31, 1965
November 5, 1968	January 16, 1969
September 15, 1992	October 22, 1992
April 9, 1996	May 16, 1996
April 14, 1998	May 12, 1998
November 8, 2022	DATE

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NOTES

**ARCADIA CITY COUNCIL
SPECIAL MEETING MINUTES
FRIDAY, APRIL 29, 2022**

CALL TO ORDER – Mayor Beck called the Special Meeting to order at 9:38 a.m.

ROLL CALL OF CITY COUNCIL MEMBERS

PRESENT: Danielson, Verlato, and Beck

ABSENT: Cheng, and Tay

It was the consensus of the City Council that Council Member Cheng and Council Member Tay be excused from this meeting.

Council Member Tay arrived at 9:56 a.m.

PUBLIC COMMENTS – No public comments were received.


- a. Tour of LifeArk, a homeless project providing single residence occupancy units for homeless housing.

The City Council and City staff attended a tour of LifeArk, a homeless project in the City of El Monte that provides single residence occupancy units for homeless housing.

Council Member Tay left the Special Meeting at 11:20 a.m.

No action was taken or requested concerning the above matter.

The Special Meeting adjourned at 11:40 a.m.



Linda Rodriguez
Assistant City Clerk

**ARCADIA CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, MAY 3, 2022**

CALL TO ORDER – Mayor Beck called the Study Session to order at 4:02 p.m.

ROLL CALL OF CITY COUNCIL MEMBERS

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

PUBLIC COMMENTS – No public comments were received.

STUDY SESSION

- a. Report, discussion, and direction regarding the proposed Operating Budget for Fiscal Years 2022-24, and Proposed Capital Improvement and Equipment Plan for Fiscal Years 2022-27.

City Manager Lazzaretto presented an overview of the proposed Operating Budget for Fiscal Year 2022-24, and proposed Capital Improvement and Equipment Plan for Fiscal Year 2022-27. Discussion ensued and staff responded to various questions, comments, and suggestions on the proposed Budget.

It was the consensus of the City Council to adopt the Operating Budget for Fiscal Years 2022-24, and Capital Improvement and Equipment Plan for Fiscal Years 2022-27.

- b. Report, discussion, and direction regarding proposed Charter Amendments and Ballot Measures for the November 8, 2022, General Municipal Election.
Recommended Action: Provide Direction

Deputy City Manager Bruckner presented an overview of the outstanding Charter Amendments that the City Council wished to further review.

After discussion it was the consensus of the City Council to adopt the Charter Review Committee's recommendation for Sections 400, 401, 1100, 1218, and Article V. This City Council deferred further discussion on term limits to a later date.

Deputy City Manager Bruckner presented the following three items that City Council may consider adding to the November 8, 2022, General Municipal Election ballot: (1) Charter Amendments (2) Sports Wagering Tax, and (3) Transient Occupancy Tax.

After discussion it was the consensus of the City Council that all three items be added to the 2022 General Municipal Election ballot.

The Study Session recessed at 5:47 p.m.

The City Council convened to the Closed Session at 6:02 p.m.

CLOSED SESSION

- a. Report, discussion, and direction regarding Preliminary Workers' Compensation and Industrial Disability Retirement settlement.
- b. Pursuant to Government Code Section 54957, Public Employee Performance Evaluation.

City Manager.

- c. Pursuant to Government Code Section 54957.6, conference with Labor Negotiators.

Agency Designated Representatives: Mayor Tom Beck, City Attorney Stephen P. Deitsch, and Assistant City Attorney Michael Maurer.

Unrepresented Employee: City Manager.

The Closed Session recessed to the Regular Meeting at 6:57 p.m.

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

1. **CALL TO ORDER** – Mayor Beck called the Regular Meeting to order at 7:02 p.m.
2. **INVOCATION** – Rabbi Sholom Stiefel, Chabad of Arcadia
3. **PLEDGE OF ALLEGIANCE** – Arcadia Boy Scouts of America Troop 2131
4. **ROLL CALL OF CITY COUNCIL MEMBERS**

PRESENT: Danielson, Tay, Verlato, Cheng, and Beck

ABSENT: None

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

Assistant City Attorney Maurer announced that prior to the Regular Meeting the City Council met in a Study Session to discuss the following items: (1) to consider the Operating Budget and Proposed Capital Improvement and Equipment Plan, and (2) to consider proposed Charter Amendments and Ballot Measures for the November 8, 2022, General Municipal Election; and indicated that the City Council provided direction to staff on both items.

He further announced that following the Study Session, the City Council met in Closed Session; that as part of the Closed Session the City Council, pursuant to the Brown Act, added a late breaking item by unanimous vote pursuant to Government Code Section 54956.9(d)(1), to discuss existing litigation related to Los Angeles County Superior Court Case No. E312918368; He indicated that the item was added to the agenda as the item came up after the agenda had been posted and there was an immediate need to act. He reported that the City Council discussed the item and that there was no reportable action taken. He reported that the City Council considered Closed Session Item a.; that there was no reportable action taken; he stated that Items b. and c. were initiated; and that the the City Council will reconvene to those items following the Regular City Council Meeting.

6. SUPPLEMENTAL INFORMATION FROM CITY MANAGER REGARDING AGENDA ITEMS

City Manager Lazzaretto stated that there was no supplemental information.

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

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

8. PRESENTATIONS

- a. Presentation of Proclamation and City tile plaque to Arcadia Senior of the Year Elizabeth Renfrew.
- b. Presentation of City Council Certificates to the Charter Review Committee Members for their dedicated work to update the City's Charter.

9. PUBLIC HEARING

- a. Review of the Planning Commission's approval of Conditional Use Permit No. CUP 21-05 with a categorical exemption under the California Environmental Quality Act ("CEQA") for a new Adult Day Care Center at 253 E. Foothill Boulevard.
Recommended Action: Adopt Resolution No. 7428 Affirming the Planning Commission's Decision

Assistant Planner Vanessa Quiroz presented a PowerPoint presentation.

Mayor Beck opened the Public Hearing. No one appeared.

A motion to close the Public Hearing was made by Mayor Beck.

Mayor Beck asked several questions of the applicant regarding their proposed business. Discussion ensued.

A motion was made by Council Member Verlato, and seconded by Mayor Pro Tem Cheng, to adopt Resolution No. 7428 affirming the Planning Commission's approval of Conditional Use Permit No. CUP 21-05 for a new Adult Day Care Center at 253 E. Foothill Boulevard and find that the project is categorically exempt under Section 15301 of the California Environmental Quality Act, and subject to the conditions included in Resolution No. 7428 and the approvals should incorporate the findings of the Planning Commission as well as any additional findings that the City Council deem as appropriate.

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

10. PUBLIC COMMENTS – No public comments.

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

Council Member Tay announced that he attended Dine Arcadia hosted by the Arcadia Chamber of Commerce; he thanked the Chamber for all they do to support our City; he stated that he received messages from concerned residents regarding water usage; and recommended residents to register on www.Arcadia.Watersmart.com to help monitor water usage.

Mayor Pro Tem Cheng shared a story of his childhood; he reminded everyone to open up to the greater good and the greater light that is around you; he regretfully announced the passing of Troy Bond; and thanked the City Council and residents who celebrated Troy Bond's 97th birthday.

Council Member Danielson announced that he attended a Hindu Celebration at Live Oak Park; he attended a concert provided by the Recreation & Community Services Department at the Arcadia Community Center; that on April 28, he attended "Coffee with a Cop" at Bowlero; on April 29, he took a tour of the LifeArk in El Monte; that on April 30, he attended "Coffee Talk" at the Library; he further announced that he attended the Arcadia PTA Council Awards held this morning; and he thanked Elizabeth Renfrew and congratulated her for being such a great volunteer to the community.

Council Member Verlato also congratulated Elizabeth Renfrew for volunteering in the community; she announced that she attended the Cody O'Connor walk through Downtown Arcadia; she noted that Cody O'Connor is a cancer survivor who walked from New York to Santa Monica to celebrate beating cancer; she further announced that she attended a San Gabriel Valley Council of Governments open house which highlighted many of the great things that they do; she attended "Coffee with a Cop" held at Bowlero; she stated that May 20 is "Dim Sum with a Detective" an event to raise money for the K9 Unit; she shared photos of the tour of LifeArk; she also attended "Coffee Talk" the History of the Arcadia Chinese Association presented by Dr. Edward Wong; she indicated that May 2, was the Executive Committee meeting for the San Gabriel Valley Council of Governments; and announced that at the Board of Supervisors Meeting held this morning they adopted the Blue Ribbon Commission on Homelessness' recommendation to create a new department on homelessness which will control Measure H funds.

City Clerk Glasco shared that once a month the Arcadia Community Center has a collective birthday celebration for anyone who wishes to celebrate their birthday.

Mayor Beck expressed how impressive the technology at the LifeArk facility was; he announced that May 1, is the new watering schedule which allows for watering three days a week; he announced that he attended the Honorary Service Award luncheon and congratulated Council Member Verlato for outstanding service to youth in our community; he further announced that he attended the San Gabriel Valley Mayor's Reception; he indicated that May 7, will be a community bike ride starting at the Community Center; he reported that the School Board election is coming up and on May 11, there will be a candidates forum at First Avenue Middle School at 7 p.m.; he reported that on May 12, the Bargain Box will have a ribbon cutting from 4-6:30 p.m.; he stated that "Coffee with the Mayor" is returning on May 17, at 9 a.m. at the Community Center; and indicated that he also attended the Cody O'Connor walk through Downtown Arcadia.

12. CONSENT CALENDAR

- a. Adjourned Regular Meeting Minutes of April 11, 2022, and Special and Regular Meeting Minutes of April 19, 2022.
Recommended Action: Approve
- b. Resolution No. 7429 approving the City of Arcadia Local Hazard Mitigation Plan.
Recommended Action: Adopt

- c. Mayor's Appointments of City Council Members to City Boards, Commissions, and Outside Governmental Agencies
Recommended Action: Receive and File
- d. Contract with Grigolla & Sons Construction Company to provide Construction Services for Huntington Drive sidewalk rehabilitation improvements along westbound Huntington Drive between Sunset Boulevard and Cortez Road in the amount of \$86,490.
Recommended Action: Approve
- e. Municipal Right-of-Way Facilities Use Agreement with New Cingular Wireless PCS, LLC ("AT&T"), for use of City facilities for installation, operation, and maintenance of cellular equipment.
Recommended Action: Approve
- f. Purchase Order with L.N. Curtis and Sons for the purchase of Hurst Edraulic Rescue Tools in the amount of \$61,900.
Recommended Action: Approve
- g. Purchase of Ammunition from San Diego Police Equipment Co., Inc. in an amount not to exceed \$77,800.
Recommended Action: Waive the Formal Bid Process and Approve

It was moved by Council Member Verlato, seconded by Mayor Pro Tem Cheng, and carried on a roll call vote to approve Consent Calendar Items 12.a through 12.g.

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

14. ADJOURNMENT

The City Council recessed at 8:26 p.m. in memory of long time Arcadia resident Myron Tarkanian to Tuesday, May 17, 2022, at 6:00 p.m. in the City Council Conference Room.

The City Council reconvened to the Closed Session at 8:40 p.m.

No reportable action was taken on the Closed Session Items.

The Closed Session ended at 9:39 p.m.



 Rachelle Arellano
 Deputy City Clerk



STAFF REPORT

Public Works Services Department

DATE: May 17, 2022

TO: Honorable Mayor and City Council

FROM: Paul Cranmer, Public Works Services Director
By: Mandy Jiang, Management Analyst

SUBJECT: RESOLUTION NO. 7430 REPEALING RESOLUTION NO. 7138 CONCERNING OUTDOOR IRRIGATION AND PROHIBITED WATER USES AND ADOPTING NEW RESTRICTIONS ON OUTDOOR IRRIGATION AND PROHIBITED WATER USES

Recommendation: Adopt

SUMMARY

The State of California is entering a third year of a drought and at the end of April, California's snowpack was only 5% of normal. In response, Governor Newsom signed an Executive Order directing the State Water Resources Control Board to consider adopting emergency regulations. If adopted, the emergency regulations will require urban water suppliers to implement Level 2 of their respective Water Shortage Contingency Plans. Based on the need for water conservation and to ensure water supply, it is recommended that the City Council adopt Resolution No. 7430 repealing Resolution No. 7138 to amend the summer watering schedule from three days to two days per week on Tuesdays and Saturdays, and adopt new restrictions on outdoor irrigation and prohibited water uses.

BACKGROUND

On March 28, 2022, Governor Newsom signed Executive Order N-7-22 calling on Californians to limit summertime watering. He directed the State Water Resources Control Board to consider adopting emergency regulations by May 25, 2022, which includes banning irrigation of "non-functional" turf in commercial, industrial, and institutional sectors and for urban water suppliers to move to Level 2 of their Water Shortage Contingency Plans. Non-functional turf is defined as turf that is ornamental and not used for human recreation purposes such as school fields, sports fields, and parks. Watering trees and other perennial non-turf plantings would be exempt from the ban. Commercial, industrial, and institutional ("CII") water users are defined in the California Water Code, Section 10608.12, Subdivisions (e), (i), and (j), and include homeowners' associations, common interest developments, community service organizations, and other similar entities.

On April 26, 2022, Metropolitan Water District declared a Water Shortage Emergency Condition and adopted an Emergency Water Conservation Program for water suppliers dependent on State Water Project (“SWP”) supplies. The Program requires agencies dependent on the SWP deliveries to immediately cut water use by implementing one day per week watering restrictions, or the equivalent, by June 1, 2022. Included as an option as part of their adopted Emergency Water Conservation Program, member agencies can manage demand within a Volumetric Limit for SWP deliveries of the remainder of this calendar year, which does not require the one day per week water restriction. As such, Upper San Gabriel Valley Municipal Water District (“Upper District”) is encouraging local water providers, including the City, to implement watering restrictions to two days a week.

DISCUSSION

The City is primarily dependent on its adjudicated water rights in the Main San Gabriel and Raymond Basins, with emergency connection to Metropolitan Water District’s water supply through Upper District. While the City is not dependent on SWP water and is not required at this time to reduce watering days to only one day per week, Upper District has forecasted that if current extractions continue to remain the same as the previous three years, the Main San Gabriel Basin Key Well will reach a new historic low in November 2022. They have stressed the need for continued water conservation by all agencies, no matter their source of water, and are encouraging local water providers to implement a two day per week outdoor watering restriction this summer.

To enhance water savings, Resolution No. 7430 will amend the City’s codified Water Conservation Plan Phase I water use restrictions to include:

- No lawn, landscape, or other turf areas shall be watered or irrigated more than two days per week (Tuesday and Saturday) in winter months (November through April) and two days per week (Tuesday and Saturday) in summer months (May through October)
- The use of potable water is prohibited for the irrigation of non-functional turf at commercial, industrial, and institutional sites; except for ensuring the health of trees and other perennial non-turf plantings or to the extent necessary to address an immediate health and safety need.

With outdoor irrigation making up to 70% of customer water use, adjusting the outdoor watering schedule is the most impactful way to achieve significant water use reduction. The City has reached a 20% water savings before, as certified in the 2020 Urban Water Management Plan, and also achieved a 36% mandated water savings at the height of the drought in 2015 by effectively implementing the water conservation program. The program is comprised of a combination of expansive public outreach, education, and enforcement of water waste prohibitions. Further, the City’s existing water use prohibitions are incorporated within the Water Shortage Contingency Plan, which parallel the State’s proposed emergency regulations and Governor’s Executive Orders. The City’s water use prohibitions include:

- No lawn, landscape, or turf areas shall be watered or irrigated between the hours of **9 a.m. and 6 p.m.**
- No hose washing of sidewalks, walkways, driveways, or parking areas.
- No washing of motor vehicles, except where the hose is fitted with a shut-off nozzle or similar device that ceases dispensing water when not in use.
- No water shall be used to clean, fill, or maintain levels in decorative fountains, unless such water is part of a recirculating system.
- No lawn, landscape, or turf areas shall be watered in a wasteful manner.
- No lawn, landscape, or turf areas shall be watered or irrigated during and within 48 hours after measurable rainfall.
- No Arcadia water customer shall permit water to leak from any facilities on their premises.
- No restaurant, hotel, café, cafeteria, bar, or other public places where food or beverage is served or offered for sale shall serve drinking water to any customer unless expressly requested by the customer.
- No hotel or motel shall launder towels and linens of an occupied guestroom on a daily basis unless expressly requested by the guest.

To immediately notify water customers of the new two day a week summer watering schedule and prohibit the watering of non-functional turf by CII water customers, the City will employ a variety of public outreach efforts including the City website, water bills, mailers, social media channels, Hot Sheets, the City Newsletter, WaterSmart Home Water Reports, and additional resources. The water conservation program will partner with Upper District and the Metropolitan Water District to amplify unified water conservation messaging in the region and offering incentives for turf reduction, low flow appliances, and the like.

ENVIRONMENTAL ANALYSIS

The adoption of Resolution No. 7430 is exempt from the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines Section 15268 and California Public Resources Code Section 21080(b)(1) as it is deemed a ministerial action. The State’s emergency regulation mandates that each urban water supplier implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory restrictions on outdoor irrigation. Therefore, the City’s action to amend and implement Phase II of the City’s Water Conservation Plan is not a discretionary action and as such it is statutorily exempt from CEQA.

FISCAL IMPACT

Conservation efforts will result in decreased demand, which will result in the reduced necessity to purchase expensive Replacement Water from the Upper District. It is anticipated that water revenue may decrease in a commensurate amount during implementation of the amended watering schedule and prohibitions; however, the specific amount is not known at this time.

RECOMMENDATION

It is recommended that the City Council determine that this action does not constitute a Project and is, therefore, exempt under, the California Environmental Quality Act (“CEQA”); and approve Resolution No. 7430 repealing Resolution No. 7138 concerning outdoor irrigation and prohibited water uses and adopting new restrictions on outdoor irrigation and prohibited water uses.

Approved:



Dominic Lazzaretto
City Manager

Attachments: Resolution No. 7430
Executive Order N-7-22

RESOLUTION NO. 7430

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA, REPEALING RESOLUTION NO. 7138 CONCERNING OUTDOOR IRRIGATION AND PROHIBITED WATER USES AND ADOPTING NEW RESTRICTIONS ON OUTDOOR IRRIGATION AND PROHIBITED WATER USES

WHEREAS, on March 18, 2022, the Department of Water Resources reduced anticipated deliveries from the State Water Project from 15 to 5 percent of requested supplies due to the record-breaking dry period in January and February and the absence of significant rains in March; and

WHEREAS, on April 26, 2022, the Metropolitan Water District Board of Directors declared a Water Shortage Emergency Condition and adopted an Emergency Water Conservation Program for areas that are dependent on State Water Project supplies, implementing a one day per week watering restriction; and

WHEREAS, Upper San Gabriel Municipal Water District has identified the Volumetric Limit option for State Water Project deliveries within MWD's Emergency Water Conservation program and is encouraging member agencies to achieve 20% water use reduction through implementing a two day per week outdoor watering restriction; and

WHEREAS, the Arcadia Municipal Code currently allows outdoor watering of lawn, landscape, or other turf areas two (2) days per week, limited to Tuesday and Saturday during the winter months of November through April, and three (3) days per week, limited to Tuesday, Thursday, and Saturday during the summer months of May through October; and

WHEREAS, Ordinance No. 2327 provided that additional restrictions and conservation measures may be adopted from time to time by resolution of the City Council and shall become effective upon their adoption.

WHEREAS, the City Council recognizes the need to revise water conservation measures to prioritize water supplies in the interest of people of the City and for purposes of public welfare.

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

SECTION 1. Resolution No. 7138 is repealed in its entirety.

SECTION 2. Notwithstanding subsection (i) of Section 7553.7.1 of Division 3, Part 5, Chapter 5 of Article VII of the Arcadia Municipal Code, in winter (November through April) no lawn, landscape, or other turf areas shall be watered or irrigated more than two (2) days per week, or such other number of days as the City Council may prescribe by resolution from time to time. The two days per week shall be Tuesday and Saturday or such other days as the City Council may prescribe by resolution from time to time. In summer (May through October) no lawn, landscape, or other turf areas shall be watered or irrigated more than two (2) days per week, or such other number of days as the City Council may prescribe by resolution from time to time. The two days per week shall be Tuesday and Saturday or such other days as the City Council may prescribe by resolution from time to time. Furthermore, outdoor watering of lawn, landscape or other turf areas shall be limited to no more than 10 minutes per station on each day allowed for such

watering. Notwithstanding the foregoing, an owner of property used primarily for commercial, industrial, or institutional purposes may not irrigate non-functional turf areas. "Non-functional turf" means turf that is solely ornamental and not regularly used for human recreational purposes or for civic or community events. Non-functional turf does not include sports fields and turf that is regularly used for human recreational purposes or for civic or community events. "Commercial, industrial, and institutional" refers to commercial water users, industrial water users, and institutional water users as respectively defined in Water Code, section 10608.12, subdivisions (e), (i), and (j), and includes homeowners' associations, common interest developments, community service organizations, and other similar entities but does not include the residences of these entities' members or separate interests.

SECTION 3. The City Clerk shall certify to the adoption of this Resolution.

[SIGNATURES ON THE NEXT PAGE]

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-7-22

WHEREAS on April 12, 2021, May 10, 2021, July 8, 2021, and October 19, 2021, I proclaimed states of emergency that continue today and exist across all the counties of California, due to extreme and expanding drought conditions; and

WHEREAS climate change continues to intensify the impacts of droughts on our communities, environment, and economy, and California is in a third consecutive year of dry conditions, resulting in continuing drought in all parts of the State; and

WHEREAS the 21st century to date has been characterized by record warmth and predominantly dry conditions, and the 2021 meteorological summer in California and the rest of the western United States was the hottest on record; and

WHEREAS since my October 19, 2021 Proclamation, early rains in October and December 2021 gave way to the driest January and February in recorded history for the watersheds that provide much of California's water supply; and

WHEREAS the ongoing drought will have significant, immediate impacts on communities with vulnerable water supplies, farms that rely on irrigation to grow food and fiber, and fish and wildlife that rely on stream flows and cool water; and

WHEREAS the two largest reservoirs of the Central Valley Project, which supplies water to farms and communities in the Central Valley and the Santa Clara Valley and provides critical cold-water habitat for salmon and other anadromous fish, have water storage levels that are approximately 1.1 million acre-feet below last year's low levels on this date; and

WHEREAS the record-breaking dry period in January and February and the absence of significant rains in March have required the Department of Water Resources to reduce anticipated deliveries from the State Water Project to 5 percent of requested supplies; and

WHEREAS delivery of water by bottle or truck is necessary to protect human safety and public health in those places where water supplies are disrupted; and

WHEREAS groundwater use accounts for 41 percent of the State's total water supply on an average annual basis but as much as 58 percent in a critically dry year, and approximately 85 percent of public water systems rely on groundwater as their primary supply; and

WHEREAS coordination between local entities that approve permits for new groundwater wells and local groundwater sustainability agencies is important to achieving sustainable levels of groundwater in critically overdrafted basins; and

WHEREAS the duration of the drought, especially following a multiyear drought that abated only five years ago, underscores the need for California to redouble near-, medium-, and long-term efforts to adapt its water management and delivery systems to a changing climate, shifting precipitation patterns, and water scarcity; and

WHEREAS the most consequential, immediate action Californians can take to extend available supplies is to voluntarily reduce their water use by 15 percent from their 2020 levels by implementing the commonsense measures identified in operative paragraph 1 of Executive Order N-10-21 (July 8, 2021); and

WHEREAS to protect public health and safety, it is critical the State take certain immediate actions without undue delay to prepare for and mitigate the effects of the drought conditions, and under Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Proclamation would prevent, hinder, or delay the mitigation of the effects of the drought conditions.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. The orders and provisions contained in my April 21, 2021, May 10, 2021, July 8, 2021, and October 19, 2021 Proclamations remain in full force and effect, except as modified by those Proclamations and herein. State agencies shall continue to implement all directions from those Proclamations and accelerate implementation where feasible.
2. To help the State achieve its conservation goals and ensure sufficient water for essential indoor and outdoor use, I call on all Californians to strive to limit summertime water use and to use water more efficiently indoors and out. The statewide Save Our Water conservation campaign at SaveOurWater.com provides simple ways for Californians to reduce water use in their everyday lives. Furthermore, I encourage Californians to understand and track the amount of water they use and measure their progress toward their conservation goals.
3. By May 25, 2022, the State Water Resources Control Board (Water Board) shall consider adopting emergency regulations that include all of the following:
 - a. A requirement that each urban water supplier, as defined in section 10617 of the Water Code, shall submit to the Department of Water Resources a preliminary annual water supply and demand assessment consistent with section 10632.1 of the Water Code no later than June 1, 2022, and submit a final annual water

supply and demand assessment to the Department of Water Resources no later than the deadline set by section 10632.1 of the Water Code;

- b. A requirement that each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources implement, at a minimum, the shortage response actions adopted under section 10632 of the Water Code for a shortage level of up to twenty percent (Level 2), by a date to be set by the Water Board; and
- c. A requirement that each urban water supplier that has not submitted a water shortage contingency plan to the Department of Water Resources implement, at a minimum, shortage response actions established by the Water Board, which shall take into consideration model actions that the Department of Water Resources shall develop for urban water supplier water shortage contingency planning for Level 2, by a date to be set by the Water Board.

To further conserve water and improve drought resiliency if the drought lasts beyond this year, I encourage urban water suppliers to conserve more than required by the emergency regulations described in this paragraph and to voluntarily activate more stringent local requirements based on a shortage level of up to thirty percent (Level 3).

- 4. To promote water conservation, the Department of Water Resources shall consult with leaders in the commercial, industrial, and institutional sectors to develop strategies for improving water conservation, including direct technical assistance, financial assistance, and other approaches. By May 25, 2022, the Water Board shall consider adopting emergency regulations defining "non-functional turf" (that is, a definition of turf that is ornamental and not otherwise used for human recreation purposes such as school fields, sports fields, and parks) and banning irrigation of non-functional turf in the commercial, industrial, and institutional sectors except as it may be required to ensure the health of trees and other perennial non-turf plantings.
- 5. In order to maximize the efficient use of water and to preserve water supplies critical to human health and safety and the environment, Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division are hereby suspended, with respect to the directives in paragraphs 3 and 4 of this Order and any other projects and activities for the purpose of water conservation to the extent necessary to address the impacts of the drought, and any permits necessary to carry out such projects or activities. Entities that desire to conduct activities under this suspension, other than the directives in paragraphs 3 and 4 of this Order, shall first request that the Secretary of the Natural Resources Agency make a determination that the proposed activities are eligible to be conducted under this suspension. The Secretary shall use sound discretion in applying this Executive Order to ensure that the suspension serves the purpose of accelerating conservation projects that are necessary to address impacts of the drought, while at the same time

protecting public health and the environment. The entities implementing these directives or conducting activities under this suspension shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.

6. To support voluntary approaches to improve fish habitat that would require change petitions under Water Code section 1707 and either Water Code sections 1425 through 1432 or Water Code sections 1725 through 1732, and where the primary purpose is to improve conditions for fish, the Water Board shall expeditiously consider petitions that add a fish and wildlife beneficial use or point of diversion and place of storage to improve conditions for anadromous fish. California Code of Regulations, title 23, section 1064, subdivisions (a)(1)(A)(i)-(ii) are suspended with respect to any petition that is subject to this paragraph.
7. To facilitate the hauling of water for domestic use by local communities and domestic water users threatened with the loss of water supply or degraded water quality resulting from drought, any ordinance, regulation, prohibition, policy, or requirement of any kind adopted by a public agency that prohibits the hauling of water out of the water's basin of origin or a public agency's jurisdiction is hereby suspended. The suspension authorized pursuant to this paragraph shall be limited to the hauling of water by truck or bottle to be used for human consumption, cooking, or sanitation in communities or residences threatened with the loss of affordable safe drinking water. Nothing in this paragraph limits any public health or safety requirement to ensure the safety of hauled water.
8. The Water Board shall expand inspections to determine whether illegal diversions or wasteful or unreasonable use of water are occurring and bring enforcement actions against illegal diverters and those engaging in the wasteful and unreasonable use of water. When access is not granted by a property owner, the Water Board may obtain an inspection warrant pursuant to the procedures set forth in Title 13 (commencing with section 1822.50) of Part 3 of the Code of Civil Procedure for the purposes of conducting an inspection pursuant to this directive.
9. To protect health, safety, and the environment during this drought emergency, a county, city, or other public agency shall not:
 - a. Approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act and classified as medium- or high-priority without first obtaining written verification from a Groundwater Sustainability Agency managing the basin or area of the basin where the well is proposed to be located that groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan adopted by that Groundwater Sustainability

Agency and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan; or

- b. Issue a permit for a new groundwater well or for alteration of an existing well without first determining that extraction of groundwater from the proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

This paragraph shall not apply to permits for wells that will provide less than two acre-feet per year of groundwater for individual domestic users, or that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code.

10. To address household or small community drinking water shortages dependent upon groundwater wells that have failed due to drought conditions, the Department of Water Resources shall work with other state agencies to investigate expedited regulatory pathways to modify, repair, or reconstruct failed household or small community or public supply wells, while recognizing the need to ensure the sustainability of such wells as provided for in paragraph 9.
11. State agencies shall collaborate with tribes and federal, regional, and local agencies on actions related to promoting groundwater recharge and increasing storage.
12. To help advance groundwater recharge projects, and to demonstrate the feasibility of projects that can use available high water flows to recharge local groundwater while minimizing flood risks, the Water Board and Regional Water Quality Control Boards shall prioritize water right permits, water quality certifications, waste discharge requirements, and conditional waivers of waste discharge requirements to accelerate approvals for projects that enhance the ability of a local or state agency to capture high precipitation events for local storage or recharge, consistent with water right priorities and protections for fish and wildlife. For the purposes of carrying out this paragraph, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division, and Chapter 3 (commencing with section 85225) of Part 3 of Division 35 of the Water Code and regulations adopted pursuant thereto are hereby suspended to the extent necessary to address the impacts of the drought. This suspension applies to (a) any actions taken by state agencies, (b) any actions taken by local agencies where the state agency with primary responsibility for the implementation of the directives concurs that local action is required, and (c) permits necessary to carry out actions under (a) or (b). The entities implementing these directives shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.
13. With respect to recharge projects under either Flood-Managed Aquifer Recharge or the Department of Water Resources Sustainable

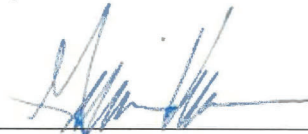
Groundwater Management Grant Program occurring on open and working lands to replenish and store water in groundwater basins that will help mitigate groundwater conditions impacted by drought, for any (a) actions taken by state agencies, (b) actions taken by a local agency where the Department of Water Resources concurs that local action is required, and (c) permits necessary to carry out actions under (a) or (b), Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division are hereby suspended to the extent necessary to address the impacts of the drought. The entities implementing these directives shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.

14. To increase resilience of state water supplies during prolonged drought conditions, the Department of Water Resources shall prepare for the potential creation and implementation of a multi-year transfer program pilot project for the purpose of acquiring water from willing partners and storing and conveying water to areas of need.
15. By April 15, 2022, state agencies shall submit to the Department of Finance for my consideration proposals to mitigate the worsening effects of severe drought, including emergency assistance to communities and households and others facing water shortages as a result of the drought, facilitation of groundwater recharge and wastewater recycling, improvements in water use efficiency, protection of fish and wildlife, mitigation of drought-related economic or water-supply disruption, and other potential investments to support short- and long-term drought response.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 28th day of March 2022.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH.D.
Secretary of State



STAFF REPORT

Office of the City Manager

DATE: May 17, 2022

TO: Honorable Mayor and City Council

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

SUBJECT: FIND THAT, DUE TO THE COVID-19 STATE OF EMERGENCY, STATE AND LOCAL OFFICIALS CONTINUE TO RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING, AND THEREFORE THE CITY COUNCIL AND ALL OTHER CITY BOARDS AND COMMISSIONS MAY MEET VIRTUALLY

Recommendation: Make Findings

SUMMARY

The Legislature recently adopted AB 361 to amend the Brown Act in order to allow public boards to meet virtually during or following a state of emergency. To continue hosting virtual meetings, the City Council must reconsider the circumstances surrounding the emergency every 30 days and make findings that state and local officials continue to recommend measures to promote social distancing. The City Council's adoption of findings will enable, but not require, the City Council and all other City Boards and Commissions to continue meeting virtually.

The City Council does not have to find that social distancing orders are in place; instead it simply has to find that state or local officials recommend measures to promote social distancing. Given that there is still concern of community spread, especially for vulnerable populations, the City Council may make the necessary findings.

RECOMMENDATION

It is recommended that the City Council determine that this action does not constitute a project and is therefore, exempt under, the California Environmental Quality Act ("CEQA"); and find that, due to the COVID-19 state of emergency, state and local officials continue to recommend measures to promote social distancing, and therefore the City Council and all other City Boards and Commissions may meet virtually.



STAFF REPORT

Recreation and Community Services Department

DATE: May 17, 2021

TO: Honorable Mayor and City Council

FROM: Sara Somogyi, Director of Recreation and Community Services
By: Candice Cheung Assistant Director of Recreation and Community Services

SUBJECT: EXTENSION TO THE PROFESSIONAL SERVICES AGREEMENT WITH TRIO COMMUNITY MEALS TO PROVIDE MEALS TO THE SENIOR MEALS PROGRAM FOR FISCAL YEAR 2022-23 IN AN AMOUNT NOT TO EXCEED \$100,800
Recommendation: Approve

SUMMARY

The City of Arcadia Senior Nutrition Program provides a warm, healthy meal Monday through Friday to approximately 85 seniors who pay \$2.00 each and enjoy the social interaction with others during lunch. A Professional Service Agreement with Bateman Community Living, LLC d.b.a. TRIO Community Meals was approved to provide meals for Fiscal Years 2020-21 which included an option for two (2), one-year extensions at the City's discretion. The first-year contract first extension will conclude on June 30, 2022. It is recommended the City Council extend the Professional Services Agreement through Fiscal Year 2022-23, for the second extension.

DISCUSSION

The congregate meals program is offered Monday through Friday at 11:30 a.m. to adults, 55 years of age and older. The primary intent of the program is to meet one-third of the participants' daily nutritional intake and the menu pattern must uphold strict Los Angeles County Department of Public Health standards. In addition, the program offers a social outlet to participants and a way to reduce isolation by building friendship and peer support.

Bateman Community Living, LLC d.b.a. TRIO Community Meals currently provides excellent senior meals at the Community Center and have been very accommodating during the pandemic. TRIO Community Meals comes highly recommended by various Senior Centers in the San Gabriel Valley. Their caterer kitchen in California is based in Azusa and typically serves about 50,000 senior meals per week in numerous locations and is well equipped to continue providing service to the City of Arcadia.

The current contract provides the City of Arcadia the option to renew the contract for a maximum of two year. FY 2022-23 would be the second and final renewal. The proposed fee from TRIO Community Meals is \$4.69 and would not increase the current fee of \$2.00 per meal for anyone over 55 years of age. The Recreation and Community Services Department intends to serve 21,500 senior meals and will continue to have individual wrapped lunch items due to the ongoing pandemic.

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.

FISCAL IMPACT

The fee charged for seniors for lunch is \$2.00 per meal, while the cost of purchasing the meals from the vendor will be \$4.69. The \$2.69 difference is offset by CDBG Funds and the General Fund.

CDBG Funding	\$42,700
General Fund	\$26,400
Revenue minus 10% loss	\$31,700
Total Amount for Senior Meals	\$100,800

RECOMMENDATION

It is recommended that the City Council determine that this action is exempt under the California Environmental Quality Act (“CEQA”); and authorize and direct the City Manager to approve a one year extension to the Professional Services Agreement with TRIO Community Meals to provide the senior meals program for FY 2022-23 in an amount not to exceed \$100,800.

Approved:


Dominic Lazzaretto
City Manager

Attachment: Proposed Amendment No. 2 to the Professional Services Agreement



**AMENDMENT NO. 2 TO PROFESSIONAL SERVICES
AGREEMENT FOR THE CONGREGATE SENIOR MEALS PROGRAM**

This Amendment No. 2 (“Amendment No. 2”) is hereby entered into by and between the City of Arcadia, a municipal corporation of the State of California, and Bateman Community Living, LLC d.b.a. TRIO Community Meals, a Sole Proprietorship, with respect to that certain Professional Services Agreement between the Parties dated July 21, 2020 (“Agreement”).

The Parties agree as follows:

1. Section 5 of the Agreement is amended by extending the Term from July 1, 2022, through June 30, 2023 (“Extended Term”).
2. Section 2.a of the Agreement is amended to provide that for the Extended Term, the Compensation, is amended as referenced in the attached Exhibit “C”.
3. All terms and provisions of the Agreement not amended by this Amendment No. 2 are hereby reaffirmed.

In witness whereof the Parties have executed this Amendment No. 2 on the date set forth below.

CITY OF ARCADIA

**BATEMAN COMMUNITY LIVING, LLC
d.b.a. TRIO COMMUNITY MEALS**

By: _____
Dominic Lazzaretto
City Manager

By: _____
John Kirk
Managing Director

Dated: _____

Dated: _____

ATTEST:

City Clerk

APPROVED AS TO FORM:

CONCUR:

Stephen P. Deitsch
City Attorney

Sara Somogyi, Director of
Recreation & Community Services

EXHIBIT C



January 18, 2022

City of Arcadia
365 Campus Drive
Arcadia, Ca 91007

Hi Gina,

We are very pleased to be in business with City of Arcadia and we look forward to your Congregate Dining program opening soon.

We appreciate the opportunity you have given Trio Community Meals in being your food service provider. Our Amendment is due.

As you know, the rise of inflation and our new safety and sanitation cost we continue to provide excellent service with extreme challenges in meeting our financial goals.

In review of the CPI Index - Food Away from Home Category for your Region rose 4.8%. We value our partnership and are requesting a CPI Increase of 10% effective February 1, 2022

Below is the outline of our rates:

CURRENT RATE (Bulk Or Preplated)	PROPOSED NEW RATE (Bulk or Preplated)
\$4.26	\$4.68

Trio Community Meals is proud to be serving the City of Arcadia and we thank you for the opportunities you have given us.

Together, we continue to build a strong relationship and partnership to provide excellent quality meals with extraordinary service.

Please do not hesitate to call or me or send an e-mail if you have any questions or concerns.

Sincerely,
Lisa Jackson
Lisa Jackson
Regional Manager



STAFF REPORT

Office of the City Attorney

DATE: May 17, 2022

TO: Honorable Mayor and City Council

FROM: Stephen P. Deitsch, City Attorney
By: Michael Maurer, Assistant City Attorney

SUBJECT: THIRD AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT
Recommendation: Approve

SUMMARY

At a Closed Session held on May 3, 2022, the City Council directed the City Attorney to offer a contract amendment to the City Manager, adjusting his salary and benefits. The City Council must approve the City Manager's compensation and benefits in an Open Session. It is recommended that the City Council adopt the Third Amendment to the City Manager's Employment Agreement.

BACKGROUND

The City Council originally entered into an Employment Agreement (Attachment "A") with the City Manager on March 26, 2012. The Employment Agreement has been amended twice since (Attachments "B" and "C"), with the most recent amendment occurring more than four years ago, on May 1, 2018. The initial term of the Employment Agreement expired in 2020, but it automatically continues in successive one-year terms. Given the time that has passed since the Employment Agreement was last amended, the City Council held a performance evaluation of the City Manager and reconsidered the terms of the Employment Agreement.

The City Council has reviewed the compensation paid to other city managers within the region and determined that the City Manager is currently being paid below the amount of most other city managers within the region. The proposed salary increase will bring the City Manager to about the median level relative to comparable cities within the San Gabriel Valley. The City Manager has agreed to accept the City Council's proposal.

DISCUSSION

The Ralph M. Brown Act requires the City Council to receive an oral summary of any proposed action on the salary or compensation paid in the form of fringe benefits of the City Manager prior to taking final action. The City Attorney, therefore, will orally report in

open session the following proposed compensation and benefit adjustments to the City Manager's Employment Agreement:

- Base salary will increase to \$22,631 per month;
- The base salary will be subject to a cost-of-living adjustment ("COLA") of 3% in the second year and 4% in the third year;
- The City Manager will have the option to cash out up to 240 hours of unused vacation time each year;
- The vehicle allowance will be \$500 per month;
- The City will contribute \$10,000 annually to an IRC 457 deferred compensation plan; and
- Other terms of the Employment Agreement will continue to remain in force.

The Third Amendment (Attachment "D") will also extend the term of the Employment Agreement for three years, to run from July 1, 2021, through June 30, 2024, with the continuing automatic one-year renewals.

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 salary and benefit adjustments will be retroactive to July 1, 2021, resulting in a fiscal impact for Fiscal Year 2021-22 of approximately \$47,967.04.

RECOMMENDATION

It is recommended that the City Council determine that this action is exempt under CEQA; and receive an oral summary of the proposed compensation and benefits to be paid to the City Manager, approve the proposed compensation and benefits, and direct the Mayor to execute the Third Amendment to the Employment Agreement in a final form to be approved by the City Attorney.

Attachment "A" – Employment Agreement

Attachment "B" – First Amendment

Attachment "C" – Second Amendment

Attachment "D" – Proposed Third Amendment

EMPLOYMENT AGREEMENT

This Agreement between the City of Arcadia ("City") and Dominic Lazzaretto ("Manager") is made this 26th day of March, 2012 ("Effective Date").

RECITALS

A. City desires to employ Dominic Lazzaretto as the City Manager of the City of Arcadia as provided by the Arcadia City Charter Section 600 et seq. and the terms and conditions set out herein.

B. Manager desires to serve as City Manager of the City of Arcadia on the terms and conditions set out herein.

AGREEMENT

NOW, THEREFORE, the parties agree as follows on the terms and conditions of Manager's employment.

1. DUTIES

City hereby employs Manager, and Manager hereby accepts employment, as City Manager of the City. Manager shall perform the functions and duties specified for the City Manager of the City in the Arcadia City Charter Section 601 and other ordinances, resolutions and policies of the City and shall perform such other legally permissible and proper duties and functions as the City Council of the City (the "Council") may from time to time assign, consistent with the Arcadia City Charter and other applicable law. Manager agrees to perform all such functions and duties to the best of his ability and in a lawful, efficient and competent manner. Pursuant to Arcadia City Charter Section 600, Manager shall at all times serve at the will and pleasure of the Council ("at will" employment status).

2. SEVERANCE AND SEVERANCE PAY AND BENEFITS

(a) In the event that Manager is involuntarily terminated without cause by the Council, City agrees, subject to the following conditions, to pay Manager within fifteen (15) days of the later to occur of (i) the date of termination of employment or (ii) the date of final determination by the Council of the matters subject to a hearing as set forth in this paragraph, a lump sum cash payment ("Severance Pay") equal to nine (9) months of the Base Salary Manager is receiving on the date of the Council's action to terminate Manager, less legally required or authorized deductions. City shall also continue the health benefits being provided to Manager at the time of termination until the expiration of the period of Severance Pay or until Manager finds other employment, whichever occurs first ("Severance Benefits"). However, in the event Manager is terminated with cause due to the reasonable determination of the Council that Manager

has committed either (i) any illegal act involving personal gain to Manager, (ii) gross negligence or (iii) malfeasance, then, and in that event, City shall have no obligation to pay the Severance Pay and Severance Benefits. In the event that Manager disputes the Council's determination of cause and the denial of Severance Pay and Severance Benefits, Manager may submit the dispute to binding arbitration. A written arbitration claim must be submitted to the City Clerk within ten (10) days of the date that the Council notifies Manager of his termination for cause under this Section, otherwise Manager's right to contest the denial of Severance Pay and Severance Benefits is waived. Said arbitration shall be conducted under the Expedited Labor Arbitration Procedures of the American Arbitration Association. City shall bear the cost of the arbitrator and related administrative expenses charged by the American Arbitration Association and each party shall be responsible for its own attorneys' fees and other costs. The sole issue before the Arbitrator shall be whether Manager's termination was for cause as defined in this Agreement. If the arbitrator affirmatively determines that Manager's termination was for cause as defined in this Agreement, Manager shall not be entitled to payment of Severance Pay and Severance Benefits. If the arbitrator determines that Manager's termination was without cause as defined in this Agreement, Manager shall be entitled to the Severance Pay and Benefits as if terminated without cause under this Agreement. Manager agrees that this arbitration provision shall be his sole and exclusive remedy upon termination of his employment and City and Manager agree that the arbitrator's decision shall be final and binding and not be subject to judicial review. Payment of Severance Pay and Severance Benefits shall be conditioned upon Manager executing a general release and waiver of any and all claims against City, its officers, employees and agents, in such form as may reasonably be required by City. Severance Pay and Severance Benefits shall not be payable unless and until Manager executes such general release and waiver of any and all claims against City, its officers, employees and agents, and until expiration of all consideration and revocation rights as provided by law at the time of termination of Manager's employment and this Agreement.

(b) In the event Manager resigns his employment as Manager, then Manager shall give City at least six (6) weeks notice of resignation in writing in advance of the date of resignation, unless mutually agreed upon otherwise. If Manager resigns or retires voluntarily, then City shall have no obligation to pay Severance Pay and Severance Benefits to Manager.

(c) Manager agrees that in the event Manager's employment is terminated, with or without cause, under no circumstances will Manager be entitled to contest the existence or nature of Manager's "at will" employment status, nor will Manager be entitled to seek or receive the remedy of reinstatement to employment with the City in any arbitration, administrative or legal forum. Manager agrees that the sole issue for resolution upon termination of Manager's employment will be whether or not City is obligated to pay to Manager Severance Pay and Severance Benefits, as provided in Section 2.(a), above .

(d) Notwithstanding any other provision herein, in accordance with Government Code Sections 3511.2 and 53260, the Severance Pay and Severance Benefits that Employee may receive in the event of the termination of this Agreement shall not exceed an amount equal to the monthly Base Salary of Employee multiplied by the number of months left on the unexpired term of this Agreement.

(e) Pursuant to Government Code Sections 53243, 53243.1 and 53243.2, which became effective on January 1, 2012, if Manager is convicted of a crime involving an abuse of his office or position, all of the following shall apply: (1) if Manager is provided with administrative leave pay pending an investigation, Manager shall be required to fully reimburse City such amounts paid; (2) if City pays for the criminal legal defense of Manager (which would be in its sole discretion, as it is generally not obligated to pay for a criminal defense), Manager shall be required to fully reimburse City such amounts paid; and (3) if this Agreement is terminated, any Severance Pay and Severance Benefits related to the termination that Manager may receive from City shall be fully reimbursed to City or void if not yet paid to Manager. For purposes of this Section, abuse of office or position means either: (1) an abuse of public authority, including waste, fraud, and violation of the law under color of authority; or (2) A crime against public justice, including, but not limited to, a crime described in Title 7 (commencing with Section 92) of Part 1 of the Penal Code.

3. BASE SALARY

Commencing on the Effective Date of this Agreement, City agrees to pay Manager an annual Base Salary, exclusive of benefits, in the sum of One Hundred Ninety-Nine Thousand Six Hundred Fifty Dollars (\$199,650) per year, or Sixteen Thousand Six Hundred Thirty Eight Dollars (\$16,638.00) per month, gross, payable in installments at the same time and by the same methods as other City employees are regularly paid. Effective the first pay period that includes July 1, 2013, Manager shall receive an increase in Base Salary in an amount equal to the lesser of Two and One Third percent (2.33%) or the increase in the cost of living based on the California Consumer Price Index for Urban Wage Earners and Clerical Workers calculated by the Department of Industrial Relations for the twelve (12) month period ending on May 31, 2013. Said Base Salary increase shall be apart from any Base Salary increases provided on the basis of merit as approved by the Council, in its sole discretion, during the term of this Agreement. Nothing set forth herein shall prohibit the Council from reducing the Base Salary of Manager due to budgetary or similar constraints, on condition that any such reduction shall not exceed the average reduction applicable to all management employees of the City at the time of reduction in Manager's Base Salary. Furthermore, Manager, in his sole discretion, may elect not to receive any Base Salary increase provided hereunder; provided, however, if Manager elects not to receive a Base Salary increase provided hereunder, said Base Salary increase shall be subsequently implemented, on a prospective basis only, upon written request of Manager.

4. BENEFITS

(a) **Vacation Leave.** Manager shall accrue vacation at the rate of 5.23 hours per two week period (or as otherwise adjusted generally for other management employees). Manager shall receive twenty (20) hours of vacation time upon commencement of employment.

(b) **Sick Leave.** Manager shall accrue sick leave at the rate for management employees as that may be adjusted from time to time. Accrued and unused sick leave shall not be subject to buy-back annually or upon termination. Manager shall also receive on commencement of employment a sick leave bank of ninety-six (96) hours which is provided to executive staff pursuant to Resolution No. 5842.

(c) **Management Leave.** Manager shall receive Eighty (80) hours of management leave annually which cannot be carried over from year to year.

(d) **Vehicle Allowance.** Manager shall be provided an automobile allowance of Three Hundred Seventy Five Dollars (\$375.00) per month. Manager shall be responsible for paying for liability, property damage and comprehensive liability insurance and for the purchase, operation, maintenance, repair and regular replacement of said automobile. City shall be named as an "additional-insured" on any such comprehensive liability insurance policy, and such policy shall cover both professional and personal use of the automobile. Manager shall provide to City proof of such insurance and the endorsement naming the City as an "additional insured."

(e) **IRC §457 Plan.** Effective March 26, 2012 City shall contribute Three Thousand Nine Hundred Dollars (\$3,900.00) per year, in equal monthly installments, to the IRC §457 plan on Manager's behalf.

(f) **Supplemental Benefits.** Except as provided otherwise herein, Manager shall receive any and all other supplemental benefits including, but not limited to, vacation, sick leave, administrative leave, holiday pay, health, dental, life insurance, disability insurance, retirement benefits (PERS), physical examination, and tuition reimbursement, as are generally available to management employees of the City as provided by applicable City Resolutions and Personnel Rules. Except as otherwise provided herein, all actions undertaken by City relating to supplemental benefits for management employees of the City shall be considered actions affecting the same benefits applicable to Manager.

Manager shall receive a monthly cell phone/technology allowance of Eighty Dollars (\$80.00) and will be responsible for providing his own cell phone. Manager shall also receive an annual allowance of Five Hundred Dollars (\$500.00) to be used toward health club membership and other health related expenses.

City shall not at any time during the Term of this Agreement reduce the Base Salary, compensation or other employment benefits of Manager, except as permitted by this Agreement.

5. PROFESSIONAL DEVELOPMENT, OUTSIDE PROFESSIONAL ACTIVITIES AND GENERAL EXPENSES

(a) Professional Development.

(i) Subject to the Council's discretion to adopt and amend the budget, City agrees to pay for professional dues and subscriptions on behalf of Manager which are reasonably necessary, as determined by the Council, for the Manager's continuation and full participation in national, regional, state or local associations and organizations necessary and desirable for Manager's continued professional participation, growth and advancement, or for the good of the City. Furthermore, City shall pay for any additional professional dues and subscriptions as may be approved by the Council from time to time. Manager shall provide to Council a current list of such professional and subscriptions, and shall periodically update the list to keep it current.

(ii) Subject to the Council's discretion to adopt and amend the budget, City agrees to pay the travel and subsistence expenses of Manager for official travel, meetings and events reasonably necessary to continue the professional development of Manager and reasonably necessary to fulfill official and other functions for the City, all as determined to be reasonable and necessary by the Council. Such meetings and events shall include, but not be limited to, the annual International City Management Association meeting, meetings of the League of California Cities and other national, regional, state and local conferences of governmental groups and committees in which Manager serves as a member.

(b) Outside Professional Activities. Manager agrees to remain in the exclusive employ of the City of Arcadia while employed by the City of Arcadia. The term "employed" however, shall not be construed to prohibit occasional teaching, writing, speaking or consulting performed by Manager on his time off, even if outside compensation is provided for such services. Said activities are expressly allowed, provided that in no case is any activity allowed which would present a conflict of interest with, or detriment to, the City of Arcadia. In the event overnight travel is required for such non-City related business, the City Council shall be notified in advance. De minimis use of City equipment for such purposes is hereby authorized.

(c) General Expenses. City recognizes that certain expenses of a non-personal and generally job-affiliated nature are incurred by the Manager, including participation in civic and other local organizations, and hereby agrees to reimburse or pay said general expenses if reasonably incurred.

Subject to the Council's discretion to adopt and amend the budget, the City Treasurer (or other designated employee) is hereby authorized to disburse funds as needed to fulfill all provisions of this Agreement upon receipt of duly executed expense or petty cash vouchers, receipts, statements or personal affidavits.

Subject to the Council's discretion to adopt and amend the budget, City will provide all equipment necessary for the completion of Manager's duties. This equipment shall include, but not be limited to, computers and other electronic devices deemed appropriate by Manager. City acknowledges and approves that certain personal use of this equipment may take place. Said equipment provided hereunder shall remain the property of the City and shall be returned to the City, along with all other City property in the possession of Manager, upon termination of employment.

City shall bear full cost of any fidelity or other bonds required of Manager under any law or ordinance.

6. PERFORMANCE EVALUATION

(a) The Council and Manager may annually define such goals and objectives for the City which they determine necessary for the proper operation of the City in the attainment of the Council's policy objectives, and the Council and Manager may further establish a priority among those various goals and objectives to be reduced to writing. The process of considering the establishment and priority of goals and objectives of the City shall be conducted and completed generally about January of each year.

(b) The Council, following informal and nonbinding consultation with Manager, shall periodically establish goals and objectives regarding the performance of Manager. The Council shall review and evaluate the performance of Manager at least once annually, generally about January of each year. Notwithstanding any term or provision of this Agreement to the contrary, Manager shall serve at the will and pleasure of the Council, and the Council shall be entitled to terminate the employment of Manager without cause.

(c) In recognition of the accomplishment of goals and objectives and excellent performance, a merit increase in Base Salary and/or benefits of Manager may be granted to Manager by the Council. Nothing herein shall be deemed to change the "at will" employment status of Manager.

7. TERMS OF EMPLOYMENT

The Council, following informal and nonbinding consultation with Manager, may by motion, resolution or written amendment to this Agreement approved as an official Council meeting agenda item, fix any other terms and conditions of employment as it may determine, from time to time, relating to the performance of Manager, provided such terms and conditions are not prohibited by the provisions of this Agreement, the Arcadia City Charter or any other rules or regulations of the City.

8. CONFLICT OF INTEREST PROHIBITION

It is understood and agreed that because of the duties of Manager within and on behalf of the City of Arcadia and its citizenry, Manager shall not, during the Term of this Agreement, individually, as a partner, joint venturer, officer or shareholder, invest or participate in any business venture conducting business in the corporate limits of the City of Arcadia, except for stock ownership in any company whose capital stock is publicly held and regularly traded, without prior approval of the City Council. For and during the Term of this Agreement, Manager further agrees, except for a personal residence or residential property acquired or held for future use as his personal residence, not to invest in any other real estate or property improvements within the corporate limits of the City of Arcadia without the prior consent of the City Council.

9. ENTIRE AGREEMENT

This Agreement contains the entire agreement between the parties concerning the subject matter set forth herein and no promise, representation, warranty or covenant not included in this Agreement has been or is relied upon by any party hereto concerning the offer and acceptance of employment described herein.

10. NO CONTINUING WAIVER

No waiver of any term or condition of this Agreement by either party shall be deemed a continuing waiver of such term or condition.

11. EFFECTIVE DATE AND TERM

The Effective Date of this Agreement shall be March 26, 2012. Subject to City's right to terminate Manager's employment at any time, the Term of this Agreement is three (3) years from the Effective Date, and shall automatically renew itself for successive twelve (12) month periods unless City notifies Manager of its intent to terminate this Agreement at least twelve (12) months prior to the end of its three (3) year Term or any successive twelve (12) month Term.

12. INDEMNIFICATION

City shall defend, hold harmless and indemnify Manager against any claim, demand or other legal action as required by applicable law.

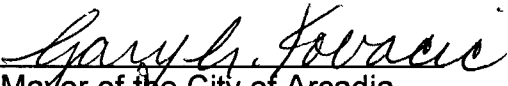
13. SEVERABILITY

In the event that any provision of this Agreement is held or determined to be illegal, invalid or void by reason of any final, non-appealable judgment, order, or decision of a court having jurisdiction over the parties, the remainder of the Agreement shall remain in full force and effect unless the parts found to be illegal, invalid or void are wholly inseparable from the remaining portion of the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first set forth hereinabove.

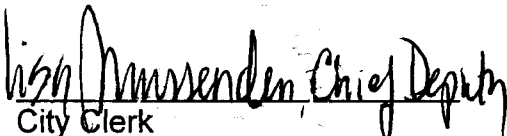
CITY:

MANAGER:

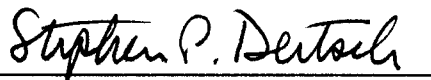

Mayor of the City of Arcadia


Dominic Lazzaretto

ATTEST:


City Clerk
City of Arcadia

APPROVED AS TO FORM:


Stephen P. Deitsch
City Attorney

FIRST AMENDMENT TO EMPLOYMENT AGREEMENT

This First Amendment to Employment Agreement (the "Amendment") is made between the City of Arcadia ("City") and Dominic Lazzaretto ("Manager"), parties to the Employment Agreement dated March 26, 2012 (the "Agreement").

RECITALS

- A. City and Manager have met to perform the annual performance evaluation referenced in Section 6 of the Agreement and wish to amend certain terms and conditions of the Agreement.
- B. Section 6(c) of the Agreement provides for adjustments in Base Salary and/or benefits of Manager upon completion of the annual performance evaluation.
- C. City and Manager wish to extend the term of the Agreement and provide for Base Salary adjustments similar to those provided to all City employees during the recent labor negotiations process. Such extensions and adjustments are to the mutual benefit of City and Manager.

AMENDMENTS

In consideration of the mutual promises, covenants, guaranties, and conditions contained herein and for other good and valuable consideration, the City and Manager agree to the terms and conditions set forth in this Amendment.

- 1. Section 3 (Base Salary) of the Agreement is amended to read in full as follows:

"Commencing on the Effective Date of this Agreement, City agrees to pay Manager an annual Base Salary, exclusive of benefits, in the sum of One Hundred Ninety-Nine Thousand Six Hundred Fifty Dollars (\$199,650) per year, or Seven Thousand Six Hundred Seventy Eight Dollars and Eighty Five Cents (\$7,678.85) per pay period, gross, payable in installments at the same time and by the same methods as other City employees are regularly paid. Commencing on July 1, 2013, City agrees to increase Manager's Base Salary in the amount of One Point Two Eight Three Percent (1.283%). Commencing on April 1, 2014, City agrees to pay Manager an annual Base Salary in the sum of Two Hundred Eight Thousand Three Hundred Eighty-Eight Dollars (\$208,388) per year, or Eight Thousand Fourteen Dollars and Ninety-Two Cents (\$8,014.92) per pay period. Manager shall receive an increase in Base Salary in the amount of Two Percent (2.00%) effective July 1, 2015, and on July 1, 2016, and in the amount of Two and One-Half Percent (2.50%) effective July 1, 2017. Said Base Salary increases shall be apart from any Base Salary increases provided on the basis of

merit as approved by the Council, in its sole discretion, during the term of this Agreement. Nothing set forth herein shall prohibit the Council from reducing the Base Salary of Manager due to budgetary or similar constraints, on condition that any such reduction shall not exceed the average reduction applicable to all Executive Management employees of the City at the time of reduction in Manager's Base Salary. Furthermore, Manager, in his sole discretion, may elect not to receive any Base Salary increase provided hereunder; provided, however, if Manager elects not to receive a Base Salary increase provided hereunder, said Base Salary increase shall be subsequently implemented, on a prospective basis only, upon written request of Manager."

2. The first paragraph of Section 4(f) (Supplemental Benefits) of the Agreement is amended to read in full as follows:

"Except as provided otherwise herein, Manager shall receive any and all other supplemental benefits including, but not limited to, vacation, sick leave, administrative leave, holiday pay, health, dental, life insurance, disability insurance, retirement benefits (PERS), physical examination, and tuition reimbursement, as are generally available to Non-Safety Executive Management employees of the City as provided by applicable City Resolutions and Personnel Rules. Except as otherwise provided herein, all actions undertaken by City relating to supplemental benefits for Non-Safety Executive Management Employees of the City shall be considered actions affecting the same benefits applicable to Manager. "

3. Section 11 (Effective Date and Term) is amended to read in full as follows:

"The Effective Date of this Agreement shall be March 26, 2012. Subject to City's right to terminate Manager's employment at any time, the Term of this Agreement is six (6) years from the Effective Date, and shall automatically renew itself for successive twelve (12) month periods unless City notifies Manager of its intent to terminate this Agreement at least twelve (12) months prior to the end of its six (6) year Term or any successive twelve (12) month Term."

4. Upon the effective date of this Amendment, Manager shall receive a one-time cash payment of Two Thousand Ninety Dollars (\$2,090) in lieu of providing Manager with a retroactive Base Salary adjustment equal to that amount previously received by all other City employees on July 1, 2013. Such one-time payment shall be subject to taxation and reported similar to any other Salary payments received by Manager.
5. Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this Amendment and the Agreement, the terms of this Amendment will prevail.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first set forth hereinabove.

CITY:



Mayor of the City of Arcadia

CITY MANAGER:




Dominic Lazzaretto

ATTEST:



City Clerk
City of Arcadia

APPROVED AS TO FORM:



Stephen P. Deitsch
City Attorney

SECOND AMENDMENT TO EMPLOYMENT AGREEMENT

This Second Amendment to Employment Agreement (the "Second Amendment") is made this 1st day of May, 2018, and by and between the City of Arcadia ("City") and Dominic Lazzaretto ("Manager"), parties to the Employment Agreement dated March 26, 2012, as amended by the First Amendment to Employment Agreement dated April 1, 2014 (the "Agreement").

RECITALS

- A. City and Manager have met to perform the annual performance evaluation referenced in Section 6 of the Agreement and wish to amend certain terms and conditions of the Agreement.
- B. Section 6(c) of the Agreement provides for adjustments in Base Salary and/or benefits of Manager upon completion of the annual performance evaluation.
- C. City and Manager wish to extend the term of the Agreement and provide for Base Salary adjustments similar to those provided to all City employees during the recent labor negotiations process and have determined that such extension and adjustments are to the mutual benefit of City and Manager.

AMENDMENTS

In consideration of the mutual promises, covenants, guaranties, and conditions contained herein and for other good and valuable consideration, the City and Manager agree to the terms and conditions set forth in this Second Amendment.

- 1. The following shall be appended to Section 3 (Base Salary) of the Agreement:

"Commencing on April 1, 2018, City agrees to increase Manager's Base Salary in the amount of Two Percent (2.00%) to the sum of Two Hundred Twenty Six Thousand Six Hundred Seventy One Dollars and Fifty Four Cents (\$226,671.54) per year, or Eighteen Thousand Eight Hundred Eighty Nine Dollars and Thirty Cents (\$18,889.30) per month, exclusive of benefits. Commencing on April 1, 2019, City agrees to increase Manager's Base Salary in the amount of Two Percent (2.00%) to the sum of Two Hundred Thirty One Thousand Two Hundred Four Dollars and Ninety Seven Cents (\$231,204.97) per year, or Nineteen Thousand Two Hundred Sixty Seven Dollars and Eight Cents (\$19,267.08) per month."

- 2. Section 11 (Effective Date and Term) is amended to read in full as follows:

"The Effective Date of this Agreement shall be March 26, 2012. Subject to City's right to terminate Manager's employment at any time, the Term of this Agreement

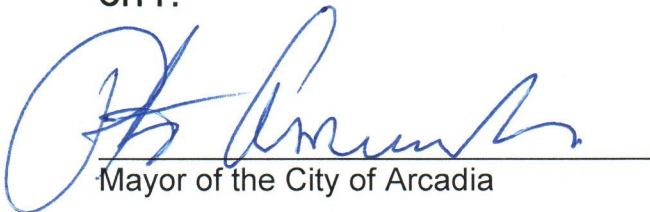
is eight (8) years from the Effective Date, and shall automatically renew itself for successive twelve (12) month periods unless City notifies Manager of its intent to terminate this Agreement at least twelve (12) months prior to the end of its eight (8) year Term or any successive twelve (12) month Term.”

3. Upon the effective date of this Second Amendment, Manager shall receive a one-time cash payment of Three Hundred Forty Eight Dollars and Seventy-Three Cents (\$348.73) in lieu of providing Manager with a retroactive Base Salary adjustment equal to that amount previously received by all other City employees on April 1, 2018. Such one-time payment shall be subject to taxation and reported similar to any other Salary payments received by Manager.
4. Except as set forth in this Second Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is any conflict between this Second Amendment and the Agreement, the terms of this Second Amendment will prevail.

IN WITNESS WHEREOF, the Parties hereto have executed this Second Amendment to Employment Agreement, which shall be effective as of May 1, 2018.

CITY:

CITY MANAGER:



Mayor of the City of Arcadia

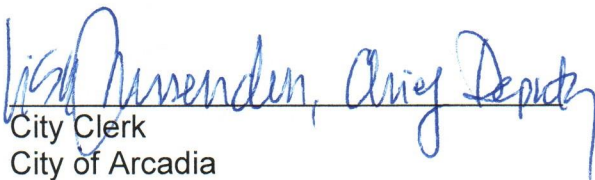


Dominic Lazzaretto

Date: May 3, 2018

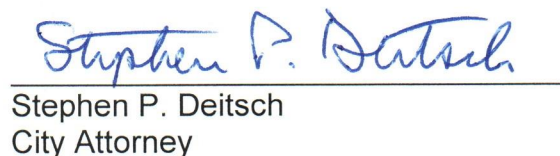
Date: May 4, 2018

ATTEST:



City Clerk
City of Arcadia

APPROVED AS TO FORM:



Stephen P. Deitsch
City Attorney

Attachment "D"

THIRD AMENDMENT TO EMPLOYMENT AGREEMENT

This Third Amendment to Employment Agreement (the "Third Amendment") is made this 17th day of May, 2022, and by and between the City of Arcadia ("City") and Dominic Lazzaretto ("Manager"), parties to the Employment Agreement dated March 26, 2012, as amended by the First Amendment to Employment Agreement and Second Amendment to Employment Agreement, dated April 1, 2014, and May 1, 2018, respectively (the "Agreement").

RECITALS

- A. City and Manager have met to perform the annual performance evaluation referenced in Section 6 of the Agreement and wish to amend certain terms and conditions of the Agreement.
- B. Section 6(c) of the Agreement provides for adjustments in Base Salary and/or benefits of Manager upon completion of the annual performance evaluation.
- C. City and Manager wish to extend the term of the Agreement and provide for Base Salary adjustments, and have determined that such extension and adjustments are to the mutual benefit of City and Manager.

AMENDMENTS

In consideration of the mutual promises, covenants, guaranties, and conditions contained herein and for other good and valuable consideration, the City and Manager agree to the terms and conditions set forth in this Third Amendment.

1. The following shall be appended to Section 3 (Base Salary) of the Agreement:

“Commencing on July 1, 2021, City agrees to increase Manager’s Base Salary to the amount of Two Hundred Seventy One Thousand Five Hundred Seventy Two Dollars and Zero Cents (\$271,572.00) per year, or Twenty Two Thousand Six Hundred Thirty One Dollars and Zero Cents (\$22,631.00) per month, exclusive of benefits. Commencing on July 1, 2022, City agrees to increase Manager’s Base Salary in the amount of Three Percent (3.00%) to the sum of Two Hundred Seventy Nine Thousand Seven Hundred Nineteen Dollars and Sixteen Cents (\$279,719.16) per year, or Twenty Three Thousand Three Hundred and Nine Dollars and Ninety Three Cents (\$23,309.93) per month, exclusive of benefits. Commencing on July 1, 2023, City agrees to increase Manager’s Base Salary in the amount of Four Percent (4.00%) to the sum of Two Hundred Ninety Thousand Nine Hundred Seven Dollars and Ninety Six Cents (\$290,907.96) per year, or Twenty Four Thousand Two Hundred Two Dollars and Thirty Three Cents (\$24,242.33) per month, exclusive of benefits.”
2. The following shall be appended to Section 4 (Benefits), Paragraph (a) (Vacation Leave) of the Agreement:

“Manager may sell back vacation time each calendar year at the hourly rate earned at the time Manager opts to sell the time back subject to the following limitations: Up to Two Hundred Forty (240) hours per calendar year.”

3. Section 4 (Benefits), Paragraph (d) (Vehicle Allowance) of the Agreement is amended to read in full as follows:

“Manager shall be provided an automobile allowance of Five Hundred Dollars (\$500.00) per month. Manager shall be responsible for paying for liability, property damage and comprehensive liability insurance and for the purchase, operation, maintenance, repair and regular replacement of said automobile. City shall be named as an “additional insured” on any such comprehensive liability insurance policy, and such policy shall cover both professional and personal use of the automobile. Manager shall provide to City proof of such insurance and the endorsement naming the City as an “additional insured.””

4. Section 4 (Benefits), Paragraph (e) (IRC §457 Plan) of the Agreement is amended to read in full as follows:

“Effective July 1, 2021, City shall contribute Ten Thousand Dollars (\$10,000.00) per year, in equal monthly installments, to the IRC §457 plan on Manager’s behalf.”

5. Section 11 (Effective Date and Term) of the Agreement is amended to read in full as follows:

“The Effective Date of this Agreement shall be March 26, 2012. Subject to City’s right to terminate Manager’s employment at any time, the Term of this Agreement shall be extended for three (3) years commencing on July 1, 2021, through and including June 30, 2024. This Agreement shall automatically renew itself for successive twelve (12) month periods unless City notifies Manager of its intent to terminate this Agreement at least twelve (12) months prior to the end of the extended three (3) year Term or any successive twelve (12) month Term.”

6. Upon the effective date of this Third Amendment, City shall make: (i) a one-time cash payment to Manager in the amount of the difference between the Base Salary paid since July 1, 2021, and the Base Salary due under this Third Amendment; (ii) a one-time cash payment to Manager in the amount of the difference between the vehicle allowance paid since July 1, 2021, and the vehicle allowance due under this Third Amendment; and (iii) a one-time contribution to the IRC §457 plan on Manager’s behalf in the amount of the difference between the contributions already made since July 1, 2021, and the additional amounts that are to be contributed under this Third Amendment.

7. Except as set forth in this Third Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is

conflict between this Third Amendment and the Agreement, the terms of this Third Amendment will prevail.

IN WITNESS WHEREOF, the parties hereto have executed this Third Amendment to the Agreement as of the date first set forth hereinabove.

CITY:

CITY MANAGER:

Mayor of the City of Arcadia

Dominic Lazzaretto

ATTEST:

City Clerk
City of Arcadia

APPROVED AS TO FORM:

Stephen P. Deitsch
City Attorney



STAFF REPORT

Public Works Services Department

DATE: May 17, 2022

TO: Honorable Mayor and City Council

FROM: Paul Cranmer, Public Works Services Director

SUBJECT: AUTHORIZE PARTICIPATION IN A JOINT EXERCISE OF POWERS AGREEMENT WITH THE CITIES OF BRADBURY, DUARTE, MONROVIA, AND SIERRA MADRE TO CREATE THE RIO HONDO/SAN GABRIEL RIVER WATERSHED MANAGEMENT JOINT POWERS AUTHORITY

Recommendation: Approve

SUMMARY

The Rio Hondo/San Gabriel River Water Quality Group (“Group”) consisting of the Cities of Arcadia, Bradbury, Duarte, Monrovia, and Sierra Madre has been working cooperatively for years to implement stormwater strategies on a regional basis. While the Group has had a series of cooperative agreements in place that have worked well, now that structures are about to be built, a more formal, long-term arrangement is warranted. The formation of a Joint Powers Authority (“JPA”) funded through the County of Los Angeles’ Safe Clean Water (Measure W) Program would act as a mechanism to provide liability protections to the individual Cities in the Group, provide the ability to bond on behalf of the Cities, would streamline processes, and would enable land holdings on behalf of the Group for any potential land acquisition that may arise in the future.

It is recommended that the City Council authorize participation in a Joint Exercise of Powers Agreement with the Cities of Bradbury, Duarte, Monrovia, and Sierra Madre to create the Rio Hondo/San Gabriel River Watershed Management Joint Powers Authority.

BACKGROUND

In 2012, the Los Angeles Region Water Quality Control Board adopted the National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit (“MS4 Permit”, Order No. R4-2012-0175) which established waste discharge requirements for stormwater and non-stormwater discharges within the watersheds of Los Angeles County. The MS4 Permit includes provisions that allow permittees the flexibility to customize their stormwater programs to achieve compliance over time through the development of an Enhanced Watershed Management Program (“EWMP”) or Watershed Management Program (“WMP”) on a watershed scale utilizing customized strategies, control measures, and Best Management Practices (“BMPs”) to improve water quality.

In February 2013, the Cities of Azusa, Bradbury, Duarte, Monrovia, and Sierra Madre, along with the County of Los Angeles and Los Angeles County Flood Control District, formed the Rio Hondo/San Gabriel River Water Quality Group (“Group”) with an Oversight Committee comprised of City Managers and/or designated staff to fulfill the requirements of the Los Angeles County MS4 Permit. One of the first tasks of the Group was to develop a scope of work for the WMP, Coordinated Integrated Monitoring Program (“CIMP”), and EWMP Plans for the Rio Hondo and San Gabriel River watersheds. Subsequently, in May 2013, the Arcadia City Council approved a Memorandum of Understanding (“MOU”) with the City serving as the contract manager responsible for the administration and management of contract services on behalf of the participating agencies. These Plans were submitted to the Regional Board on July 28, 2014. On June 29, 2015, the CIMP was approved and subsequently approved in April 2016 with the requirement to start implementing the plan. The EWMP plan consisted of ten regional projects and 436 lane miles of “green streets” (e.g., bio-retention, bio-filtration, and permeable pavement systems within the street right-of-way that are designed to reduce runoff and improve water quality) to be completed over the next two decades. Soon after the EWMP approval, the Group began working to evaluate alternative implementation strategies to determine whether a modified set of alternative projects could possibly achieve the necessary volume and load reductions at a significantly reduced cost and still achieve compliance.

In December 2016, the Group amended the MOU to collaborate on the EWMP revision without the City of Azusa. A revised EWMP was submitted and conditionally approved a year later but was downgraded from a revised EWMP to a WMP. The downgrade was the result of the changes in the control measures proposed in the revised EWMP. Currently, the Group is working with consultants to determine the feasibility of these regional projects: Arcadia Wash Ecosystem Restoration and Groundwater Recharge located at the Arboretum, the Rio Hondo Ecosystem Restoration located at the Peck Road Lake Park, Encanto Park Stormwater Capture located in the City of Duarte, and Basin 3E Enhancements located at the Santa Fe Spreading Grounds. Unfortunately, the project at the Arboretum was determined to be infeasible and the Group is now exploring an alternative project site that would utilize the area around the Arcadia County Park and Santa Anita Golf Course. These regional projects are estimated to cost upwards of \$32 million to construct. Securing grant funding and/or other funding mechanism is crucial in developing these projects.

The Group has been operating with different cities picking up the burden to ensure the Group maintains its current operational, administrative, and financial obligations. The complexities associated with the Group have continued to grow as implementation transitions from background studies to implementation strategies.

The Group’s Encanto Park Regional Project, located in Duarte, was recently funded through the County of Los Angeles’ Safe Clean Water (Measure W) program. The funding of this Regional Project brought to the forefront several complexities associated with the current structure of how the Group operates together to meet requirements. Such as:

- If a liability incident were to occur at the construction site of a designated project location, who would be liable for such accidents/incidents?
- How might the City of Arcadia's role as the central administrative/financial hub impact a future project if another agency held the funds?
- How long would term maintenance be addressed and who would be the lead/responsible City?

Such complexities will only continue to grow as the Group further explores and receives funding for the Group's larger regional projects, including two potential projects in Arcadia.

A joint powers agreement is a formal, legal agreement between two or more public agencies that share a common power and want to jointly implement programs, build facilities or deliver services, forming a common Authority. A JPA is a new government organization created by the member agencies but is legally independent from the member agencies. The JPA shares powers and authorizations common to the member agencies, which are outlined in the joint powers agreement.

The Joint Exercise Powers Act (Government Code Section 6500, et seq.) allows two or more agencies to create another legal entity or establish a joint approach to work on a common problem, fund a project, or act as a representative body for a specific activity. JPAs are subject to the Ralph M. Brown Act and shall hold open and public meetings. JPAs must also follow the Public Records Act, Political Reform Act and other public interest laws to ensure full transparency. The formation of a JPA begins when public officials agree to a formal agreement in which the agreement outlines formal roles, responsibilities and powers that each agency shares. Each participating member agency's governing body must then approve the joint powers agreement.

An agreement that establishes a new JPA describes the size, structure, membership, governing board, and the JPAs powers and functions. As a legally separate public agency, the JPA can seek legal action or can be sued itself, hire staff, obtain financing to build public facilities, and manage property. Examples of JPAs around the area include the San Gabriel Valley Councils of Government and Foothill Transit. Each comprises of multiple cities as members, and each are tasked with their specific purposes.

DISCUSSION

The JPA mechanism would act as the central hub for operational, administrative, and financial activities on behalf of the Group. In addition, it would allow the Group to exercise the powers in common such as approving and awarding contracts; acquiring, constructing, managing, maintaining and operating any building, structure, capital improvement project; seeking grants and other financial aid, obtaining insurance, participating in legislative advocacy, and conducting outreach. The Rio Hondo/San Gabriel River Watershed Management JPA outlines the term of agreement, governing board, voting, and functions. For example, the JPA requires three member agencies to establish the JPA, the duly appointed City Manager from each member agency will serve

indefinitely on the Governing Board and receives one vote. At present, staffing is yet to be determined. Should Arcadia decide to withdraw its membership at any time, a 30-day written notice to the Governing Board is required; however, there may be costs associated with leaving early, such as a continuing obligation to pay for ongoing expenses that were agreed to during the City's membership period. It should be noted that the JPA cannot dissolve unless/until any assets, liabilities, or other obligations are retired or transferred back to the member agencies.

The County of Los Angeles and the Los Angeles County Flood Control District have indicated that they would not be a participant in the JPA due to their own policy limitations but both entities will continue to enter into project-specific agreements and cost-share with the JPA.

To date, staff and City Attorney's from the Cities of Arcadia, Bradbury, Duarte, Monrovia, and Sierra Madre have all reviewed and preliminarily approved the Joint Powers Agreement and have agreed to bring the document to their City Councils for review and formal approval as follows:

- City of Bradbury: Approved on April 19, 2022
- City of Duarte: May 2022
- City of Monrovia: Approved on May 3, 2022
- City of Sierra Madre: May 10, 2022

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. The JPA would be responsible for CEQA review for its various projects

FISCAL IMPACT

Costs for the JPA formation include the costs to hire an external auditor, attorney costs, and to purchase insurance. There is a possibility that there may be costs associated with staffing but at this point it is unknown.

It should be noted that the City of Arcadia began collecting a 5% administrative fee for fulfilling the Group's administrative and financial needs in the latest MOU. Depending on how the JPA is ultimately managed, this fee may no longer benefit Arcadia and may instead fund staff and/or consultants to cover the Group's administrative/financial obligations.

There will be future costs associated with meeting stormwater permitting requirements. These costs will occur regardless if a JPA is formed. A cost-sharing formula was informally established for shared expenses based on the 10% participation and 90% land

area and slated to be solidified in the JPA. It is anticipated that the member agencies would contribute a portion of their Safe, Clean Water (Measure W – Local Return) Program toward the operating cost of the JPA, but that amount has not been determined. Any such transfers would need to be approved by each agency’s City Council. All debts and expenses incurred by the JPA will not be the responsibility of the individual member entities. In addition, as a JPA the group could directly apply for state and federal grants to cover project expenses.

RECOMMENDATION

It is recommended the City Council determine that this action does not constitute a project and is, therefore, exempt under the California Environmental Quality Act (“CEQA”); and authorize participation in a Joint Exercise of Powers Agreement with the Cities of Bradbury, Duarte, Monrovia, and Sierra Madre to create the Rio Hondo/San Gabriel River Watershed Management Joint Powers Authority.

Approved:



Dominic Lazzaretto
City Manager

Attachment: Joint Exercise of Powers Agreement

JOINT EXERCISE OF POWERS AGREEMENT

AMONG THE CITIES OF ARCADIA, BRADBURY, DUARTE, MONROVIA AND SIERRA MADRE, FOR THE PURPOSE OF CREATING THE RIO HONDO/SAN GABRIEL RIVER WATERSHED MANAGEMENT JOINT POWERS AUTHORITY (“AUTHORITY”)

THIS JOINT EXERCISE OF POWERS AGREEMENT (“Agreement”), dated for reference as of _____, is entered into by and between the cities of Arcadia, Bradbury, Duarte, Monrovia, and Sierra Madre, each of which is a municipal corporation duly organized and existing under the laws of the State of California. Each of the foregoing are sometimes referred to herein as “Member,” or collectively as “Members.”

RECITALS

(i) Each Member is a “public agency,” as defined in the Joint Exercise of Powers Act, California Government Code Section 6500, *et seq.*, and all are authorized to enter into this Joint Exercise of Powers Agreement in order to exercise powers common to these public agencies.

(ii) Each Member is a permittee of the Los Angeles County MS4 Permit, which is required to develop a Watershed Management Program (“WMP”). Pursuant to Part VI.C.6 of the Los Angeles County MS4 Permit and implement a WMP upon approval by the Los Angeles Regional Water Quality Control Board.

(iii) It is the intent of the Members in entering into this Agreement to create a single entity referred to as the Rio Hondo/San Gabriel River Watershed Management Joint Powers Authority (“Authority”).

(iv) By this Agreement, the Members intend to exercise their powers jointly to accomplish the common objectives of financing and implementing the WMP, as feasible, and owning, maintaining and operating facilities and improvements as deemed necessary to implement the WMP.

(v) The County of Los Angeles and the Los Angeles County Flood Control District also are permittees under the above-referenced Los Angeles County MS4 Permit and participants in the WMP and, while not Members, acknowledge this Agreement will cooperate as necessary with the Authority to further the objectives and requirements of the WMP.

AGREEMENT

NOW, THEREFORE, in consideration of the promises, terms, conditions and covenants contained herein, the Members agree as follows:

1. Recitals Incorporated. The recitals set forth above, are hereby incorporated by reference and made a part of this Agreement.

2. Authority and Purpose. This Agreement is made pursuant to the provisions of Article 1, Chapter 5, Division 7, Title 1 of the Government Code of the State of California (commencing with Section 6500) relating to the joint exercise of powers common to the public

agencies. The Members are each empowered to exercise the powers within this Agreement. The purpose of this Agreement is to exercise such powers jointly in the development of plans, designs, maintenance of projects, and objectives to implement the WMP. Specifically, the Members have identified the following strands of WMP-related work that should be carried out by the Authority:

(a) Public outreach and education regarding the details of the MS4 Permit, the requirements and costs of the WMP, and the need for a viable financing mechanism.

(b) Working toward compliance with the approved WMP, including financing, land acquisition, project design, project construction and long-term ownership, maintenance, and management of improvements.

(c) Advocacy for policy change to make the Clean Water Act, Porter Cologne Water Quality Act, MS4 permit and WMP requirements more viable and sustainable.

3. Establishment. Pursuant to the Joint Exercise of Powers Act (Government Code Sections 6500, *et. seq.*), there is hereby established a Joint Powers Authority which shall be a public entity separate from the parties to this Agreement. The name of such entity shall be the Rio Hondo/San Gabriel River Watershed Management Joint Powers Authority (“Authority”). The Authority shall carry out its functions through a Governing Board, as described in this Agreement.

4. Term of Agreement. This Agreement is effective as of the latest date by which at least three (3) Members have adopted resolutions by their legislative bodies approving joining the Authority and this Agreement, and thereafter having executed this Agreement and delivered executed copies to the other Members, and shall continue in full force and effect for so long as no less than three (3) such Members remain, or until terminated by unanimous consent, provided that all liabilities of the Authority have been satisfied and all assets of the Authority have been distributed as provided in this Agreement..

5. Restriction on Exercise of Powers. Pursuant to and to the extent required by California Government Code Section 6509, the Authority shall be restricted in the exercise of its powers to the same extent as the City of Arcadia is restricted in its exercise of powers hereunder; provided that, if the City of Arcadia shall cease to be a Member, then the Authority shall be restricted in its exercise of powers to the same extent as the City of Monrovia is restricted in its exercise of powers hereunder.

6. Governing Board. The governing body of the Authority shall be the Governing Board which shall be made up of one representative from each Member. The Governing Board shall oversee the activities of the Authority and shall act consistent with and in furtherance of applicable law and the purposes of this Agreement and the Authority, as specified in Section 2, above.

(a) Membership. The duly-appointed City Manager of each of the Members shall be that Member’s representative on the Governing Board. The City Manager from each of the Members shall designate an alternate representative for that Member. If neither the Board member nor the Board member’s alternate can attend a scheduled meeting, the City Manager may designate, in writing, a representative for that meeting who may attend and participate in that meeting as if they were a Governing Board member.

(b) Term of Members. Each member of the Governing Board shall serve indefinitely, so long as they continue to hold the office of City Manager with the respective Member agency. Alternate Board members serve at the pleasure of the appointing Governing Board member and may be removed at any time.

(c) Vacancies. A vacancy shall be declared if any Board member or alternate Board Member shall cease to serve on the appointing legislative body. Vacancies shall be filled in the same manner as the original appointment.

(d) Compensation. Board members and alternate Board members shall receive no compensation for attending required meetings or performing other functions for the Authority.

(e) Voting. Each Governing Board member shall have one (1) vote. If a Board member cannot attend a meeting, the alternate or designee attending shall be fully empowered to act and vote as the Board member for the meeting so attended. Voting on Authority business shall require a majority or super-majority vote as provided below in Section (i). All vote requirements specified in this Agreement are based on the full membership of the Governing Board. Those actions that require a “majority” vote shall require the affirmative vote of at least a majority (50%+1) of all Members, and those actions that require a “super-majority” vote shall require the affirmative votes of at least four/fifths (4/5) of all Members. If a vote requirement is not specified in this Agreement for any action of the Governing Board a majority vote is required. Abstentions or absences shall not be counted as votes for any purpose.

(f) Responsibilities. It shall be the responsibility of the Governing Board of the Authority to:

(1) Determine general policy for Authority activities.

(2) Act on behalf of all Members in adopting strategies to pursue the purposes of the Authority, as set forth in Section 2 of this Agreement.

(3) Approve an annual or bi-annual budget to receive and expend funds necessary to exercise the powers and achieve the purposes of the Authority, as set forth in this Agreement, and as otherwise provided by law. A majority vote of all the members shall be required to adopt a budget or assess the contribution of costs or to purchase any real property or enter into a long-term lease (over five years) for any real property.

(4) Ensure that projects and programs that are undertaken are in the best interest of the residents and communities served by the Authority.

(5) Authorize expenditures of funds in accordance with the adopted budget and any purchasing procedures adopted by the Governing Board.

(6) Assess annual membership costs for each Member and Project contributions pursuant to the Cost Allocation Formula set forth on Exhibit A, each of which must be approved by a super-majority vote. Any deviation from the Cost Allocation Formula shall require the unanimous vote of all Member representatives on the Governing Board.

(7) Approve or deny applications from similarly situated local agencies for admission to the Authority, or to withdraw as a Member, or from Members to expel a member from the Authority, which shall require a super-majority vote of the Governing Board and approval by the legislative bodies of the Members pursuant to Sections 12, 15 and 16.

(8) Adopt by-laws, rules and regulations governing operations of the Authority.

(9) Appoint such ad hoc or standing committees of its Members as it may deem appropriate, all in uniformity with the Ralph M. Brown Act (Sections 54950 *et seq.*)

(g) Meetings. The Governing Board shall conduct regular and special meetings in accordance with the Ralph M. Brown Act, commencing with California Government Code Section 54950, or any successor provision thereto. It shall hold at least one regular meeting in each year and such additional meetings as may be necessary to accomplish the purposes specified herein. Regular meetings shall be held at such location as the Governing Board may determine by Resolution. The dates upon which, and the hour, date and place at which regular meetings shall be held shall be fixed by the Governing Board.

(h) Minutes. Minutes shall be kept of all meetings of the Authority and the Secretary shall cause a copy to be forwarded to the Members and made available to the public. Meetings shall be conducted in accordance with the most current edition of “Rosenberg’s Rules of Order” unless otherwise provided by the Governing Board.

(i) Quorum. A majority of the full membership of the Governing Board must be present at a meeting to constitute a quorum.

7. Organization.

(a) Officers. The Governing Board shall elect from its members a Chair, a Vice-Chair, and/or such other officers as the Governing Board shall find appropriate. Each officer shall serve for a term of one (1) year unless sooner terminated at the pleasure of the Governing Board. Upon approval by the Governing Board, all contracts, deeds and other official documents on behalf of the Authority shall be executed by the Chair or the Executive Director, and attested to by the Secretary and approved as to form by the Authority’s legal counsel or the Lead Agency’s legal counsel (if a Lead Agency is designated by the Board).

(b) Employees. The Governing Board may appoint an Executive Director, controller, clerk, secretary, legal counsel or other employees as it deems appropriate, or may contract for any such services, and may establish the duties, compensation and benefits of such employees and contractors in accordance with best public employment practices. The Governing Board may choose to utilize the services of employees of the Members by appointing a Lead Agency, as described below, and, if required, compensate the Member accordingly, or may directly appoint and employ its own staff. If the Authority directly employs employees, the Governing Board shall adopt a personnel system establishing rules and regulations comparable to the public sector generally.

(c) Finances. The Controller of the Authority shall cause an independent annual audit of the Authority's finances to be made by a certified public accountant in compliance with California Government Code Section 6505 or successor authority. The Treasurer of the Authority shall be the depositor and shall have custody of all money of the Authority received from whatever source. The Controller of the Authority shall draw warrants to pay demands against the Authority when the demands have been approved by the Authority by its authorized representative pursuant to any delegation of authority adopted by the Authority. The Treasurer and Controller shall comply strictly with the provisions of statutes relating to their duties, as set forth in the Joint Exercise of Powers Act.

(d) Consultants. In addition to hiring employees, the Authority is authorized to enter into contracts and pay consultants pursuant to the Authority's purchasing procedure to perform any work or activity it is empowered to perform hereunder, including for the provision of professional, financial, legal, administrative, technical or other services.

(e) Lead Agency. The Governing Board may select from the Members, a Lead Agency for the Authority, although a Lead Agency is not required if the Authority employs staff to administer the Authority. In such case, the City Clerk of the Lead Agency shall be and act as the Secretary for the Authority and the Director of Finance of the Lead Agency shall be and act as the Treasurer and Auditor of the Authority, pursuant to California Government Code Section 6505.6. Pursuant to California Government Code Section 6505.1, the Secretary and Treasurer shall have charge of the property of the Authority and each shall file an official bond in the penal sum of Ten Thousand Dollars (\$10,000.00) or such additional amount as the Governing Board may establish. The Authority is authorized to pay the additional costs of such bonds, if any. By majority vote, the Governing Board may change the Lead Agency at any time. In such event, the officers of the new Lead Agency shall serve as the respective officers of the Authority.

(f) Property of the Authority. Pursuant to California Government Code Section 6505.1, the Governing Board may designate an officer or employee, or officers and employees, in addition to the Secretary and Treasurer, to receive, deposit, invest, and disburse the money of the Authority pursuant to California Government Code Sections 6505.5 and 6509.5. The Governing Board shall fix the amount of the official bond to be filed by each such designee.

8. Corporate and Political Powers. For purposes of exercising its authority, and subject to the limitations set forth herein, the Authority shall have all joint powers specified in California Government Code Section 6508 including, but not limited to, any or all of the following:

- (a) To exercise the common powers of its Members pursuant to Section 2 above;
- (b) To make and enter into contracts;
- (c) To employ agents and employees;
- (d) To acquire, construct, manage, maintain or operate any building, structure, work or improvement;
- (e) To acquire, hold or dispose of interests in real or personal property;

(f) To incur debts, liabilities and obligations and issue bonds, notes, certificates of participation and other forms or evidence of indebtedness;

(g) To sue and be sued in its own name;

(h) To apply for, accept, receive and disburse grants, loans and other financial aid from any agency of the State of California or the United States of America and to receive donations of property, funds, services and other forms of assistance from persons, firms, corporations or governmental entities;

(i) To obtain insurance for the Authority and contract for risk management services authority;

(j) To invest money of the Authority in the same manner and on the same conditions as local agencies pursuant to California Government Code Section 53601;

(k) To prepare and support or oppose legislation or administrative action related to the purposes of this Agreement;

(l) To adopt rules, regulations, policies, bylaws and procedures for the carrying out of the foregoing powers or necessary for the governing of the operations of the Authority; and

(m) To exercise all other powers necessary and proper to carry out the provisions of this Agreement including, without limitation, the power to levy special taxes and assessments and fees in compliance with applicable law, and to exercise the power of eminent domain for the public purposes of the Authority.

9. Expenditures and Contributions. From time to time, the Governing Board may require Member contributions in order to make expenditures necessary to carry out the purposes and functions of the Authority which may include, but are not limited to, retention of consultant(s) to conduct studies and prepare plans, reports and designs, and/or provide management services and the costs of project implementation. The contributions required from Members shall be determined pursuant to the Cost Allocation Formula set forth in Exhibit A, unless a deviation is approved by unanimous vote of all members of the Governing Board. Any individual expenditure of the Authority in excess of one million dollars (\$1,000,000) shall require a super-majority vote. Within thirty (30) days of such a contribution requirement being approved by the Governing Board, each Member shall make the required contribution, providing that any Member not wishing to make such contribution may, in the alternative, withdraw from the Authority within said period by adopting a resolution of withdrawal by its legislative body.

10. Eligibility for Membership and Admission. Any local public agency that is a member of the Rio Hondo/San Gabriel River Watershed Quality Group may apply to become a member of the Authority and may become a Member upon a super-majority vote of the Governing Board. Upon admission, each new Member shall immediately execute this Agreement. At the time of approval of admission, the Governing Board may request that the new Member make a voluntary payment of its share of any costs incurred by the Authority to date, to the extent the benefit of those costs will be derived or will continue to be derived after the new Member agency

has joined the Authority. Such shares shall be determined according to the Cost Allocation Formula set forth in Exhibit A.

11. Withdrawal by a Member. Subject to the provisions of this section, any Member may withdraw from the Authority by providing the Governing Board no less than thirty (30) days prior written notice including a copy of the initiating resolution approved by the legislative body of the withdrawing Member. The withdrawing Member shall pay all unpaid contributions that were approved by the Governing Board more than thirty (30) days prior to the date of the notice of withdrawal. No Member may withdraw unless and until it has satisfied any and all outstanding contractual obligations, or other indebtedness for which such Member would otherwise be obligated, in whole or in part, to pay. "Outstanding contractual obligations" includes the obligations for payments on contracts which the Authority has entered into and are legally binding but where additional services will be performed in the future, until the contract has been fully performed.

12. Accounts, Reports, and Audits. The following procedures shall be followed to ensure strict accountability of all funds of the Authority and to provide for accurate reporting of receipts and disbursements of said funds:

(a) The auditor of the Authority shall either prepare or contract with a certified public accountant to prepare an annual audit of the Authority's accounts and records. The minimum requirements for such audits shall be those prescribed by the State Controller for special districts under California Government Code Section 26909 or successor statute and shall conform to generally accepted accounting principles.

(b) A report of said audit shall be filed as a public record with each Member and with the County Auditor of the County of Los Angeles. Such report shall be filed within six (6) months of the end of the fiscal year or years under examination.

(c) Any additional procedures pertaining to accountability of funds and assets of the Authority, as specified in the Joint Exercise of Powers Act, shall be followed.

13. Obligation for Debts and Liabilities and Distribution of Assets. Except as otherwise provided herein, no Member shall be individually responsible for any of the debts, liabilities or obligations of the Authority, and all such debts, liabilities and obligations shall exclusively be those of the Authority.

(a) Indemnification.

(1) Each Member agrees to indemnify, defend and hold the Authority and all other Members, and employees, officers and agents of the Authority, free and harmless with respect to any and all claims, liabilities, losses, and damages, including legal fees and expenses, to the extent arising out of or connected with the acts or omissions, or breach or default, of such Member, or any person or entity acting on behalf of such Member, in the performance of any of its obligations under this Agreement.

(2) The Authority shall indemnify, defend, and hold harmless, jointly and severally, each of its Members and the Members' officers, officials, employees, agents, and

representatives with respect to any loss, damage, injury, claim, litigation, or liability, including attorney's fees and costs, arising out of or in any way related to the creation of operation, functioning, decisions, or actions of the Authority or the Authority's officers, officials, employees, agents, or representatives.

(3) The provision of indemnity set forth in this Section shall not be construed to obligate the Authority to pay any liability, including but not limited to punitive damages, which by law would be contrary to public policy or otherwise unlawful.

(4) To the full extent permitted by law, the Authority shall require that all contractors and partners in Authority business and activities shall indemnify, defend and hold harmless the Authority and its Members for that entity's acts or omissions, or breach or default, consistent with this Section 13(a).

(b) Tort Liability. Government Code Section 895.2 imposes certain tort liability jointly upon public agencies solely by reason of such public agencies being parties to an agreement as defined in Government Code Section 895. Therefore, the Member public agencies, as among themselves, pursuant to the authorization contained in Government Code Sections 895.4 and 895.6, each assume the full liability imposed upon it or any of its officers, agents, employees or representatives by law for injury caused by a negligent or wrongful action or inaction, or omission, occurring in the performance of this Agreement, to the same extent that such liability would be imposed in the absence of Government Code Section 895.2. To achieve this purpose, each Member indemnifies and holds harmless each other Member and the Authority, for any loss, cost or expense, including reasonable attorney's fees and consultant fees that may be imposed upon or incurred by such other Member or the Authority solely by virtue of Government Code Section 895.2.

(c) Funds for Defense. Notwithstanding the provisions of paragraphs (a) or (b), above, by a super-majority vote of the Governing Board, the Governing Board may approve the expenditure of Authority funds to defend, indemnify and hold the Authority, members of the Governing Board, and any employee or agent of the Authority, free and harmless from claims and liabilities arising in connection with their actions taken in good faith, and while within the scope of their duties being performed on behalf of the Authority.

(d) Self-Insure. The Authority may self-insure or purchase insurance, and/or require the Members to self-insure or purchase insurance, in order to comply with any of the defense and indemnity requirements herein.

(e) Privileges and Immunities. All of the privileges and immunities from liability, exemptions from laws, ordinances, and rules, all pension, relief, disability, worker's compensation, and other benefits which apply to the activity of officers, agents, or employees of any Member when performing their respective functions within the territorial limits of the Member, shall apply to them to the same degree and extent while engaged in the performance of any of their functions and duties extraterritorially hereunder.

14. Effect of Termination. Upon termination of this Agreement by the Authority consistent with Section 4, all of the existing assets shall be divided and distributed for public

purposes in such manner as shall be determined by a super-majority vote of the Governing Board provided, however, that this Agreement and the Governing Board shall continue to exist for the purposes of disposing of all claims, administering the distribution of assets, and performing any other functions necessary to conclude the affairs of the Authority. This Agreement may not be terminated so long as the Authority has any outstanding contractual obligations or other indebtedness.

15. Notices. Notices permitted or required to be sent pursuant to this Agreement shall be sent by registered mail, return receipt requested, or reputable overnight delivery service addressed as follows:

To each Member at each Member public agency's official business address, personally addressed to the that agency's Governing Board member;

To the Authority at _____, Attention: Secretary. This address shall be the Authority's official business address. This address may be changed by approval of the Governing Board and the giving of written notice to each Member at their official business address.

16. Amendment. This Agreement may only be amended, upon the recommendation of a super-majority vote of the Governing Board, by the unanimous vote of the legislative bodies of the Members acting by resolution with all such resolutions adopted within 90 days of the action by the Governing Board.

17. Legal Actions.

(a) Remedies. The Authority is hereby authorized to take any and all legal or equitable actions, including but not limited to, seeking an injunction and/or specific performance, necessary or permitted by law, to enforce this Agreement.

(b) Applicable Law and Forum. The laws of the State of California shall govern the interpretation and enforcement of this Agreement, without regard to conflict of law principles. Legal actions must be instituted and maintained in the Superior Court of the County of Los Angeles, State of California, in any other appropriate court in that county.

(c) Acceptance of Service of Process. In the event that any legal action is commenced against the Authority, service of process on the Authority shall be made by personal service upon the Executive Director or Secretary of the Authority, or in such other manner as may be provided by law.

(d) Waivers. All waivers of any term or condition of this Agreement shall be in writing. No waiver of any term or same term or condition at a different time.

18. Liberal Construction; Severability. In the event of any litigation over the meaning of this Agreement or the authority of any agency of the Authority, this Agreement shall be liberally construed to effectuate its purposes. Should any part, term or provision of this Agreement be

decided by any court of competent jurisdiction to be illegal or in conflict with any law of the State of California or federal law, or otherwise be rendered unenforceable or invalid, the validity of the remaining portions and/or provisions shall not be affected thereby.

19. Conflicts of Interest. No officers, official, or employee of the Authority shall have any financial interest, direct or indirect, in the Authority nor shall any such person participate in any decision relating to the Authority which affects his or her financial interests, in violation of any State law or regulation. When required, all Members and required employees or consultants shall complete the Conflict of Interest forms Form 700 of the Fair Political Practices (FPPC) entitled "Statement of Economic Interests for Designated Officials and Employees" in accordance with the requirements of the FPPC and in accordance with the requirements of the Conflict of Interest Code as adopted by the Authority.

20. Books and Records. All books, records, accounts, and documents of the Authority shall be available at any reasonable time to the Governing Board and, to the extent provided by the California Public Records Act (Government Code Section 6250 *et. seq.*) shall be public records. This Section does not authorize the release of any confidential documents which are exempt from disclosure under the California Public Records Act or other applicable law or regulations.

21. Principal Office. The principal office of the Authority shall be that of the office of the Executive Director or the Lead Agency or as from time to time designated by the Board.

22. Successors. This Agreement shall be binding upon all Members and shall inure to the benefit of the successors of each of the Members provided, however, that no Member may assign any right or obligation under this Agreement without the written consent of the Governing Board.

23. Effectuate Counterparts. This Agreement may be executed in counterparts, which together shall constitute the same and entire agreement.

24. Filing with Secretary of State. The Secretary of the Authority is directed to file with the office of the California Secretary of State a notice of adoption or amendment of this Agreement within thirty (30) days after the effective date of such adoption or amendment, as required by California Government Code Section 6503.5 and shall file all other official notices as may be required by law.

[SIGNATURES APPEAR ON SEPARATE PAGES]

IN WITNESS WHEREOF, each of the parties hereto have caused this Agreement to be executed and attested by its duly authorized officers as of the dates set forth below.

MEMBER:
CITY OF ARCADIA

Dated: _____

By: _____

Mayor

ATTEST:

City Clerk

APPROVED TO FORM:

City Attorney

IN WITNESS WHEREOF, each of the parties hereto have caused this Agreement to be executed and attested by its duly authorized officers as of the dates set forth below.

MEMBER:
CITY OF BRADBURY

Dated: _____

By: _____

Mayor

ATTEST:

City Clerk

APPROVED TO FORM:

City Attorney

IN WITNESS WHEREOF, each of the parties hereto have caused this Agreement to be executed and attested by its duly authorized officers as of the dates set forth below.

MEMBER:
CITY OF DUARTE

Dated: _____

By: _____

Mayor

ATTEST:

City Clerk

APPROVED TO FORM:

City Attorney

IN WITNESS WHEREOF, each of the parties hereto have caused this Agreement to be executed and attested by its duly authorized officers as of the dates set forth below.

MEMBER:
CITY OF MONROVIA

Dated: _____

By: _____

Mayor

ATTEST:

City Clerk

APPROVED TO FORM:

City Attorney

IN WITNESS WHEREOF, each of the parties hereto have caused this Agreement to be executed and attested by its duly authorized officers as of the dates set forth below.

MEMBER:
CITY OF SIERRA MADRE

Dated: _____

By: _____

Mayor

ATTEST:

City Clerk

APPROVED TO FORM:

City Attorney

EXHIBIT A

COST ALLOCATION FORMULA

- A. 10% Base Cost = [(Total Project costs - funds contributed from external sources) X 10%] /# of Members
- B. 90% Land Area = [(Total Project costs - funds contributed from external sources X90%) X Percentage of total developed land area (not including Angeles National Forest)

For illustration purposes the Cost Allocation Formula for expected five initial Members of the Authority would be calculated as follows:

Party	Acres (Developed Land sq.mi)	Percent of Area	Base Cost (1/5 th of 10% Project Total)	Land Area (90%)	Total Cost
City of Arcadia	11	40%			
City of Bradbury	1.9	7%			
City of Duarte	3.6	13%			
City of Monrovia	8	29%			
City of Sierra Madre	2.8	10%			
TOTAL	27.3	100%			



STAFF REPORT

Public Works Services Department

DATE: May 17, 2022

TO: Honorable Mayor and City Council

FROM: Paul Cranmer, Public Works Services Director
By: John Corona, Utilities Superintendent

SUBJECT: PURCHASE ORDER WITH WATERLINE TECHNOLOGIES, INC. FOR THE PURCHASE AND DELIVERY OF SODIUM HYPOCHLORITE FOR THE DISINFECTION OF THE CITY'S MUNICIPAL WATER SUPPLY IN THE AMOUNT OF \$95,100.75
Recommendation: Approve

SUMMARY

The disinfection of drinking water by public water agencies is essential to eliminating water quality problems. The City of Arcadia's water system utilizes sodium hypochlorite to disinfect water pumped from the groundwater basin. To ensure that the City is receiving the most competitive prices, a formal bid process was conducted. Waterline Technologies, Inc. submitted the lowest responsive bid.

It is recommended the City Council approve a purchase order with Waterline Technologies, Inc. for the purchase and delivery of sodium hypochlorite for the disinfection of the City's municipal water supply in the amount of \$95,100.75, with three optional one-year extensions.

BACKGROUND

The disinfection of drinking water by public water agencies is essential in eliminating potential water quality problems. The City's municipal water supply system permit from the Division of Drinking Water ("DDW") specifies that the City's water system use chlorination as a means of disinfection. Liquid sodium hypochlorite (commonly referred to as chlorine bleach) has been an effective disinfectant used by the City for many years. The liquid sodium hypochlorite is delivered in bulk to the City's well sites and stored onsite where it is then injected into the distribution system using precision metering devices to assure the proper concentration of disinfectant. These concentrations are monitored daily by the City's Water Production Technicians.

DISCUSSION

In order to receive the best prices for sodium hypochlorite, the City conducted a formal bid. A Notice Inviting Bids was published in the City’s adjudicated newspaper, and bid packages were provided to vendors who provide sodium hypochlorite. On April 19, 2022, the City Clerk received 3 bids with the following results:

<u>Bidder</u>	<u>Location</u>	<u>Bid Amount</u>
Waterline Technologies	Santa Ana, CA	\$ 95,100.75
HASA, Inc.	Saugus, CA	\$102,201.75
Univar USA, Inc.	Santa Fe Springs, CA	\$193,984.87

All bid documents were reviewed for content and the contractor’s background was investigated. Based on this review, it has been determined that Waterline Technologies, Inc. is the lowest responsive bidder. The business of delivering bulk liquid sodium hypochlorite is rather small, and there are only a few vendors who offer these services. Waterline Technologies, Inc. is the City’s current provider for this product; they have provided quality services at reasonable prices to the city over the years.

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.

FISCAL IMPACT

Sufficient funds have been budgeted in the Fiscal Year 2022-23 Water Operations Budget for the purchase of bulk liquid sodium hypochlorite.

RECOMMENDATION

It is recommended that the City Council determine that this action does not constitute a project and is, therefore, exempt under the California Environmental Quality Act (“CEQA”); and approve a Purchase Order with Waterline Technologies, Inc. for the purchase and delivery of sodium hypochlorite for the disinfection of the City’s municipal water supply in the amount of \$95,100.75, with three optional one-year extensions.

Approved:



Dominic Lazzaretto
City Manager



STAFF REPORT

Police Department

DATE: May 17, 2022
TO: Honorable Mayor and City Council
FROM: Roy Nakamura, Chief of Police
By: Amber Abeyta, Management Analyst

SUBJECT: PURCHASE OF PORTABLE HANDHELD RADIOS FROM DAY WIRELESS SYSTEMS FOR THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$104,000
Recommendation: Waive the Formal Bid Process and Approve

SUMMARY

It is recommended that the City Council waive the formal bid process and authorize the purchase of 16 portable handheld radios from Day Wireless Systems in an amount not to exceed \$104,000. Funds for this purchase have been budgeted in the Fiscal Year 2021-22 Equipment Replacement Fund.

BACKGROUND

In 2002, the City received \$900,000 in Federal grant funding to update the Police Department's ("Department") aging radio network, and all new radios were purchased at that time. Because those radios surpassed their life expectancy, the City began upgrading its inventory of radios in 2010. The radios, base stations, repeaters, and accessories have been placed on a perpetual annual replacement program.

Due to a five-year life expectancy for portable handheld radios, 16 are now in need of replacement. The Department will purchase the latest radio technology, Motorola Model APX 6000, which are Project 25 ("P25") compliant. P25 is a set of standards for federal, state, and local public safety agencies to provide interoperable emergency communication within a jurisdiction as well as between agencies and mutual aid response teams.

DISCUSSION

Handheld radios are one of the Police Department's primary means of communication, including responses to 9-1-1 calls, emergency responses, investigations, and traffic enforcement. Motorola radio equipment is currently being utilized for handheld radios and

has been the preferred vendor because of compatibility with existing Motorola equipment, such as radio identifiers, battery chargers, batteries, microphones, handsets, and peripherals. The Department will continue using Motorola for its handheld radios.

The City's purchasing rules allow the Department to use other agencies' contracts to facilitate purchases, also known as piggyback contracts. Oftentimes, the volume of these contracts alone results in cost savings to the City. For this purchase, the Department will piggyback on the City of Glendale's Master Purchase and Service Agreement with Motorola Solutions, which is for radios on the Interagency Communications Interoperability ("ICI") network. The Agreement designates local government agencies as eligible purchasers, and the City is an ICI member. The Glendale contract has an extra 4% discount this year in comparison to the Los Angeles County's Master Purchase Agreement, which the Department normally uses.

By purchasing the equipment under this contract, the Department will ensure compatibility with existing radio infrastructure, P25 compliance, and realize significant savings of approximately \$44,395. In addition, Day Wireless Systems is the only authorized dealer the Department can use for the purchase of Motorola's public safety radios and can deliver at the Glendale piggyback rate.

Given that Day Wireless is the sole authorized dealer for the purchase of Motorola's public safety radios and the Department will piggyback on the City of Glendale's Purchase and Service Agreement with Motorola Solutions, it is recommended that the City Council waive the formal bid process and authorize the purchase.

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 radios to be purchased through Day Wireless will not exceed \$104,000. Sufficient funds have been allocated in the Fiscal Year 2021-22 Equipment Replacement Fund budget.

RECOMMENDATION

It is recommended that the City Council determines that this project is exempt under the California Environmental Quality Act ("CEQA"); waive the formal bid process and approve the purchase of portable handheld radios from Day Wireless Systems for the Police Department from the Equipment Replacement Fund in an amount not to exceed \$104,000.

Purchase of Portable and All-Band Mobile Radios from Day Wireless
May 17, 2022
Page 3 of 3

Approved:



Dominic Lazzaretto
City Manager



STAFF REPORT

Library and Museum Services Department

DATE: May 17, 2022

TO: Honorable Mayor and City Council

FROM: Jason Kruckeberg, Assistant City Manager/Development Services Director
By: Tim Schwehr, Economic Development Manager

SUBJECT: ALLOCATE \$250,000 IN AMERICAN RESCUE PLAN ACT (“ARPA”) FUNDS TO THE HOMELESS PREVENTION AND DIVERSION PROGRAM
Recommended Action: Approve

SUMMARY

The Arcadia Homeless Prevention and Diversion Program assists Arcadia residents vulnerable to becoming homeless with short-term financial assistance for rent, essential bills and services, and other items that help them to stay housed. In March 2022, the Arcadia City Council directed staff to proceed with allocating \$250,000 in American Rescue Plan Act (“ARPA”) funds to this program. It is recommended that the City Council approve the allocation of \$250,000 in ARPA funds to the Homeless Prevention and Diversion Program.

BACKGROUND

In October 2020, the City received a grant through the San Gabriel Valley Council of Governments (“SGVCOG”) to implement a new Homeless Prevention and Diversion Program, also known as the Financial Assistance Program. This program provides short-term financial assistance to Arcadia residents for rent, essential bills and services, and other related expenses. The goal of this program is to prevent at-risk Arcadia residents from becoming chronically homeless. The City currently partners with Union Station Homeless Services (“USHS”) to initiate and facilitate problem-solving conversations with residents and identify specific actions needed to ensure they remain housed at their current residence or find new housing. Since its inception in October 2020, the program has received grants totaling approximately \$50,000. As of March 1, 2022, \$37,292 of this funding has been expended with 18 at-risk Arcadia residents assisted to date.

DISCUSSION

In March 2022, the City Council directed staff to allocate an additional \$250,000 in funding to the Homeless Prevention and Diversion Program using a portion of the City's American Rescue Plan Act ("ARPA") funding. The \$250,000 allocation of ARPA funds will provide a stable source of funding for this program for multiple years. The program will continue to be managed by the Recreation and Community Services Department through a partnership with Union Station Homeless Services or another similar provider. Following approval of this item by the City Council, the funds will be made available for use beginning in June 2022.

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.

FISCAL IMPACT

The City has \$8,865,000 in American Rescue Plan Act ("ARPA") funding available to use for various purposes, including economic assistance. Allocating \$250,000 of the City's ARPA funds to the Homeless Prevention and Diversion Program will provide a stable source of funding to this program. If ARPA funds are not used, then General Fund monies would be required once the initial grant funding expires or is fully expended. The City will continue pursuing grants for homelessness prevention and housing programs that could be used for this program, either in addition to or in lieu of these ARPA funds.

RECOMMENDATION

It is recommended that the City Council determine that this action does not constitute a project and is therefore, exempt under, the California Environmental Quality Act ("CEQA"); and approve the allocation of \$250,000 in American Rescue Plan Act ("ARPA") funds to the Homeless Prevention and Diversion Program.

Approved:


Dominic Lazzaretto
City Manager



STAFF REPORT

Fire Department

DATE: May 17, 2022

TO: Honorable Mayor and City Council

FROM: Barry R. Spriggs, Fire Chief
By: Chen Suen, Deputy Fire Chief
Maria Lourdes Taylor, Sr. Management Analyst

SUBJECT: REPORT, DISCUSSION, AND DIRECTION REGARDING OPTIONS FOR COMMUNITY CONNECTIONS DURING EMERGENCIES
Recommendation: Provide Direction

SUMMARY

At the February 7, 2022, City Council Meeting, Mayor Pro Tem Cheng recommended that City Council and City Staff explore emergency communications services for senior residents and requested that this matter be placed on a future agenda for further discussion. The City Council concurred. It is recommended that the City Council further discuss options for community connection during emergencies and provide direction.

BACKGROUND

The Arcadia Fire Department (“AFD”) is an “all-risk” department, which means it mitigates and responds to a wide spectrum of emergencies including medical aids, technical rescues, hazardous materials incidents, and fires. Part of its responsibilities to the City of Arcadia and its citizens encompasses the City’s Emergency Preparedness and Management Program, which includes the City’s coordination efforts in the preparedness, response, and recovery phases of different disasters and major emergencies.

In the past 11 years, the City has experienced its own share of major incidents including the November 2011 major windstorm event, the ongoing COVID-19 pandemic, and the 2020 Bobcat wildfire. This list does not include the many smaller scale but complex emergencies that have occurred in the City such as widescale power outages, house fires, and major traffic accidents.

On a daily basis, the City works collectively to prepare and plan for emergencies before they happen through community outreach, conducting drills and training, and attending collaborative meetings internally and externally with community stakeholders.

Community outreach is accomplished through various means including presentations at different City events and functions and through information posted on City social media. Emergency Operations Center drills are conducted annually in the Spring and may include tabletop drills and exercises. Meetings are conducted throughout the year between many of the important stakeholders in the City and between employees who are actively involved in emergency management operations. Jointly, these efforts drive the preparedness phase of an incident prior to the event happening.

During the response and recovery phases, the commonality of these events consists of the need to activate a plan of action which may include the use of an Incident Action Plan or Emergency Operations Plan. These plans expand and contract to the needs of the incident during both the response and recovery phases. Specific to large scale events, the City's Emergency Operations Plan addresses the policies and procedures related to the City's response to a disaster and provides a blueprint for the City's Emergency Operations Center operations.

Finally, the goal of the City during major emergencies is to address and mitigate every issue by prioritizing problems based on the need to save lives, conserve property, limit the environmental impact, and ultimately stabilize an incident. Unfortunately, during large-scale events, City resources may be overwhelmed during the first 72 hours and responses may be delayed. It is important for Arcadians to be prepared and take action should resources be delayed. Arcadians can better prepare themselves for emergencies in different ways. The report below details some of these options.

At the February 7, 2022, City Council Meeting, Mayor Pro Tem Cheng recommended that City Council and City Staff explore emergency communications services for senior residents and requested that this matter be placed on a future agenda for further discussion. The City Council concurred. This report is the result of that request.

DISCUSSION

The City has numerous resources and available options that may benefit residents, businesses, and visitors alike. These items are categorized into three general areas – 1) Get Connected with the City; 2) Call to Action and Prepare Yourself; and 3) Other Available Resources.

I. Get Connected with the City

There are several avenues that residents, businesses, and visitors can connect with the City. These are detailed below.

“Community Connect” Program

The Community Connect Program is delivered by First Due, a leading software company that provides AFD with pre-incident information for Arcadia residences and businesses including building information, features, and potential hazards. “Community Connect” is a feature of the application that allows Arcadia residents the opportunity to voluntarily share vital information with AFD. Residents may share as much information as they are comfortable with.

Some examples of information may include, medical conditions, designated family meeting places, emergency contact information, family functional needs, pet information, and other important data. Firefighters can access this information while responding to a home and understand the specific needs of each resident. Residents can access this invaluable tool online at www.ArcadiaCA.gov/connect.

“Alert Arcadia” Emergency Notification System

Alert Arcadia is the City’s mass emergency notification system managed by Everbridge, a company founded in 2002 in the aftermath of 9/11 with the mission of helping keep people safe amid critical situations. Often referred to as “reverse 9-1-1”, this system allows the City to provide secure, reliable, and relevant information to residents and businesses in real-time during emergency events. Examples may include safety alerts and instructions, shelter locations, and evacuation orders.

Residents and businesses may register for Alert Arcadia to receive different alerts. Users may customize what information matters the most and what route to receive these messages. Other examples of messages that users may opt into are community updates, important announcements, and reminders. Users may choose to receive all or some notifications through text messages, phone messages, emails, and/or over the web. Residents and businesses may sign up by texting their Zip Code to 888777, downloading the free Everbridge application, and/or registering for Alert Arcadia online through www.ArcadiaCA.gov/alert.

Social Media Outreach Program

The City’s social media program, Connect Arcadia, provides residents, businesses, and visitors with important City information. This may include critical safety messages and alerts related to significant events and emergencies. The different social media handles are organized primary into four Twitter accounts - @DiscoverArcadia, @EnrichArcadia, @ProtectArcadia, and @ShapeArcadia. Each of these Twitter handles covers different topics related to the City. Below are brief descriptions of each:

- @DiscoverArcadia (General City) – Provides current City news, special events, and the happenings at City Hall and around town.

- @EnrichArcadia (Recreation and Community Services, Library & Museum) – Provides information on inclusive programs and services to foster health and wellness, lifelong learning, and community.
- @ProtectArcadia (Police and Fire) – Provides public and life safety tips, and information on crime prevention to preserve and protect your home or business.
- @ShapeArcadia (Development Services and Public Works) – Provides up-to-date information on City projects and smart growth strategies that promote economic growth and sustainability to enhance Arcadia’s unique cultural and historical character.

Some other useful Social Media options include:

- Facebook
 - Facebook.com/ArcadiaCAgov
 - Facebook.com/ArcadiaFire
 - Facebook.com/ArcadiaPD
- Instagram
 - @ArcadiaFireDept
 - @ArcadiaPD
 - @Arcadia.Public.Library
- Nextdoor:
 - City of Arcadia
- WeChat:
 - ID: DiscoverArcadia

Following these social media handles will provide residents, businesses, and visitor another option to receive critical information.

II. Call to Action and Prepare Yourself

During times of crisis, it is the City’s goal to address every issue and concern. However, especially during the first 72 hours of a disaster, City resources may be drawn thin and responses to individual issues may be delayed. Hence, it is important that residents and businesses have a plan to be self-sufficient for a minimum of 72 hours. Below are some suggestions, which can also be found online at www.ArcadiaCA.gov/preparedness.

a. Make a Plan

Whether it is your family or coworkers, it is important to develop a plan and different alternative collectively. Determine exit paths and meeting locations. Discuss who will oversee various responsibilities such as gathering emergency supplies and shutting off utilities. Take initiative and meet your neighbors. An entire neighborhood of residents and/or businesses can meet and develop a larger scale emergency plan. Designate a leader of such group to take charge and ensure responsibilities are completed. Most importantly, practice and exercise this plan.

b. Preparedness Kit

Quite often during disasters, supplies can become scarce. Widescale power outages may limit places you can purchase items last minute. You may find shelves empty from panicked shopping. Many fellow residents need the same supplies that you do. It is important to pre-plan and be prepared before an event happens. Here is a suggested emergency supply kit that you can assemble ahead of time. There are pre-packaged emergency kits available for purchase through vendors such as the American Red Cross.

First Aid Kit:

- Hydrogen peroxide to wash and disinfect wounds
- Antibiotic ointment for dressing wounds
- Individually wrapped alcohol swabs
- Antacids
- Aspirin and non-aspirin tablets
- Prescriptions from doctor for any long-term medications (keep these current)
- Diarrhea medicine
- Laxatives
- Syrup of Ipecac (to induce vomiting)
- Vitamin supplements
- Eye drops
- 4" x 4" gauze dressings
- Ace bandages
- Bandages and splinting materials
- Rolled gauze, one each of 1", 2" and 3" wide
- Cotton-tipped swabs
- Adhesive tape roll ½" or 1" wide
- Bandage, sterile roll 2" x 4" wide
- 3 large triangular bandages (36" x 36" x 50")
- Instant cold pack for sprains and burns
- Ammonia inhalant (smelling salts)
- Instant hand sanitizer
- First aid book
- Disposable gloves
- Sugar packets
- Burn cream
- Thermometer

Emergency Survival Kit:

- Writing materials (pen, pencil, and paper)
- Scissors
- Tweezers
- Soap
- Sunscreen lotion
- Plastic bags
- Plastic spoons, knives, and forks
- Paper plates and cups
- Waterproof matches

Options for Community Connections During Emergencies

May 17, 2022

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- Safety pins
- Needle and thread
- Mylar space blankets
- Pocket knife, multi-function knife
- Pre-moistened handy wipes
- Safety glasses
- Dust masks
- Work gloves
- Fire extinguisher (s) (A-B-C type)
- Tools: wrench, pliers, hammer, axe, shovel, screwdriver
- Manual can opener
- Food preparation materials
- Flashlight, lantern, candles
- Whistle
- Warming packs
- Portable radio and batteries
- Extra batteries of all sizes
- Food and water
- Toilet paper, tissues, paper towels
- Tarp
- Survival guide
- Household liquid bleach
- Duct tape
- Personal effects (i.e., toothbrush, toothpaste, comb, soap, sanitary napkins, and extra eyeglasses)
- Copies of important papers (e.g., ID cards, insurance, birth certificates, passports, mortgage, financial/legal documents, etc.)
- Crowbar
- Rope
- Backpack to carry necessary items in case you have to venture on foot
- Light sticks
- Coffee filters or clean cloth for water filtering
- Poncho with hood
- Blankets or sleeping bags
- Eyeglasses or contact glasses, and set of keys
- Cash and change
- Baby supplies (e.g., disposable diapers, wipes, formula, clothing, and any medication)
- Change of clothing
- Sturdy shoes
- Large plastic trash bags for waste, to use as tarps, and rain ponchos
- Maps
- Cooler
- Garden hose for siphoning and fire fighting
- Aluminum foil
- Pet supplies (e.g. food, water, leash, litter box, tags, medication and vaccination information)

c. Ready, Set, Go

“Ready, Set, Go” is a widely recognized saying that was repurposed to assist citizens to prepare for a wildfire. The northern part of the City interfaces with wildland and brush areas that may be prone to wildfires. It is important especially those who reside in the wildland urban interface to practice, “Ready, Set, Go.”

i. Be Ready: Create and maintain defensible space and harden your home against flying embers.

- Remove all tree branches at least 6 feet from the ground
- Use fire-resistant plants and landscaping to resist the spread of fire to your home
- Remove all dead plants, grass, and weeds within 30 feet of any structure

- Remove dead or dry leaves including pine needles from your yard, roof, and rain gutters
- Keep all branches of trees 10 feet away from each other and a house's chimney
- Keep exposed woodpiles at least 30 feet away from structures
- Build your roof or re-roof with materials such as composition, metal or tile.
- Block any spaces including vents to prevent embers from entering and starting a fire.
- Eaves and soffits should be protected with ignition-resistant or non-combustible materials.
- Install dual-paned windows with one pane of tempered glass
- Decks should be built with ignition-resistant or non-combustible materials
- Exterior walls should be built or remodeled with ignition-resistant materials such as stucco, cement siding, or fire-retardant-treated wood
- Screen or enclose rain gutters.
- Use ignition-resistant or non-combustible fence material

ii. Get Set: Prepare your family and home ahead of time for the possibility of having to evacuate. Ensure you have a plan of what to take and where to go. Ask friends and relatives outside your area if you would be able to stay with them, should the need arise. Check with hotels, motels, and campgrounds to learn if they are open.

Remember the **six P's** to keep ready in case immediate evacuation is required:

1. People and pets
2. Papers, phone numbers, and important documents
3. Prescriptions, vitamins, and eyeglasses
4. Pictures and irreplaceable memorabilia
5. Personal computer hard drive and disks
6. Plastics such as credit cards and ATMS cards, and cash

iii. Be Ready to Go: When a wildfire strikes, go early for your safety. Take the evacuation steps necessary to give your family and home the best chance of surviving a wildfire. Leave as soon as soon as evacuation is recommended by officials.

III. Other Available Resources

Southern California Edison's Medical Baseline Allowance

Southern California Edison ("Edison") provides a Medical Baseline Allowance Program for those who require the regular use of electrically-powered medical equipment or qualifying medical devices. The program allows for qualified individuals additional electricity for use.

During emergencies and rotating power outages, Edison encourages these users to be prepared with a back-up power system or other plans to ensure their health and welfare. Edison does not provide back-up generation power. In the event of rotating power outages (high volume usage) or Public Safety Power Outages (wind events), Edison will automatically call these customers with a pre-recorded message. At times, Edison may only receive a 10-minute warning. For more information, visit Edison's web address at <https://www.sce.com/residential/assistance/medical-baseline>.

Community Emergency Response Team ("CERT") Program

The Community Emergency Response Team Program ("CERT") educates and trains civilian volunteers on disaster preparedness for disasters that impact their area. They are also often used for widescale planned events. Some examples of tasks or skills CERT members learn and train on include: basic disaster response techniques, team organization, traffic and crowd control, disaster medical operations such as first aid, fire safety, and light search and rescue operations. Local cities with developed CERT programs include: Monrovia, Sierra Madre, Rosemead, Temple City, and Duarte.

The CERT concept began with the Los Angeles City Fire Department ("LAFD") in 1985 and quickly grew to a national program in 1993. CERT was developed in response to the need for immediate assistance to citizens during the early stages of a disaster. As mentioned before, citizens are likely to be on their own during the initial 72 hours of an event. During large-scale disasters, family members, co-workers, and neighbors were found spontaneously coming to the aid of each other. However, lack of training often led these unprompted volunteers to injury and sometimes to death. As an example, 100 untrained volunteers died while saving 700 other lives during the response to the 1985 Mexico City earthquake. Currently, CERT basic training includes nine (9) units covering various topics with each unit containing specific objectives.

In developing and maintaining a CERT program, dedicated City staff time is required, which has been a barrier for the City creating such a program locally. If the City Council is interested in establishing a CERT program in Arcadia, funds would need to be allocated for hiring, training, and staffing a CERT program manager. While the position would not itself be a full-time role, the requirements are beyond the time available to existing personnel.

CONCLUSIONS

As citizens in an unpredictable world, everyone must be prepared when disaster strikes. The City has trained and outfitted personnel to be able to respond to and lead the community through whatever emergencies may arise; however, residents must also take their own steps to ensuring they are well positioned to care for themselves and each other in an emergency. Part of this includes getting connected to the City's communications tools and emergency preparedness tools offered by the City, local utilities, and other

agencies in advance of emergencies and knowing where to go for information in an emergency.

ENVIRONMENTAL IMPACT

The proposed actions do not constitute a project under the California Environmental Quality Act ("CEQA"), based on Section 15061(b)(3) of the CEQA Guidelines, as it can be seen with certainty that they will have no impact on the environment. Thus, these matters are exempt under CEQA.

FISCAL IMPACT

This informational report has no direct impact on the General Fund at this time. However, should the City Council consider establishing a CERT Program for the City, additional funding would be necessary to fund staffing, equipment, training, and necessary supplies to implement the program.

RECOMMENDATION

It is recommended that the City Council further discuss options for community connection during emergencies and provide direction.

Approved:



Dominic Lazzaretto
City Manager

Attachment No. 1: Community Connect Flyer

Attachment No. 2: Alert Arcadia Flyer

WANT TO HELP OUR TEAM
NEXT TIME THERE IS A CALL TO YOUR HOME?

**SIGN UP FOR ARCADIA
COMMUNITY CONNECT TODAY**

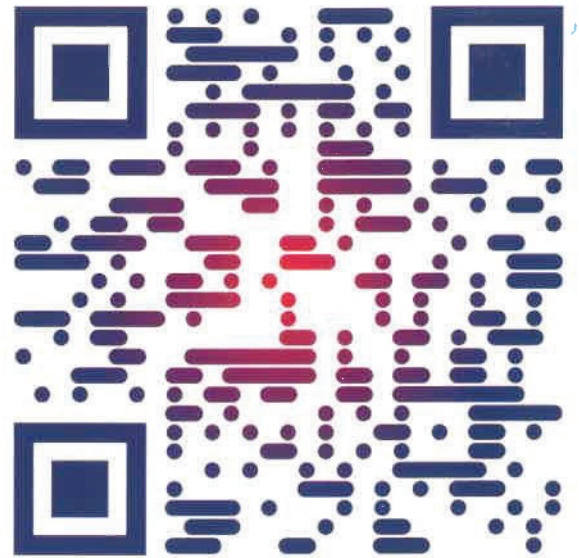


HOW YOU CAN HELP WITH ARCADIA COMMUNITY CONNECT

1 **CREATE AN ACCOUNT**
Sign in for free and get started doing your part.
It just takes your email, phone number and address.

2 **ENTER THE INFO THAT MATTERS MOST**
Enter valuable information that can help us
assist more effectively during an emergency.

3 **HELP FIRST RESPONDERS WHEN SECONDS COUNT**
That's it. Just keep us updated when things change
over time so we can always be prepared.



SCAN THIS CODE TO SIGN UP
firstduesizeup.com/cc/arcadia



CITY OF
ARCADIA

REGISTER TODAY FOR

ALERT ARCADIA

EMERGENCY NOTIFICATION SYSTEM

TEXT YOUR ZIP CODE TO 888777

ArcadiaCA.gov/alert



City news, special events,
& general information



Public safety
& crime prevention



Wellness, lifelong learning,
& community programs



Business, conservation,
& sustainability tips

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