



**MINUTES OF A REGULAR MEETING
SIGNAL HILL CITY COUNCIL**

May 3, 2011
7:00 p.m.

A Regular Meeting of the Signal Hill City Council was held in the Council Chamber of City Hall on May 3, 2011.

CALL TO ORDER – 6:00 p.m.

RECESS TO CLOSED SESSION

- a. A closed session was held pursuant to Government Code Section 54957.6, to discuss labor negotiations with the Signal Hill Employees' Association and the Signal Hill Police Officers Association.
- b. A closed session was held pursuant to Government Code Section 54956.9(a), existing litigation, City of Cerritos, et al. v. Water Replenishment District of Southern California.
- c. A closed session was held pursuant to Government Code Section 54956.9(b)(3)(A), potential litigation in an undisclosed matter.

RECONVENE – 7:07 p.m.

ROLL CALL

PRESENT: MAYOR FORESTER
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

ABSENT: VICE MAYOR HANSEN

PLEDGE OF ALLEGIANCE

Mayor Forester led the audience in the Pledge of Allegiance.

CLOSED SESSION REPORT

City Attorney reported on closed session items. With regards to items (a) and (c), status reports were given and directions for further negotiations. No reportable action was taken. Regarding agenda item (b), the three cities won the case against the Water Replenishment District. A report will be prepared and presented at a future meeting.

PUBLIC BUSINESS FROM THE FLOOR

Maria Harris, Signal Hill resident addressed Council and announced the statement she prepared and read at the last meeting were not attached to the minutes at the Library.

City Manager informed Ms. Harris the statement was attached to the minutes for Council and staff would check the agenda at the Library.

Carole Yochum, Signal Hill resident addressed Council regarding recent posts on Signal Hill Voice by individuals who will not state their names.

Bill Yochum, Signal Hill resident addressed Council regarding the recent statement by Maria Harris posted on Signal Hill Voice and the recent article in the Beachcomber Newspaper and stated information contained in both is not factual.

It was moved by COUNCIL MEMBER WARD and seconded by COUNCIL MEMBER NOLL to add a presentation of a proclamation to Long Beach Gay Pride to the agenda.

The following vote resulted:

AYES: MAYOR FORESTER
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: VICE MAYOR HANSEN

ABSTAIN: NONE

PRESENTATION(S)

- a. Mayor Forester presented a proclamation to Co-Presidents Bob Crow and Pat Crosby with Long Beach Gay Pride.
- b. Community Services Director gave a presentation on the improvements at Reservoir Park.

ORDINANCE(S)

- a. Adoption of Ordinance No. 2011-04-1424 Amending Title 20 of the Signal Hill Municipal Code Prohibiting Establishment of Medical Marijuana Dispensaries Citywide

City Manager presented the staff report.

It was moved by COUNCIL MEMBER NOLL and seconded by COUNCIL MEMBER WARD to waive further reading and adopt Ordinance No. 2011-04-1424 adopting Zoning Ordinance Amendment 11-02, a request to amend the Signal Hill Municipal Code by listing 'Medical Marijuana Dispensary' as a prohibited use in all zoning districts including Chapter 20.20, entitled "Commercial Districts," Chapter 20.30, entitled "SP-10, Pacific Coast Highway Specific Plan," Chapter 20.32, entitled "SP-12, Freeway Self-Storage Specific Plan," Chapter 20.39, entitled "SP-19, General Industrial Specific Plan," Chapter 20.40, entitled "SP-1, Town Center East Specific Plan," Chapter 20.45, entitled "SP-3, Town Center West Specific Plan," Chapter 20.47, entitled "SP-4, Auto Center Specific Plan," Chapter 20.49, entitled "SP-6, Commercial Corridor Specific Plan," and prohibiting the use as a home occupation in all Residential Zoning Districts under Chapter 20.04 "definitions."

City Attorney read the title of Ordinance No. 2011-04-1424:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, ADOPTING ZONING ORDINANCE AMENDMENT 11-02, A REQUEST TO AMEND THE SIGNAL HILL MUNICIPAL CODE BY LISTING 'MEDICAL MARIJUANA DISPENSARY' AS A PROHIBITED USE IN ALL ZONING DISTRICTS INCLUDING CHAPTER 20.20, ENTITLED "COMMERCIAL DISTRICTS," CHAPTER 20.30, ENTITLED "SP-10, PACIFIC COAST HIGHWAY SPECIFIC PLAN," CHAPTER 20.32, ENTITLED "SP-12, FREEWAY SELF-STORAGE SPECIFIC PLAN," CHAPTER 20.39, ENTITLED "SP-19, GENERAL INDUSTRIAL SPECIFIC PLAN," CHAPTER 20.40, ENTITLED "SP-1, TOWN CENTER EAST SPECIFIC PLAN," CHAPTER 20.45, ENTITLED "SP-3, TOWN CENTER WEST SPECIFIC PLAN," CHAPTER 20.47, ENTITLED "SP-4, AUTO CENTER SPECIFIC PLAN," CHAPTER 20.49, ENTITLED "SP-6, COMMERCIAL CORRIDOR SPECIFIC PLAN," AND PROHIBITING THE USE AS A HOME OCCUPATION IN ALL RESIDENTIAL ZONING DISTRICTS UNDER CHAPTER 20.04 "DEFINITIONS"

The following vote resulted:

AYES: MAYOR FORESTER
COUNCIL MEMBER NOLL
COUNCIL MEMBER WARD
COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: VICE MAYOR HANSEN

ABSTAIN: NONE

b. Adoption of Ordinance No. 2011-04-1425 Amending Chapter 10.40 of the Signal Hill Municipal Code Relating to Speed Limits

City Manager presented the staff report.

It was moved by COUNCIL MEMBER WARD and seconded by COUNCIL MEMBER NOLL to waive further reading and adopt Ordinance No. 2011-04-1425 amending a portion of Chapter 10.40 of the Signal Hill Municipal Code relating to the speed limit on Walnut Avenue between Burnett Street and Willow Street.

City Attorney read the title of Ordinance No. 2011-04-1425:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, AMENDING A PORTION OF CHAPTER 10.40 OF THE SIGNAL HILL MUNICIPAL CODE RELATING TO THE SPEED LIMITS ON WALNUT AVENUE BETWEEN BURNETT STREET AND WILLOW STREET

The following vote resulted:

AYES: MAYOR FORESTER
COUNCIL MEMBER NOLL
COUNCIL MEMBER WARD
COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: VICE MAYOR HANSEN

ABSTAIN: NONE

CITY MANAGER REPORTS

a. Presentation – Independent Evaluation of the City Water System Operations

City Manager introduced the Deputy City Manager who presented the staff report.

Deputy City Manager introduced Don Roberson with Tetra Tech who presented the findings after the Independent Evaluation of the City of Signal Hill Water Department System Operations.

Council asked questions regarding the testing and findings by Tetra Tech.

Mayor Forester invited anyone wishing to speak to please come forward.

Maria Harris, Signal Hill resident spoke regarding the water system operations, data collection, deviations from standard procedures and human behavior.

Matt Simmons, Signal Hill resident spoke regarding the disinfectant levels of the water and requested increased transparency and placing results of water samples collected on the website.

Don Roberson with Tetra Tech addressed the concerns and comments made by Ms. Harris and Mr. Simmons and answered questions of Council.

Dean Fazio, former Signal Hill employee read a statement regarding the water department, water quality, and personnel issues.

City Attorney warned Mr. Fazio about commenting on personnel issues and making information public.

Don Roberson addressed comments made by Dean Fazio.

Maria Harris commented on personnel issues and claims made by Mr. Fazio.

It was moved by COUNCIL MEMBER WARD and seconded by COUNCIL MEMBER NOLL to receive and file.

The following vote resulted:

AYES: MAYOR FORESTER
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: VICE MAYOR HANSEN

ABSTAIN: NONE

Council Member Ward left Council Chamber at 8:08 p.m.

b. Resolution Authorizing the City to Enter Into an Agreement with Long Beach Unified School District to Provide Matching Funds for the Installation of a Traffic Signal at Cherry Avenue and 20th Street

City Manager introduced the Public Works Director who presented the staff report.

Council Member Ward returned to Council Chamber at 8:10 p.m.

It was moved by COUNCIL MEMBER WILSON and seconded by COUNCIL MEMBER WARD to authorize the City Manager to enter into an agreement with Long Beach Unified School District to provide matching funds for the installation of a traffic signal at Cherry Avenue and 20th Street in a form approved by the City Attorney.

City Attorney read the title of Resolution No. 2011-05-5890:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, AUTHORIZING AN AGREEMENT WITH LONG BEACH UNIFIED SCHOOL DISTRICT TO PROVIDE MATCHING FUNDS FOR THE INSTALLATION OF A TRAFFIC SIGNAL AT CHERRY AVENUE AND 20TH STREET

The following vote resulted:

AYES: MAYOR FORESTER
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: VICE MAYOR HANSEN

ABSTAIN: NONE

c. Gateway Cities Subregional Sustainable Communities Strategy (SCS) Under SB 375

City Manager presented the staff report.

It was moved by COUNCIL MEMBER NOLL and seconded by COUNCIL MEMBER WARD to receive and file.

The following vote resulted:

AYES: MAYOR FORESTER
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: VICE MAYOR HANSEN

ABSTAIN: NONE

Council Member Noll left Council Chamber at 8:53 p.m.

CONSENT CALENDAR

- a. Contracts for Police Towing Services with Mr. C's Towing Inc. and Kruger Tow Inc.

Summary: The Signal Hill Police Department utilizes the services of two tow companies to provide towing and storage of vehicles at the direction of the Police Department. The original agreement executed in May 2007 expired in May 2010. Pursuant to Section 3.4 of the original agreement, the City has the right to renew the agreement on or before its expiration for up to two one-year periods. On March 16, 2010, the Council approved the first extension. The City Council will consider the second contract extensions with Mr. C's Towing Inc. and Kruger Tow Inc.

Recommendation: Authorize the City Manager to enter into the second and final renewal of a one-year Contract Services Agreement extension between the City and Mr. C's Towing Inc. and the City and Kruger Tow Inc., subject to City Attorney approval as to form.

- b. Purchase of Replacement Vehicle

Summary: Staff is seeking authorization to purchase a replacement vehicle used by the Police Department.

Recommendation: Authorize the Police Department to purchase one 2011 Ford Crown Victoria Police Interceptor sedan, through the Cooperative Purchase Provision of the County of Los Angeles PO# DPO-SH-11321410-1.

- c. Warrant Register Dated May 3, 2011

Summary: The Warrant Register is a listing of all general checks issued since the prior warrant register and warrants to be released upon City Council approval.

Recommendation: Authorize payment of Warrant Register dated May 3, 2011.

- d. Minutes of the Following Meeting(s)

Regular Meeting of the City Council, April 19, 2011.

Recommendation: Approve.

Council Member Noll returned to Council Chamber at 8:55 p.m.

It was moved by and seconded by COUNCIL MEMBER NOLL and seconded by COUNCIL MEMBER WARD to approve the Consent Calendar.

The following vote resulted:

AYES: MAYOR FORESTER
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: VICE MAYOR HANSEN

ABSTAIN: NONE

PUBLIC BUSINESS FROM THE FLOOR

There was no public business from the floor.

COUNCIL AGENDA--NEW BUSINESS

Council Member Noll announced he feels his hands are tied regarding responding to allegations brought up earlier during Dean Fazio's statement and asked the City Attorney for some guidance before commenting on personnel issues.

City Attorney addressed Council Member Noll's questions and announced Mr. Fazio made allegations and accusations of former fellow employees publicly and he would have to review the statement carefully before they could comment publicly.

City Manager announced Mr. Fazio was contacted and they had asked for permission to release documents and he refused.

Council Member Noll requested the City Attorney look at the statement read earlier by Mr. Fazio to determine what Council responds to.

City Manager announced allegations regarding employee safety and the safety of the drinking water are taken very seriously.

Council Member Noll questioned the crime statistics in Signal Hill and how they are classified.

Captain Mark answered Council Member Noll's questions.

Council Member Noll announced he attended an event last week honoring Craig Barto and awarding him Entrepreneur of the Year.

Council Member Ward echoed Council Member Noll's comments about Craig Barto.

Council Member Ward announced her attendance at a Redistricting Commission meeting on Wednesday evening with Mayor Forester.

Council Member Ward commented on the positive things that happened during the week, such as the royal wedding which she viewed live and how pleasant it is to have something positive in the news.

Council Member Wilson announced he will be attending the Southern California Association of Governments General Assembly meeting on Thursday and Friday.

Council Member Wilson asked how long the meeting minutes stay on the website and commented that minutes are not verbatim and the meetings are streamed for viewing and every individual can be heard by watching the meetings online.

Council Member Wilson asked when the turn signal on the corner of Redondo Avenue and PCH will be turned on.

City Manager announced staff will obtain that information.

Council Member Wilson announced the AQMD Lawnmower exchange is May 14th in Long Beach. You can exchange an old gas lawnmower for a new electric lawnmower. The AQMD also has an opening for a Public Member and a non-elected Los Angeles County resident may apply.

Council Member Wilson announced he attended the Celebration of Life for former Congressman Steve Horn.

Council Member Wilson announced he would like to request an independent evaluation on personnel to get to the bottom of the retaliation issue.

Council Member Noll announced he also attended the Celebration of Life for former Congressman Steve Horn and remembers how instrumental he was in assisting with the City obtaining its own zip code.

Mayor Forester echoed the sentiments of Council Member Noll regarding former Congressman Horn.

Mayor Forester announced recycling household batteries is ongoing at City Hall. A collection bin is located in the lower level lobby area. Please call (562) 989-7355 for additional information.

Mayor Forester announced two terms are expiring for Civil Service, Parks & Recreation and Planning Commissions. Please complete an online application by 4:30 p.m. on Friday, May 6th at www.cityofsignalhill.org.

Mayor Forester announced he hopes Tetra Tech's report eases the minds of Signal Hill residents regarding the safety of Signal Hill water.

Mayor Forester announced he attended the Long Beach Chamber of Commerce lunch honoring Craig Barto as Entrepreneur of the Year and congratulated Craig.

ADJOURNMENT

It was moved by COUNCIL MEMBER NOLL and seconded by COUNCIL MEMBER WARD, to adjourn tonight's meeting to the next regular meeting to be held on Tuesday, May 17, 2011 at 7:00 p.m., in the Council Chamber of City Hall, 2175 Cherry Avenue, Signal Hill, CA, 90755.

The following vote resulted:

AYES: MAYOR FORESTER
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: VICE MAYOR HANSEN

ABSTAIN: NONE

MAYOR FORESTER adjourned the meeting at 9:26 p.m.

Larry Forester
Mayor

Attest:

Kathleen L. Pacheco
City Clerk