



MINUTES OF A REGULAR MEETING SIGNAL HILL CITY COUNCIL

October 4, 2011
7:00 p.m.

A Regular Meeting of the Signal Hill City Council was held in the Council Chamber of City Hall on October 4, 2011.

CALL TO ORDER – 6:30 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.
- b. A closed session was held pursuant to Government Code Section 54956.9, existing litigation, regarding California Redevelopment Association, League of California Cities, and John Shirey v. the State of California.

RECONVENE – 7:12 p.m.

ROLL CALL

PRESENT: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER WILSON
 COUNCIL MEMBER WARD

ABSENT: COUNCIL MEMBER NOLL

PLEDGE OF ALLEGIANCE

Mayor Forester led the audience in the Pledge of Allegiance.

CLOSED SESSION REPORT

City Attorney reported on closed session item (a). A status report was given and no reportable action was taken. Agenda item (b) was not discussed. City Attorney requested adding the following item and recess to closed session at the conclusion of tonight's meeting:

- c. A closed session will be held pursuant to Government Code Section 54956.9(a), existing litigation, City of Cerritos, et al. v. Water Replenishment District of Southern California.

PUBLIC BUSINESS FROM THE FLOOR

Maria Harris, Signal Hill resident addressed Council regarding the addition of the closed session item and her concerns regarding procedures required by the Brown Act. City Attorney advised Ms. Harris the added agenda item needed action prior to the next regular meeting.

ORDINANCE(S)

- a. Ordinance Continuing the Signal Hill Redevelopment Agency

City Manager presented the staff report.

Council Member Wilson asked if there was a change regarding the stay of the Supreme Court and allowing time to respond once the ruling has been made. City Attorney advised Council Member Wilson nothing has changed since the last meeting. The State has indicated it is their intention to grant additional time once a ruling has been made, but since there is no guarantee he recommends taking this action.

Maria Harris, Signal Hill resident asked if a decision has been made regarding the appeal. City Attorney explained the process and advised Ms. Harris the appeal is not due to be heard until January 15, 2012. Ms. Harris spoke in opposition of the ordinance and read a suggested amendment to Section 6 of the ordinance (attached).

Council Member Wilson asked why there was only one ordinance. City Manager advised Council Member Wilson the resolutions were approved at the special meeting on September 27th and this was the only item requiring an ordinance.

It was moved by COUNCIL MEMBER WARD and seconded by VICE MAYOR HANSEN to waive further reading and introduce Ordinance No. 2011-10-1436 determining it will comply with the Voluntary Alternative Redevelopment Program pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in order to permit the continued existence and operation of the Signal Hill Redevelopment Agency Project Area Number One.

City Attorney read the title of Ordinance No. 2011-10-1436:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, DETERMINING IT WILL COMPLY WITH THE VOLUNTARY ALTERNATIVE REDEVELOPMENT PROGRAM PURSUANT TO PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE IN ORDER TO PERMIT THE CONTINUED EXISTENCE AND OPERATION OF THE SIGNAL HILL REDEVELOPMENT AGENCY PROJECT AREA NUMBER ONE

The following vote resulted:

AYES: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER WARD

NOES: COUNCIL MEMBER WILSON

ABSENT: COUNCIL MEMBER NOLL

ABSTAIN: NONE

Council Member Wilson announced he is very much in support of the Redevelopment Agency and his reason for voting no is because he feels this action is premature.

PUBLIC HEARING(S)

- a. Continued Public Hearing – Zoning Ordinance Amendment for Tattoo and/or Body Piercing Studios

City Manager introduced the Community Development Director and Associate Planner who presented the staff report.

Council Member Ward expressed concerns about the residences along Willow Street. Community Development Director advised that with the 1,000 ft. separation from residential area, this would address those concerns.

Council Member Wilson discussed the area at Hill Street and Redondo Avenue and the school to be built on that site. Community Development Director explained the zoning of the property could be confirmed and no amendments would be necessary.

Mayor Forester re-opened the public hearing at 8:05 p.m.

Mayor Forester invited anyone in favor of or opposed to the ordinance to please come forward.

Bob Mendoza, Signal Hill resident did not speak in favor of or opposed to the ordinance but he presented petitions to Council that he circulated to residents and spoke of his experience speaking with citizens regarding tattoos and asked that Council wait for all five Council Members to be present prior to voting.

Maria Harris, Signal Hill resident announced she participated in the survey given to Signal Hill residents presented to the Planning Commission and she presented five additional opinions from residents who also participated in the survey and all were in favor of the 1,000 ft. separation from the sensitive areas.

Shannon Murphy, Signal Hill resident announced she accompanied Bob Mendoza in the Willow Ridge area and all residents she spoke with asked for the 1,000 ft. separation from the sensitive areas. Ms. Murphy spoke about visiting tattoo parlors and spoke in favor of the 1,000 ft. separation.

Tom Benson, Signal Hill resident spoke in favor of approving at the 1,000 ft separation and collecting additional information.

Tiffany Garcia, business applicant confirmed Council received a book of statistics she sent to Council. Mayor Forester confirmed the information was received and questioned whether the statistics provided were factual. Ms. Garcia informed Mayor Forester they were obtained from the Internet. Ms. Garcia asked if a limit could be placed on the number of business licenses issued for tattoo parlors and felt the regulations included in the ordinance are extreme. Ms. Garcia asked for equality for the business of tattoo parlors.

Mayor Forester asked Ms. Garcia how many individuals received her book of statistics. Ms. Garcia announced the booklets were only given to City Council but she had an additional copy if anyone would like to review.

Gloria Nava, Signal Hill resident spoke regarding the issues of tattoo parlors and felt the residents showed more than just a general concern, and spoke about the sensitive land uses.

Mayor Forester asked Ms. Nava about her relationship to Mr. Mendoza. Gloria Nava informed Mayor Forester that Mr. Mendoza is her husband.

Seeing there was no one else wishing to speak in opposition to or in favor of the ordinance, Mayor Forester closed the public hearing at 8:32 p.m.

Council Member Wilson asked why the Planning Commission decided not to use a Conditional Use Permit. Community Development Director and City Attorney advised it was due to the legal concerns and they did not want to confuse the general public.

City Council discussed concerns regarding the 500 ft. vs. 1,000 ft. from sensitive land uses and Mayor Forester invited the Police Chief to please come forward to speak about the crime statistics presented earlier by Ms. Garcia.

Police Chief presented FBI crime statistics for Signal Hill for 2009 and 2010 that contradicted the statistics presented by Ms. Garcia. He also pointed out that Ms. Garcia's statistics were found on a real estate website which states the information is reliable but not guaranteed. Mayor Forester thanked the Police Chief.

Council Member Wilson asked if it was possible to restrict ownership of these businesses to non-felons. City Attorney suggested if that is a serious concern, there would have to be some research conducted and brought back to Council.

City Council and City Attorney discussed the resolution and the ordinance and requesting the change to 1,000 ft. prior to adopting.

It was moved by COUNCIL MEMBER WARD and seconded by VICE MAYOR HANSEN to waive further reading adopt Resolution No. 2011-10-5916 approving Negative Declaration 07/29/11(1), relative to Zoning Ordinance Amendment 11-04, a request to amend Signal Hill Municipal Code Chapter 20.20, entitled "Commercial Districts," to include 'Tattoo and/or body piercing studio' as a permitted use in the CG, Commercial General, CO, Commercial Office, CTC, Commercial Town Center, CI, Commercial Industrial, LI, Light Industrial, GI General Industrial, and SP-10, Pacific Coast Highway Specific Plan, zoning districts, subject to a separation distance of 1,000 feet from sensitive land uses such as residential zones, churches, schools, parks, libraries and community centers and a minimum distance of 1,000 feet from a similar tattoo and body piercing establishment and to adopt by reference portions of Chapter 11.36 of the Los Angeles County Code, entitled "Body Art Establishments," and portions of Part 1, Chapter 36, of the Los Angeles County Code Environmental Health Regulations, entitled "Body Art Regulations".

City Attorney read the title of Resolution No. 2011-10-5916

A RESOLUTION OF CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, APPROVING NEGATIVE DECLARATION 07/29/11(1), RELATIVE TO ZONING ORDINANCE AMENDMENT 11-04, A REQUEST TO AMEND SIGNAL HILL MUNICIPAL CODE CHAPTER 20.20, ENTITLED "COMMERCIAL DISTRICTS," TO INCLUDE 'TATTOO AND/OR BODY PIERCING STUDIO' AS A PERMITTED USE IN THE CG, COMMERCIAL GENERAL, CO, COMMERCIAL OFFICE, CTC, COMMERCIAL TOWN CENTER, CI, COMMERCIAL INDUSTRIAL, LI, LIGHT INDUSTRIAL, GI, GENERAL INDUSTRIAL, AND SP-10, PACIFIC COAST HIGHWAY SPECIFIC PLAN, ZONING DISTRICTS, SUBJECT TO A SEPARATION DISTANCE OF 1,000 FEET FROM SENSITIVE LAND USES SUCH AS RESIDENTIAL ZONES, CHURCHES, SCHOOLS, PARKS, LIBRARIES AND COMMUNITY CENTERS AND A MINIMUM DISTANCE OF 1,000 FEET FROM A SIMILAR TATTOO AND BODY PIERCING ESTABLISHMENT AND TO ADOPT BY REFERENCE PORTIONS OF CHAPTER 11.36 OF THE LOS ANGELES COUNTY CODE, ENTITLED "BODY ART ESTABLISHMENTS," AND PORTIONS OF PART 1, CHAPTER 36, OF THE LOS ANGELES COUNTY CODE ENVIRONMENTAL HEALTH REGULATIONS, ENTITLED "BODY ART REGULATIONS"

The following vote resulted:

AYES: MAYOR FORESTER
VICE MAYOR HANSEN
COUNCIL MEMBER WARD
COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: COUNCIL MEMBER NOLL

ABSTAIN: NONE

It was moved by COUNCIL MEMBER WILSON and seconded by VICE MAYOR HANSEN to approve the use with 1,000 feet distance for both sensitive land use and other uses.

The following vote resulted:

AYES: MAYOR FORESTER
VICE MAYOR HANSEN
COUNCIL MEMBER WARD
COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: COUNCIL MEMBER NOLL

ABSTAIN: NONE

It was moved by COUNCIL MEMBER WILSON and seconded by VICE MAYOR HANSEN to wait for a report back from the Planning Commission.

The following vote resulted:

AYES: MAYOR FORESTER
VICE MAYOR HANSEN
COUNCIL MEMBER WARD
COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: COUNCIL MEMBER NOLL

ABSTAIN: NONE

CITY MANAGER REPORTS

a. Electric Car Charging Stations

City Manager introduced Public Works Director and John Whitney, a representative from Clean Fuel Connection, Inc. who presented the staff report.

City Attorney and Mr. Whitney discussed the timeframe and deadline to complete the contract.

Council Member Wilson discussed the software and operations of the charging stations as well as the location. Public Works Director and Mr. Whitney informed Council Member Wilson the operations of the charging stations will be determined when the rate structure report is completed and brought back to Council and in order to qualify for the CEC grant money the charging stations have to be installed at a government agency.

It was moved by COUNCIL MEMBER WARD and seconded by COUNCIL MEMBER WILSON to authorize the City Manager to enter into two separate Contract Services Agreements, in a form approved by the City Attorney, with Coulomb Technologies for the installation and management of electric vehicle (EV) charging stations.

The following vote resulted:

AYES: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: COUNCIL MEMBER NOLL

ABSTAIN: NONE

Bob Mendoza, Signal Hill resident asked about public access to the parking lot where the charging stations will be installed. Public Works Director advised Mr. Mendoza the spaces for the charging stations would be available to the public seven days a week.

b. Amendment No. 1 to the Contract Services Agreement for Engineering Services with Tetra Tech, Inc.

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

It was moved by COUNCIL MEMBER WARD and seconded by VICE MAYOR HANSEN to authorize the City Manager to execute an amendment to the Contract Services Agreement for professional engineering services with Tetra Tech, Inc., in a form approved by the City Attorney, increasing the contract sum for FY 2011-12 by \$44,100.

The following vote resulted:

AYES: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: COUNCIL MEMBER NOLL

ABSTAIN: NONE

c. Second Meeting in December

City Manager presented the staff report.

City Council discussed the second meeting in December.

It was moved by COUNCIL MEMBER WARD and seconded by VICE MAYOR HANSEN to cancel the December 20, 2011 City Council meeting.

The following vote resulted:

AYES: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: COUNCIL MEMBER NOLL

ABSTAIN: NONE

CONSENT CALENDAR

a. Claim for Damages

Summary: The City has received a claim for financial reimbursement from Laurie Whall for bodily injury.

Recommendation: Deny the claim of Laurie Whall.

b. Purchase of Replacement Vehicle

Summary: Staff is seeking authorization to purchase a replacement vehicle for use 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 No. DPO-SH-11321410-1.

c. Resolution Establishing CalPERS Health Insurance Contribution

Summary: The Public Employees' Medical and Hospital Care Act requires a resolution to establish contribution rates for City employees and retirees for calendar year 2012.

Recommendation: Waive further reading and adopt the resolution repealing Resolution No. 2010-09-5844 and fixing the employer's contribution under the Public Employees' Medical and Hospital Care Act.

d. Extension of Contract Services Agreement with the Conservation Corps of Long Beach

Summary: For several years, the Conservation Corps of Long Beach has provided maintenance support services to Public Works Maintenance Operations. Staff recommends City Council approval to extend the contract for maintenance support for a period of three-years at the same annual cost.

Recommendation: Authorize the City Manager to execute an amendment to the Contract Services Agreement, between the City and the Conservation Corps of Long Beach in the amount of \$35,000, to provide a corps member to supplement the Public Works Maintenance Operations Program, in a form approved by the City Attorney.

e. Approval of Alcohol Use for Knights of Pythias Event

Summary: The Signal Hill Community Foundation is partnering with the Lakewood/Long Beach Knights of Pythias, Lodge No. 403, for a fundraiser. They are seeking permission from the City Council to provide alcoholic beverages at their event scheduled for November 10, 2011, in the Signal Hill Park Community Center. Per Resolution No. 99-12-4976, such an application must be approved by the City Council.

Recommendation: Authorize the Signal Hill Community Foundation and the Knights of Pythias, Lodge No. 403, to provide alcoholic beverages at this event.

f. Warrant Register Dated October 4, 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 October 4, 2011.

g. Minutes of the Following Meeting(s)

Regular Meeting of the City Council, September 20, 2011.

Recommendation: Approve.

Mayor Forester asked to pull item (d) and (g) from the Consent Calendar.

It was moved by VICE MAYOR HANSEN and seconded by COUNCIL MEMBER WILSON to approve the Consent Calendar items (a) thru (c), (e) and (f).

The following vote resulted:

AYES: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: COUNCIL MEMBER NOLL

ABSTAIN: NONE

Mayor Forester announced he pulled item (d) from the Consent Calendar because he sits on the Board for the Conservation Corps of Long Beach. It is a 501(3)(c) non-profit and is working well for all cities.

It was moved by VICE MAYOR HANSEN and seconded by COUNCIL MEMBER WILSON to approved item (d) of the Consent Calendar.

The following vote resulted:

AYES: VICE MAYOR HANSEN
COUNCIL MEMBER WARD
COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: COUNCIL MEMBER NOLL

ABSTAIN: MAYOR FORESTER

It was moved by COUNCIL MEMBER WARD and seconded by VICE MAYOR HANSEN to approve item (g) of the Consent Calendar.

The following vote resulted:

AYES: MAYOR FORESTER
VICE MAYOR HANSEN
COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: COUNCIL MEMBER NOLL

ABSTAIN: COUNCIL MEMBER WARD

PUBLIC BUSINESS FROM THE FLOOR

There was no public business from the floor.

COUNCIL AGENDA--NEW BUSINESS

Council Member Ward thanked Mary Justice and the Signal Hill Historical Society for a successful pancake breakfast. Council Member Ward thanked the major sponsors for the event: Signal Hill Petroleum, Shell Oil, Signal Hill Disposal, Aleshire & Wynder, Willow Wellness Center, Jiffy Signs, Rossmoor Bakery and a big thank you to the Community Services Department.

Council Member Wilson announced the Gateway Cities Council of Governments has an opening on the Gateway Cities Service Council for Transit. It is a non-elected position. If interested, please call (562) 663-6850.

Vice Mayor Hansen thanked the Los Angeles County Fire Department for assisting at the pancake breakfast.

Vice Mayor Hansen thanked and acknowledged Chief Langston for a job well done and exhibiting such great leadership.

Mayor Forester announced the Walk for Long Beach Animals at El Dorado Park on Saturday, October 8th.

RECESS TO CLOSED SESSION

It was moved by VICE MAYOR HANSEN and seconded by COUNCIL MEMBER WARD to recess to closed session at 9:39 p.m.

The following vote resulted:

AYES: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: COUNCIL MEMBER NOLL

ABSTAIN: NONE

CALL BACK TO ORDER – 9:58 P.M.

ROLL CALL

PRESENT: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER WILSON
 COUNCIL MEMBER WARD

ABSENT: COUNCIL MEMBER NOLL

CLOSED SESSION REPORT

City Attorney reported on closed session item. Status report was given and no reportable action was taken.

ADJOURNMENT

It was moved by COUNCIL MEMBER WARD and seconded by COUNCIL MEMBER WILSON, to adjourn tonight's meeting to the next regular meeting to be held on Tuesday, October 18, 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
 VICE MAYOR HANSEN
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: COUNCIL MEMBER NOLL

ABSTAIN: NONE

MAYOR FORESTER adjourned the meeting at 9:59 p.m.

Larry Forester
Mayor

Attest:

Kathleen L. Pacheco
City Clerk