



**MINUTES OF A REGULAR MEETING
SIGNAL HILL CITY COUNCIL**
February 7, 2012

A Regular Meeting of the Signal Hill City Council was held in the Council Chamber of City Hall on February 7, 2012.

CALL TO ORDER – 6:02 p.m.

ROLL CALL

PRESENT: MAYOR FORESTER
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD

ABSENT: VICE MAYOR HANSEN
 COUNCIL MEMBER WILSON

CLOSED SESSION ITEMS

- a. A closed session will be held pursuant to Government Code Section 54956.9(b)(3)(A), potential litigation in an undisclosed matter.
- b. A closed session will be held pursuant to Government Code Section 54956.9, existing litigation, regarding Central and West Basin Replenishment District v. Adams, et al., Case No. C786656.

PUBLIC BUSINESS FROM THE FLOOR ON CLOSED SESSION ITEMS

There was no public business from the floor.

RECESS TO CLOSED SESSION AT 6:03 p.m.

It was moved by COUNCIL MEMBER NOLL and seconded by COUNCIL MEMBER WARD to recess to Closed Session.

The following vote resulted:

AYES: MAYOR FORESTER
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD

NOES: NONE

ABSENT: VICE MAYOR HANSEN
 COUNCIL MEMBER WILSON

ABSTAIN: NONE

Council Member Hansen entered closed session at 6:05 p.m.

RECONVENE REGULAR MEETING CITY COUNCIL – 7:07 p.m.

PLEDGE OF ALLEGIANCE

Mayor Forester led the audience in the Pledge of Allegiance.

CLOSED SESSION REPORT

City Attorney reported on closed session items. Status reports were given and no reportable action was taken.

PUBLIC BUSINESS FROM THE FLOOR ON ITEMS NOT LISTED ON THIS AGENDA

Gloria Nava, Signal Hill resident announced the Signal Hill Historical Society is hosting Casino Night at the Signal Hill Community Center on February 18, 2012 at 6:30 p.m.

Bob Mendoza, Signal Hill resident addressed Council regarding the issue of an in-car computer system for the Police Department and read a statement (attached).

Nestor Valencia, Signal Hill business owner and Council Member for the city of Bell thanked Council and the City Manager for their support and for assisting with water rate information.

Mayor Forester requested a group picture of City Council with Council Member Valencia.

PRESENTATION(S)

- a. Mayor Forester introduced Charles Hughes, new Library Assistant for the Signal Hill Library.

ORDINANCE(S)

- a. Ordinance Amending Signal Hill Municipal Code to Purchase Precinct Ballots for General Municipal Elections at 50 Percent of Voter Registration

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. 2012-01-1442 amending Chapter 1.14 of the Signal Hill Municipal Code, entitled Municipal Elections, to permit the purchase of precinct of ballots for General Municipal Elections at fifty percent of voter registration.

City Attorney read the title of Ordinance No. 2012-01-1442:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, AMENDING CHAPTER 1.14 OF THE SIGNAL HILL MUNICIPAL CODE, ENTITLED MUNICIPAL ELECTIONS, TO PERMIT THE PURCHASE OF PRECINCT BALLOTS FOR GENERAL MUNICIPAL ELECTIONS AT FIFTY PERCENT OF VOTER REGISTRATION

The following vote resulted:

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

NOES: NONE

ABSENT: COUNCIL MEMBER WILSON

PUBLIC HEARING(S)

- a. Introduction of a Zoning Ordinance Amendment Permitting Animal Boarding/Daycare; An Ordinance Amending Signal Hill Municipal Code Chapters 6.04, Entitled "Animal Control"; An Ordinance Amending Chapter 9.61, Entitled "Noise"; and Approval of a Conditional Use Permit for Animal Boarding/Daycare at 2655 St. Louis Avenue

City Clerk read form of notice.

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

Council Member Wilson entered Council Chamber at 7:24 p.m.

Council Member Noll asked and received clarification regarding staff on site for long term care.

Council Member Wilson clarified the restrictions for dogs being outdoors during evening hours and suggested a distance between any additional business locations

Mayor Forester opened the public hearing at 7:40 p.m.

Mayor Forester invited anyone wishing to speak in favor of the amendments to please come forward.

Danielle Portillo and Vivien Dominguez, co-owners of *Bark! Bark!* introduced themselves to City Council.

Tom Benson, Signal Hill resident and business owner spoke in favor of the amendments.

Melissa Guy, Signal Hill business owner spoke in favor of the amendments and asked about dogs being out during evening hours.

Robert Foster, customer of *Bark! Bark!* spoke in favor of the amendments.

Donna Banks, customer of *Bark! Bark!* spoke in favor of the amendments.

Mayor Forester invited anyone wishing to speak in opposition to the amendments to please come forward. No comment was received.

Community Development Director addressed the questions regarding dogs being out during evening hours.

Mayor Forester closed the public hearing at 7:44 p.m.

It was moved by COUNCIL MEMBER NOLL and seconded by COUNCIL MEMBER WARD to waive further reading and adopt Resolution No. 2012-02-5933 approving Mitigated Negative Declaration 12/30/11(1) for the addition of "Animal Boarding Daycare" as a permitted use in the CI, LI, and GI zoning districts, and to conditionally permit such a use at 2655 St. Louis Avenue located in the CI, Commercial Industrial, zoning district.

City Attorney read the title of Resolution No. 2012-02-5933:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, APPROVING MITIGATED NEGATIVE DECLARATION 12/30/11(1) FOR THE ADDITION OF "ANIMAL BOARDING/DAYCARE" AS A PERMITTED USE IN THE CI, LI, AND GI ZONING DISTRICTS, AND TO CONDITIONALLY PERMIT SUCH A USE AT 2655 ST. LOUIS AVENUE LOCATED IN THE CI, COMMERCIAL INDUSTRIAL, ZONING DISTRICT

The following vote resulted:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

It was moved by COUNCIL MEMBER NOLL and seconded by COUNCIL MEMBER WARD to waive further reading and introduce Ordinance No. 2012-02-1443 approving zoning ordinance amendment 11-06, adding "Animal Boarding/Daycare" as a permitted use in the CI, LI and GI zoning districts subject to a conditional use permit, and revising the performance standards for such uses and Ordinance No. 2012-02-1444 amending Signal Hill Municipal Code Chapter 6.04, entitled "Animal Control," and Signal Hill Municipal Code Chapter 9.16, entitled "Noise".

City Attorney read the title of Ordinance No. 2012-02-1443:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT 11-06, ADDING "ANIMAL BOARDING/DAYCARE" AS A PERMITTED USE IN THE CI, LI AND GI ZONING DISTRICTS SUBJECT TO A CONDITIONAL USE PERMIT, AND REVISING THE PERFORMANCE STANDARDS FOR SUCH USES

City Attorney read the title of Ordinance No. 2012-02-1444:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, AMENDING SIGNAL HILL MUNICIPAL CODE CHAPTER 6.04, ENTITLED "ANIMAL CONTROL," AND SIGNAL HILL MUNICIPAL CODE CHAPTER 9.16, ENTITLED "NOISE"

The following vote resulted:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

It was moved by COUNCIL MEMBER NOLL and seconded by COUNCIL MEMBER WARD to waive further reading and adopt Resolution No. 2012-02-5934 approving conditional use permit 12-01, a request to operate an animal boarding and daycare facility in an existing industrial building located at 2655 St. Louis Avenue in the CI, Commercial Industrial, zoning district.

City Attorney read the title of Resolution No. 2012-02-5934:

APPROVING CONDITIONAL USE PERMIT 12-01, A REQUEST TO OPERATE AN ANIMAL BOARDING AND DAYCARE FACILITY IN AN EXISTING INDUSTRIAL BUILDING LOCATED AT 2655 ST. LOUIS AVENUE IN THE CI, COMMERCIAL INDUSTRIAL, ZONING DISTRICT

The following vote resulted:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Mayor Forester and City Council thanked James Kao, Associate Planner for a job well done for ten years with the city, and wished him well as he pursues new interests.

CITY MANAGER REPORTS

- a. Preliminary Year-End Financial and Carryover Report for Fiscal Year 2010-2011
- b. Comprehensive Annual Financial Report for Fiscal Year 2010-2011

City Manager and Finance Director presented the staff report.

City Council thanked the Finance Director and staff for a job well done and spoke about property taxes, and services the city provides.

It was moved by COUNCIL MEMBER WARD and seconded by COUNCIL MEMBER NOLL to approve the recommended adjustments contained within Exhibit "C" of the Preliminary Year-End and Carryover Report, and approve the transfer of \$1,000,000 of the positive variance to the Economics Uncertainties Fund, and receive and file the report.

The following vote resulted:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

It was moved by COUNCIL MEMBER NOLL and seconded by COUNCIL MEMBER WARD to receive and file the City's Comprehensive Annual Financial Report for the fiscal year ended June 30, 2011.

The following vote resulted:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

c. Signal Hill Library Conceptual Design

City Manager and Community Services Director presented the staff report.

Bob Coffee, project architect discussed the proposed floor plan, site plan, and elevations.

Council Member Noll left Council Chamber at 8:23 p.m. and returned at 8:25 p.m.

Council Member Ward left Council Chamber at 8:29 p.m. and returned at 8:32 p.m.

Mayor Forester called a five minute recess at 8:52 p.m.

Mayor Forester reconvened at 8:58 p.m.

Council Member Ward asked about the possibility of cameras installed within the new building.

Council Member Noll commented on the flexibility and state of the art plan presented and the importance of a new library and museum.

Council Member Wilson confirmed the police department, library and police department parking lot are the only buildings/spaces being demolished.

Vice Mayor Hansen asked the how the size of the site plan was determined and the project architect explained the process.

Vice Mayor Hansen suggested a family restroom for the library.

Council Member Noll asked about the cost for the new building and some of the other agency libraries. The architect explained the numbers for the new building are substantially less.

Mayor Forester asked those wishing to speak to please keep comments to 3-5 minutes, asking all questions of staff first, and questions would be answered at the end of the comment period.

Mayor Forester invited anyone wishing to speak about the new library to please come forward.

Chan Brainard, Signal Hill resident thanked Council, Commissioners and staff for the time and dedication committed to the project thus far.

Louise Cunningham, member of the Library Design Committee announced her appreciation for being a part of the process and asked if renderings of the new library could be placed in the existing library.

Richard Harris, Signal Hill resident addressed Council regarding the new library and read a statement (attached).

Carol Churchill, Signal Hill resident read a statement regarding legal concerns, and issues with building a new library. (Ms. Churchill did not leave her statement for attachment).

Lori Woods, Signal Hill resident addressed Council and read a statement against building a new library (attached).

Maria Harris, Signal Hill resident addressed Council regarding her concerns with building a new library and read a statement (attached).

Nancy Sciortino, Signal Hill resident read a statement on behalf of fellow resident Matt Simmons regarding his concerns about building a new library. (Ms. Sciortino did not leave the statement for attachment).

Tom Benson, Signal Hill resident addressed Council in favor of building a new library and commented on the statements made earlier by several fellow residents.

Vice Mayor Hansen asked about and the City Attorney explained the bond issue process.

City Attorney addressed statements made by Signal Hill residents regarding the new library.

City Council thanked the Library Design Committee and staff for a job well done, and discussed the new library project, bond issuance, and statements made earlier by Signal Hill residents.

Vice Mayor Hansen invited the Police Chief to come forward.

Police Chief addressed Council and addressed comments made earlier by some residents regarding staffing and in-car cameras.

It was moved by COUNCIL MEMBER NOLL and seconded by COUNCIL MEMBER WARD to approve minutes of the final Library Design Committee meeting held on January 9, 2012; accept the library conceptual design, site plan and elevations, and authorize staff to proceed with construction document development.

The following vote resulted:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

It was moved by COUNCIL MEMBER WARD and seconded by COUNCIL MEMBER WILSON to waive further reading and adopt Resolution No. 2012-02-5935 approving Mitigated Negative Declaration (01/13/12(1) relative to the conceptual design of the new Signal Hill Library.

City Attorney read the title of Resolution No. 2012-02-5935:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, APPROVING MITIGATED NEGATIVE DECLARATION 01/13/12(1) RELATIVE TO THE CONCEPTUAL DESIGN OF THE NEW SIGNAL HILL LIBRARY

The following vote resulted:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

It was moved by COUNCIL MEMBER WARD and seconded by VICE MAYOR HANSEN to authorize staff to file a Notice of Determination for the Mitigated Negative Declaration.

The following vote resulted:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

CONSENT CALENDAR

a. Resolution Changing No Parking Zone Times on Certain Days for Street Sweeping on Lemon Avenue

Summary: This resolution will change the street sweeping hours on the east side of Lemon Avenue between Willow Street and 25th Street from Wednesday, 8 a.m. to 12 p.m. to Wednesday, 4 a.m. to 8 a.m. and on the west side of the same street segment from Friday, 8 a.m. to 12 p.m. to Friday, 4 a.m. to 8 a.m.

Recommendation: Waive further reading and adopt Resolution No. 2012-02-5936 changing street sweeping hours on the east and west sides of Lemon Avenue between Willow Street and 25th Street.

b. Resolution Designating a Handicapped Parking Space Adjacent to 3346 California Avenue

Summary: This resolution will designate a handicapped parking space adjacent to 3346 California Avenue.

Recommendation: Waive further reading and adoption Resolution No. 2012-02-5937 designating a handicapped parking space adjacent to 3346 California Avenue for the exclusive use of disabled persons.

c. Resolution of Intent to Consent to the Assignment of Pipelines from Chevron Pipeline Company to Crimson California Pipeline, L.P.

Summary: In 2010, Chevron Pipeline Company (CPL) and Crimson California Pipeline, L.P (Crimson) entered into an Asset Purchase and Sale Agreement pursuant to which CPL transferred a portion of its pipeline system to Crimson. The transfer was approved by the California Public Utilities Commission on December 2, 2010. CPL and Crimson finalized their transaction on February 16, 2011. This resolution states the City Council's intent to consent to the assignment of pipelines from Chevron to Crimson.

Recommendations: 1. Waive further reading and adopt Resolution No. 2012-02-5938 declaring its intention to consent to the assignment of pipeline from Chevron Pipeline Company to Crimson California Pipeline L.P., and the interests, rights, privileges, and duties to lay and use pipes and appurtenances for transmitting and distributing oil and petroleum products for any and all lawful purpose under and along the public streets, ways, alleys, and places, as the same now or may hereafter exist, within this city. 2. Set a public hearing for March 6, 2012.

d. Purchase of Replacement Police Interceptor Sedan

Summary: Staff is seeking authorization to purchase one replacement Police Department Interceptor sedan. Staff proposes to purchase this vehicle from Wondries Fleet Group. This purchase will "piggy back" on the County of Los Angeles, Purchase Order number DPO-SH-11321410-1.

Recommendation: Authorize the Vehicle and Equipment Services Division to purchase a 2011 Ford Crown Victoria Police Interceptor Sedan from Wondries Fleet Group through the County of Los Angeles, Purchase Order number DPO-SH-11321410-1.

e. Approval of Alcohol Use for Historical Society Fundraiser

The Signal Hill Historical Society is seeking permission from the City Council to provide alcoholic beverages at their Historical Society fundraising event scheduled for February 18, 2012, 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 Historical Society to provide alcoholic beverages at this event.

f. Authorization to Fill Associate Planner Vacancy

Summary: Staff is seeking authorization to fill an Associate Planner vacancy in the Community Development Department. Staff is recommending filling the position to ensure the effective and efficient operations of the Department.

Recommendation: Authorize staff to conduct a recruitment to fill the full-time Associate Planner position.

g. Warrant Register Dated February 7, 2012

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 February 7, 2012.

h. Minutes of the Following Meeting(s)

Regular Meeting of the City Council, January 17, 2012.

Regular Meeting of the Redevelopment Agency, January 17, 2012.

Recommendation: Approve.

It was moved by COUNCIL MEMBER WILSON and seconded by VICE MAYOR HANSEN to approve the Consent Calendar.

The following vote resulted:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

COUNCIL AGENDA--NEW BUSINESS

Council Member Noll thanked Signal Hill resident and former Signal Hill Council Member Louie Dare for his service to the city and read an article regarding redevelopment agencies.

Council Member Ward encouraged everyone to shop Signal Hill for Valentine's Day.

Council Member Ward announced the Signal Hill Historical Society is hosting Casino Night at the Signal Hill Community Center on Saturday, February 18th at 6:30 p.m. Please call (562) 544-6003.

Mayor Forester announced the next Mayor's Cleanup on Saturday, February 18th at 9:00 a.m. at Hillbrook Park, 1865 Temple Avenue. For additional information please call (562) 989-7341.

Mayor Forester announced he participated in the Martin Luther King parade and thanked the city of Long Beach for the event.

Mayor Forester announced the latest issue of City Views is available at the kiosk door and at city hall if you haven't received a copy.

Mayor Forester announced the Long Beach Bureau of Animal Care is now offering low-cost clinics to vaccinate and license your pets. Visit www.longbeach.gov/acs for additional information.

Mayor Forester wished everyone a Happy Valentine's Day.

Mayor Forester announced he will be attending a fundraiser for the Miller Children's Hospital on Saturday, February 11th.

Vice Mayor Hansen announced tonight's meeting would be adjourned in memory of her mother, Betty Jane Hansen. Mayor Forester told Vice Mayor Hansen she was in their thoughts and prayers.

ADJOURNMENT

It was moved by COUNCIL MEMBER NOLL and seconded by COUNCIL MEMBER WARD to adjourn tonight's meeting in memory of Betty Hansen, Vice Mayor Hansen's mother, to the next regular meeting to be held on Tuesday, February 21, 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 NOLL
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

MAYOR FORESTER adjourned the meeting at 10:45 p.m.

Larry Forester
Mayor

Attest:

Kathleen L. Pacheco
City Clerk

On May 24th, 2011, the Council/City Manager held a budget workshop. The workshop was held on the draft budget for fiscal year 2011/12. At the workshop City Manager Ken Farfsing said that he was holding off on including the purchase of the police in-car system until the mid-year review.

The interim police chief stated that he "Strongly Recommends"—those were his words—that a new in-car system be purchased. He said "REIALIBILITY IS SUFFERING" and he strongly recommends getting a new system.

No council member asked any questions about the police budget or about the in-car system. The council could have asked the city manager to find a way to buy the new system. But no one said a word.

On June 21st the city manager brought back the final budget with the changes the council requested. The in-car system still was not included in the final budget.

The decision to wait until later to buy the system was made, in spite of the fact, that there is a Library Reserve Fund of \$1.7 million in this year's budget and no sign that the city manager plans to spend any of it this fiscal year 2011/12.

The city manager stated that the council had been putting money aside for years to buy the system. Therefore, the discussion on buying a new system began years ago, when Sonoff was the police chief. Please take a look at the video labeled May 25th budget workshop. There is a brief discussion about the in-car system and problems while Sonoff the chief.

The system finally broke down. On Dec. 6th police chief Michael Langston requested that the council appropriate \$150.000 to buy a new in-car camera & computer system. The appropriation was approved.

To see the video, go the city's web site, go to the bottom right, click Streaming Videos scroll down the city council videos to May 25th click, the video will load. The police discussion occurs at about 2 hours into the meeting.

Bob Mendoza

Resident

2.7.2012

February 7, 2012

Signal Hill Community First
www.signalhilfirst.org
562-888-2111

Good evening Mr. Mayor and Council members,

My name is Richard Harris and I am a resident and representative of Signal Hill Community First.

This evening you are about to make some important decisions regarding a proposed new library for Signal Hill.

We of Signal Hill Community First have spent many hours researching, discussing and analyzing the proposed new library; and we are eager to share that with you this evening.

I need to clarify something from the beginning. We at Community First are not anti-new library; in fact, we love libraries and reading and books, and all the things a library can do for a community.

But we do, after much investigation, have some reservations about the way this project has evolved. And we have question about its legal/financial structure; and if we can afford it, and if we need it, as currently conceived.

To begin, let me very briefly focus on a Resolution you approved in February of last year—Resolution 2011-02-5967.

In that Resolution, in support of RDA bonding for the library, you made findings that the construction of a new library would remove blight from the redevelopment area. You said that the proposed new library site is contiguous to—that is, shares a boundary with—the RDA project area. Our investigation shows that the only contiguous point of the proposed library parcel—if it is contiguous, at all with the RDA project boundary—is at the very corner of Cherry Avenue and Hill Street. In other words, the only connection is with the Hilltop Residential area where—I must add—there is no blight.

Our concern—among other things—is that, in your enthusiasm for building this beautiful new library, you could put our city at risk, by misleading the State in your assertion that the construction of a new library would remove blight from our redevelopment area. This action has the effect of taking revenue from the State, and will now receive extra scrutiny in the wake of the dissolution of our RDA.

I have for your review a copy of my comments, and a more detailed written statement on the legal questions regarding the factual basis of Resolution 2011-02-5967.

Thank you for your attention to this.



Richard Harris
Signal Hill Community First

February 7, 2012

Argument on Resolution 2011-02- 5967.

The City of Signal Hill should not spend bond funds because “findings” made in February 2011 Resolution 2011-02- 5967 are not true.

1. The Staff and Council mislead the State into bonding for the library in its Resolution by asserting that the library parcel is “contiguous” to blighted redevelopment area and the construction of the library would remove blight from the redevelopment area.

2. Definition of Contiguous.

“Contiguous” means that the parcel, on which the publicly owned building is located, shares a boundary with the project area or is separated from the project area only by a public street or highway, flood control channel, waterway, railroad right-of-way, or similar feature.

The only contiguous boundary line is the corner of Hill Street and Cherry Avenue. The boundary connects the city park with the hill top residential development, which was not “blighted” in 2011, nor is it blighted now.

3. Health and Safety Code §33445. States:

An agency may, ...pay ... for ...the cost ... construction of any building, ... that is publicly owned and is located inside or contiguous to the project area, if the legislative body determines ALL of the following ELEMENTS:

First Element:

(1) That the acquisition of land or the installation or construction of the buildings, facilities, structures, or other improvements that are publicly owned are of benefit to the project area by helping to ELIMINATE BLIGHT WITHIN THE PROJECT AREA or providing housing for low- or moderate- income persons.

Second Element

(2) That no other reasonable means of financing the acquisition of the land or installation or construction of the buildings, facilities, structures, or other improvements that are publicly owned, are available to the community.

Third Element

(3) That the payment of funds for the acquisition of land or the cost of buildings, facilities, structures, or other improvements that are publicly owned is consistent with the implementation plan.

3. What is the legal definition of Blight?

A blighted area is one that contains both of the following:

(1) An area that is predominantly urbanized,... and is an area in which the combination of conditions DESCRIBED BELOW ARE so prevalent and so substantial that it causes a reduction of, ... proper utilization of the area to such an extent that it constitutes a serious physical and economic burden on the community

4. Fact: The acquisition and construction of the library is not of primary benefit TO THE PROJECT AREA because no BLIGHT will be removed WITHIN the project area as a result of the construction of the library and park.

Examples of things the law permits to be removed IN THE PROJECT AREA by the construction of a public building outside a redevelopment area are:

(1) Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions may be caused by serious building code violations, serious dilapidation and deterioration caused by long-term neglect, construction that is vulnerable to serious damage from seismic or geologic hazards, and faulty or inadequate water or sewer utilities.

(2) Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots. These conditions may be caused by buildings of substandard, defective, or obsolete design or construction given the present general plan, zoning, or other development standards.

(3) Adjacent or nearby incompatible land uses that prevent the development of those parcels or other portions of the project area.

(4) The existence of subdivided lots that are in multiple ownership and whose physical development has been impaired by their irregular shapes and inadequate sizes, given present general plan and zoning standards and present market conditions.

And

(1) Depreciated or stagnant property values.

(2) Impaired property values, due in significant part, to hazardous wastes on property where the agency may be eligible to use its authority as specified in Article 12.5 (commencing with Section 33459).

(3) Abnormally high business vacancies, abnormally low lease rates, or an abnormally high number of abandoned buildings.

(4) A serious lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.

(5) Serious residential overcrowding that has resulted in significant public health or safety problems. As used in this paragraph, "overcrowding" means exceeding the standard referenced in Article 5 (commencing with Section 32) of Chapter 1 of Title 25 of the California Code of Regulations.

(6) An excess of bars, liquor stores, or adult-oriented businesses that has resulted in significant public health, safety, or welfare problems.

(7) A high crime rate that constitutes a serious threat to the public safety and welfare.

NONE OF THESE THINGS ARE GOING TO BE ELIMINATED WITHIN THE PROJECT AREA BY THE CONSTRUCTION OF A LIBRARY OUTSIDE THE PROJECT AREA.

Comments by: Lori Woods – Member of Signal Hill Community First

Addressed to: City of Signal Hill City Council

Date: February 7, 2012

As a Signal Hill resident of 13 years, raising 4 children, current age range is 11-19; I have a pretty keen interest in the library uses and services...heck, I am personally supporting the library on a regular basis just in my kids late book fees.

I think it is wise and prudent, even though sometimes annoying and challenging, that we as a community of residents, staff & council members bring our love and desire for a new library under the greatest amount of scrutiny...so that the issue can be looked at from ALL sides from the finances to facility uses, building design and functionality. Tonight I want to address the true NEED of this potential library expansion.

There is ultimately WISDOM IN A MULTITUDE OF COUNSELORS and ANYONE in the community who cares enough to read up..., study up..., show up.... willing to make public comment on any city business should be applauded & respected no matter what their position on the issue.

I think that we all realize this as a tedious yet necessary undertaking. Based on the statistics provided from the library, at the design committee meetings and from my own survey of library services, facilities uses & programs it is just not prudent, for example, to build a children's space in the library that will hold 50+ children when the current average attendance during a preschool story time is 12. EVEN IF 50 children were to (potentially) fill the space for an event, how could it ever be properly supervised with the current staff? We are told that staff positions will NOT be increased, nor is there budget to do so.

Also based on statistics provided at meetings & needs assessment studies, along with our own patron count; if the library goes forward in its current form & even if daily usage does increase...there will still be library space in excess of nearly 300 ~~90~~ square feet per person on its most crowded day. Is that a true need? I seriously doubt it.

Using my own home and family of 6 as an example: I may have a passionate need & wonderful dream that I've nursed along for years...I may have even invested money into designing, blueprinting & planning to add 1000 more square feet of living space onto my home...BUT ultimately, if I don't have the money to complete the job entirely, don't have the finances to handle the property tax increase or the additional ongoing utility cost increase or even have enough money to carpet or furnish it...I WOULD BE A FOOL TO EVER EVEN put a shovel in the ground to start the foundation...no matter how great my need or how fervent my dream.

February 7, 2011

Open Letter to the Signal Hill City Council and Signal Hill Community

Subject: Proposed Construction of a 15,300 square foot new library and associated amenities

From: Maria Harris, Signal Hill resident

Council Members and Signal Hill Community:

The architect consultant for the library project has on several recent occasions informed Signal Hill residents that the cost to construct the entire library project is \$7.5 million. Mr. Robert R. Coffee, the architect, publicly stated that this sum includes construction of the library building and all associated amenities except interior equipment and furnishings. The city's Community Service Director, Ms. Pilar Alcivar-McCoy, also publicly stated that this sum includes everything except the equipment and furnishings. Ms. McCoy stated that the \$7.5 million includes everything except the "things inside the building that you can pick-up and move."

Now, in just the blink of an eye – the cost of the library project has reached a jaw-dropping \$10.5 million. That's the estimate made by Ken Farfsing, the city manager, in his report for tonight.

Farfsing states that the money is available. He is using former redevelopment money plus money from the city's general fund. It is the general fund that covers most of the expense for the public services we receive, including police and public works.

City General Fund Picture

In the past two years, city sales tax revenues have dropped 36%. Property taxes have also declined due to lower assessed values and delinquencies. In fact, this year's budget keeps property tax growth at zero percent. Federal and state funds are also taking a nosedive. The revenue declines have lead to employee cutbacks, salary freezes, hiring freezes, increased employee pension contributions, delayed equipment purchases, deferred maintenance, and capital improvement cutbacks.

The revenue declines also stripped the city of its once strong reserve funds. Today, the general fund reserve is at 22%. This is equivalent to 2.5 months of daily operating costs.

Taking all funds, not just general fund, the reserve is at 35% of the cost to keep city hall open. That is just 4 months of daily operating costs.

The 2011/12 budget includes cost reductions from the two previous years, about two percent each year. But, the previous savings achieved from cutting 2 percent a year were eaten up by increases in employee pension and benefits premiums.

In other words, the city's revenue picture is still weak and vulnerable to blips in the economy and the decisions of other governments.

To take on additional costs, when it isn't essential, is putting really essential public services at risk. Can we afford the proposed library?

Robbing Peter to Pay Paul

What are we giving up or delaying in order to open and operate a 15,300 square foot new facility?

The police department has two unfilled employee positions: one position is for a records clerk and the other is for a police officer. There also has been a reduction in police overtime hours. So, we better not have an emergency.

Purchase of a police in-car computer and camera system was delayed for so long that the system broke down. The purchase was finally approved in December 2011.

With the new police station opening up sometime this year, there will be additional costs for maintenance and utilities. Those costs are unknown. Instead of developing estimates of these costs, the city manager suggested that the new station operate for a few months to get a fix on them.

A pullback in state funds from a public safety grant program may result in a loss of \$100,000 for one of Signal Hill's police officers. The former police chief suggested that the city begin now to cover this revenue loss.

Last year, the water department had to buy water from the Metropolitan Water District at a very high price because city water pumps kept breaking. The cheapest water the city has is our own water, yet the pumps weren't working enough to deliver it.

Coming up is a water rate increase. Right now, the water department is doing the studies to lay the groundwork for an increase.

Impact of Development Agency Elimination

The City, as a municipal corporation, must be able to pick-up costs associated with the elimination of the redevelopment agency. At a minimum, this involves about \$540,000 in salary and benefit costs. The redevelopment agency was eliminated on Feb. 1 and the city must pick-up these salary costs or cut salaries or lay-off employees.

Then, if the State finds legal irregularities with the \$10 million city loan to the redevelopment agency, the State could stop interest payments and create problems with repayment of the loan principle, too. The city will lose about \$700,000 dollars in annual revenue. This year's loss would be \$1 million or 10% of the expected revenues for this year.

Because of legal questions regarding the library 2011 bond issue, the State may refuse to continue with the library project and simply pay off the bondholders with the

proceeds. If the State arrives at this conclusion, the city and the elected city council could face criminal charges.

Back to the original question: Can we afford a 15,300 square foot new library -- and still keep the city whole?

Too much risk of failure

Reduce the risk. Act to protect the city from potential and expensive legal costs and work to bring back the full strength of our police force. The police force is a truly essential service.

And, leave a library expansion to a date when the city's fiscal future is more certain. And, in a calmer environment, it would be possible to design a library expansion that fits the city's fiscal limits.

Respectfully Yours,



Maria Harris
Signal Hill resident