

# CITY OF SAN MARINO

## CITY COUNCIL AGENDA

Steven W. Huang, DDS, Mayor  
Gretchen Shepherd Romey, Vice Mayor  
Susan Jakubowski, Council Member  
Steve Talt, Council Member  
Ken Ude, Council Member  
Marcella Marlowe, Ph.D., City Manager



[www.cityofsanmarino.org](http://www.cityofsanmarino.org)  
(626) 300-0700 Phone  
(626) 300-0709 Fax  
City Hall Council Chamber  
2200 Huntington Drive  
San Marino, CA 91108

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### ADJOURNED MEETING OF THE SAN MARINO CITY COUNCIL FRIDAY, JULY 26, 2019 AT 8:30 A.M. CROWELL PUBLIC LIBRARY – BARTH ROOM 1890 HUNTINGTON DRIVE SAN MARINO, CA 91108

The City of San Marino appreciates your attendance. Citizens' interest provides the Council with valuable information regarding issues of the community.

Regular Meetings are held on the 2<sup>nd</sup> Wednesday of every month at 6:00 p.m. Typically, Adjourned Meetings are held on the last Friday of every month at 8:30 a.m.

In compliance with the American Disabilities Act, any person with a disability who requires a modification or accommodation in order to participate in a meeting should contact the City Clerk's Office at (626) 300-0705 prior to the meeting.

#### **CALL TO ORDER**

#### **PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Council Member Jakubowski, Council Member Talt, Council Member Ude, Vice Mayor Shepherd Romey, and Mayor Huang.

#### **POSTING OF AGENDA**

The agenda is posted 72 hours prior to each meeting at the following locations: City Hall, 2200 Huntington Drive, the Crowell Public Library, 1890 Huntington Drive, and the Recreation Department, 1560 Pasqualito Drive. The agenda is also posted on the City's website: <http://www.cityofsanmarino.org>.

## **PUBLIC COMMENTS**

The City welcomes public input. Members of the public may address the City Council by completing a public comment card and giving it to the City Clerk prior to the meeting. At this time, the public may address the City Council on items that are not on the agenda. Pursuant to state law, the City Council may not discuss or take action on issues not on the meeting agenda (Government Code Section 54954.2). The Mayor reserves the right to place limits on duration of comments. Staff may be asked to follow up on such items.

## **CONTINUED BUSINESS**

### **I. SECOND READING AND ADOPTION OF ORDINANCE NO. O-19-1353 TO CONSOLIDATE THE CITY'S REGULAR MUNICIPAL ELECTIONS WITH STATEWIDE PRIMARIES HELD IN NOVEMBER OF EVEN-NUMBERED YEARS**

Recommendation: Staff recommends the City Council move to approve Ordinance No. O-19-1353 to consolidate the City's regular municipal elections with statewide primaries held in November of even-numbered years.

## **NEW BUSINESS**

### **2. APPROVAL TO REFINE THE DECEMBER 2018 METRO MEASURE R SR-710 NORTH PROJECT PROPOSALS TO IMPROVE THE INTERSECTION OF HUNTINGTON DRIVE/ATLANTIC BOULEVARD/GARFIELD AVENUE/LOS ROBLES AVENUE, SOLICIT FEEDBACK ON THE REFINEMENTS FROM THE PUBLIC SAFETY COMMISSION AND THE COMMUNITY, AND PRESENT REVISED PROPOSALS TO THE CITY COUNCIL IN SEPTEMBER**

Recommendation: Staff recommends the City Council move to vacate all motions approved at the July 10 City Council meeting related to this item and direct the City Manager to (1) Continue to reserve the Metro funding of \$8m for Project 1 - the Atlantic/Huntington/Los Robles/Garfield intersection, direct staff to return to the City Council with refined and concrete proposals in September for that intersection, and reject the remaining projects and \$4m funding from this proposal; (2) Continue to reserve the Metro funding of \$6m for Project 2 – Huntington Improvements, and direct staff to return to the City Council with refined and concrete proposals in September; (3) Reject all projects and funding of \$4m associated with Project 3 – Sierra Madre Improvements; (4) Reject all projects and funding of \$7m associated with Project 4 – Huntington Signal Synchronization; and (5) Reject all projects and funding of \$3m associated with Project 5 – San Gabriel Signal Synchronization.

**3. 2nd QUARTER POLICE DEPARTMENT REPORT**

Recommendation: Staff recommends that the 2nd Quarter Police Department Report be discussed and if necessary, provide direction to the Public Safety Commission to prioritize items for discussion. If Council concurs, the appropriate action would be to receive and file.

**4. DISCUSSION REGARDING AN ORDINANCE OF THE CITY OF SAN MARINO AMENDING THE SAN MARINO MUNICIPAL CODE BY AMENDING THE REGULATIONS FOR FENCES AND WALLS IN RESIDENTIAL ZONES THAT ABUT ALLEYS**

Recommendation: Staff recommends the City Council move to direct staff to proceed with the formal Code adoption process and return the proposed ordinance to the City Council to conduct a public hearing for first reading of the Ordinance.

**PUBLIC COMMENTS****CLOSED SESSION**

The City Council will recess to closed session to discuss:

**5. CONFERENCE WITH LABOR NEGOTIATOR(S) pursuant to Government Code § 54957.6:**

City negotiator(s):

City Manager, Labor Attorney, and Interim Human Resources Manager

Employee organization(s):

San Marino City Employees' Association  
 San Marino Firefighters Association  
 San Marino Police Officers' Association  
 San Marino Supervisory/Confidential Employees Association  
 San Marino Unrepresented Employees

**RECONVENE TO OPEN SESSION****CLOSED SESSION REPORT****ADJOURNMENT**

Dated: July 19, 2019  
 Posted: July 19, 2019

EVA HETER  
 CITY CLERK

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# City of San Marino

## Staff Report

*Steven W. Huang, DDS, Mayor  
Gretchen Shepherd Romey, Vice Mayor  
Susan Jakubowski, Council Member  
Steve Talt, Council Member  
Ken Ude, Council Member*

TO: Mayor and City Council  
FROM: Marcella Marlowe, Ph.D., City Manager  
BY: Stephanie Cao, City Attorney  
DATE: July 26, 2019

**SUBJECT: ORDINANCE TO CONSOLIDATE THE CITY'S REGULAR MUNICIPAL ELECTIONS WITH STATEWIDE PRIMARIES HELD IN NOVEMBER OF EVEN-NUMBERED YEARS (2nd READING)**

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### STRATEGIC PLAN CRITICAL SUCCESS FACTORS

- Engaged and Connected Residents
- Efficient, Responsive, and Effective City Service
- Fiscally Responsible and Transparent City Government

### BACKGROUND

On July 10, 2019, the City Council introduced Ordinance No. O-19-1353 to consolidate the City's regular municipal elections with statewide primaries held in November of even-numbered years. Second reading of the Ordinance is required for adoption.

### DISCUSSION

The Ordinance would change the General Municipal Election dates to align with the dates of statewide elections in even years beginning in 2022, which will have the effect of extending two terms of office to five years pursuant to Senate Bill 415. The Ordinance would amend Section 02.02.01 of the San Marino Municipal Code to include the new date of the City's General Municipal Election, changing the date of the City's general municipal election from the first Tuesday after the first Monday in November in odd-numbered years to the first Tuesday after the first Monday in November in even-numbered years, effective in 2020, and extending City Council terms in office accordingly.

## **FISCAL IMPACT & PROCUREMENT REVIEW**

The estimated cost of the 2019 election is \$103,000 – higher than normal due to a decreasing number of cities conducting elections in odd years. Switching to even-numbered years could result in more shared costs among cities and a decrease in cost for the City of San Marino in the future.

## **LEGAL REVIEW**

The City Attorney's office has approved as to form.

## **RECOMMENDATION**

Staff recommends the City Council adopt Ordinance No. O-19-1353. If the City Council concurs with staff's recommendation, an appropriate motion would be:

"I move to adopt Ordinance No. O-19-1353."

## **ATTACHMENTS**

1. Ordinance No. O-19-1353
2. July 10, 2019 Staff Report re Ordinance No. O-19-1353



**ORDINANCE NO. O-19-1353**

**AN ORDINANCE OF THE CITY OF SAN MARINO AMENDING SECTION 02.02.01 OF ARTICLE 2 OF CHAPTER 2 OF THE SAN MARINO MUNICIPAL CODE TO CHANGE THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN ODD-NUMBERED YEARS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN EVEN-NUMBERED YEARS, EFFECTIVE IN 2020, AND EXTENDING CITY COUNCIL TERMS IN OFFICE ACCORDINGLY**

WHEREAS, The City of San Marino is required under Senate Bill 415, which is also known as the California Voter Participation Rights Act (Elections Code Sections 14050-14057), to change the date of the General Municipal Election to coincide with statewide election dates no later than the November 8, 2022, statewide general election.

WHEREAS, Prior to January 1, 2018, as required by SB 415, the San Marino City Council previously adopted a plan to comply with Senate Bill 415 by consolidating the General Municipal Election with the statewide general elections held in November of even-numbered years beginning in 2022. This ordinance will implement the plan by the date of the statewide election November 8, 2022, as required by SB 415.

WHEREAS, by consolidating the General Municipal Election with the statewide election held in November of even-numbered years, it is necessary to extend the terms of incumbents by no more than 12 months as provided by Elections Code Section 10403.5(b). Subsequent terms of office shall remain the original four years, as provided in the San Marino Municipal Code.

THE CITY COUNCIL OF THE CITY OF SAN MARINO DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 02.02.01 of Article 2 of Chapter 2 of the San Marino Municipal Code regarding City elections is hereby amended to read as follows:

**02.02.01: COUNCIL ELECTIONS:**

Commencing in November, 2022, elections of members to the city council shall be held on the first Tuesday after the first Monday in November of each even-numbered year, rather than on the first Tuesday after the first Monday in November of each odd-numbered year. The number of open positions on the council shall rotate between two (2) positions in one election and three (3) positions in the subsequent election, pursuant to the existing rotation in effect when this ordinance was adopted, unless a vacancy in office occurs.

The current terms of members of the city council in office on the date this section takes effect shall be extended accordingly. Those terms of office for those three (3) members of the city council elected in November 2017, that would have been scheduled for

election in November 2021, are extended to be scheduled for election on the first Tuesday after the first Monday in November 2022. Those terms of office for those two (2) members of the city council to be elected in November 2019, are extended to be next scheduled for election on the first Tuesday after the first Monday in November 2024. It is the intent of the City Council that the term extensions adopted in this ordinance shall apply only to the city council terms of office that commenced and will commence in 2017 and 2019, respectively, and that those terms shall be extended once for not more than twelve (12) months each as defined in Elections Code 10403.5(b). All new city council terms that commence after 2024 shall be for four (4) years.

Section 2. As an ordinance relating to an election, this ordinance shall take effect immediately upon adoption, and is operative following its approval by the Los Angeles County Board of Supervisors. The City Clerk shall certify to the adoption of this ordinance and transmit a certified copy of the ordinance to the Clerk of the Los Angeles County Board of Supervisors with a request for approval forthwith, and shall give such notice to the voters as is required by law. It is the intent of the City Council that this change of election date shall be effective for the General Municipal Election that was originally scheduled for the second Tuesday of November 2021. However, if for any reason this ordinance is not approved by the Los Angeles County Board of Supervisors by June 1, 2021, this ordinance shall have no further effect, and the General Municipal Election shall be held on the second Tuesday in November of each odd numbered year as currently specified in the San Marino Municipal Code.

**PASSED, APPROVED AND ADOPTED**, at an adjourned Regular meeting of the City Council of the City of San Marino, this \_\_\_\_ day of July, 2019

BY:

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STEVEN W. HUANG, MAYOR  
CITY OF SAN MARINO

**STATE OF CALIFORNIA**            )  
**COUNTY OF LOS ANGELES**    ) §  
**CITY OF SAN MARINO**         )

I, EVA HETER, City Clerk of the City of San Marino, California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. O-19-1353; it has been published pursuant to law; and was duly adopted and passed at an adjourned regular meeting of the City Council on the \_\_ day of July, 2019 by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**EXCUSED:**



ATTEST:

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EVA HETER, CITY CLERK  
CITY OF SAN MARINO

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# City of San Marino

## Staff Report

*Steven W. Huang, DDS, Mayor  
Gretchen Shepherd Romey, Vice Mayor  
Susan Jakubowski, Council Member  
Steve Talt, Council Member  
Ken Ude, Council Member*

TO: Mayor and City Council  
FROM: Marcella Marlowe, Ph.D., City Manager  
BY: Stephanie Cao, City Attorney and Carol Lynch, Senior Counsel  
DATE: July 10, 2019

**SUBJECT: APPROVAL OF ORDINANCE NO. O-19-1353 TO CONSOLIDATE THE CITY'S REGULAR MUNICIPAL ELECTIONS WITH STATEWIDE PRIMARIES HELD IN NOVEMBER OF EVEN-NUMBERED YEARS**

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### STRATEGIC PLAN CRITICAL SUCCESS FACTORS

- Engaged and Connected Residents
- Efficient, Responsive, and Effective City Service
- Fiscally Responsible and Transparent City Government

### BACKGROUND

Senate Bill 415 (SB 415) is known as the California Voter Participation Rights Act (Elections Code Sections 14050-14057). In a bid to increase turnout rates for local elections, SB 415 amended the California Elections Code pertaining to municipal election dates. The bill requires cities that currently hold standalone municipal elections to eventually change their election dates to coincide with statewide election dates, unless voter turnout rates for past standalone elections meet a certain threshold. Like most cities, voter turnout in San Marino has not met that threshold.

### DISCUSSION

The goal of SB 415 is to increase voter turnout rates for municipal elections, which tend to be lower when elections are not held concurrently with statewide elections. For this purpose, a statewide election is “an election held throughout the state” (Elections Code Sec. 357), which now are only those elections held in March and November of even-numbered years.

In order to consolidate municipal and statewide elections, and thereby change the terms of office for municipal officials, the City must adopt an ordinance pursuant to Elections Code Section 10000 *et. seq.* If the City adopts an ordinance to consolidate elections, each municipal election thereafter must be conducted on the date specified by the ordinance, unless the ordinance in

question is subsequently amended. However, at least one election must be held before the ordinance can be amended again. (Elections Code Section 1301.)

In 2016, the City Council gave direction to change the General Municipal Election dates to align with the dates of statewide elections in even years beginning in 2022, which will have the effect of extending two terms of office to five years pursuant to SB 415. In order to implement the City Council's prior direction, it is necessary to amend Section 02.02.02 of the San Marino Municipal Code to include the new date of the City's General Municipal Election. The attached ordinance makes that amendment.

## **FISCAL IMPACT & PROCUREMENT REVIEW**

The estimated cost of the 2019 election is \$103,000 – higher than normal due to a decreasing number of cities conducting elections in odd years. Switching to even-numbered years could result in more shared costs among cities and a decrease in cost for the City of San Marino in the future.

## **LEGAL REVIEW**

The City Attorney's office has approved as to form.

## **RECOMMENDATION**

Staff recommends the City Council waive full reading and introduce for first reading by title only Ordinance No. 0-19-1353. If the City Council concurs with staff's recommendation, an appropriate motion would be:

"I move to waive full reading and introduce for first reading by title only Ordinance No. 0-19-1353, an Ordinance of the City Council of the City of San Marino amending section 02.02.02 of Article 2 of Chapter 2 of the San Marino Municipal Code to change the date of the City's general municipal election from the first Tuesday after the first Monday in November in odd-numbered years to the first Tuesday after the first Monday in November in even-numbered years, effective in 2020, and extending City Council terms in office accordingly."

## **ATTACHMENTS**

- I. Ordinance No. O-19-1353





## Staff Report

*Steven W. Huang, DDS, Mayor  
Gretchen Shepherd Romey, Vice Mayor  
Susan Jakubowski, Council Member  
Steve Talt, Council Member  
Ken Ude, Council Member*

TO: Mayor and City Council  
FROM: Marcella Marlowe, Ph.D., City Manager  
BY: Michael Throne, PE, Director of Parks and Public Works/City Engineer  
DATE: July 26, 2019

**SUBJECT: APPROVAL TO REFINE THE DECEMBER 2018 METRO MEASURE R SR-710 NORTH PROJECT PROPOSALS TO IMPROVE THE INTERSECTION OF HUNTINGTON DRIVE/ATLANTIC BOULEVARD/GARFIELD AVENUE/LOS ROBLES AVENUE, SOLICIT FEEDBACK ON THE REFINEMENTS FROM THE PUBLIC SAFETY COMMISSION AND THE COMMUNITY, AND PRESENT REVISED PROPOSALS TO THE CITY COUNCIL IN SEPTEMBER**

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### STRATEGIC PLAN CRITICAL SUCCESS FACTORS

- Engaged and Connected Residents
- Efficient, Responsive, and Effective City Services
- Safe Community
- Well-Maintained Infrastructure
- Fiscally Responsible and Transparent City Government

### BACKGROUND

The City Council heard presentations related to the Metro Measure R 710 proposed projects on Wednesday, July 10. Although much discussion occurred, many motions were offered, and three were ultimately approved by a majority of the Council, the results left some confusion. In an attempt to implement to the spirit of the decisions made by the City Council, and to receive Council direction on any outstanding items, staff is returning for further discussion and clarification related to the proposals.

### DISCUSSION

On July 10, the Council considered seven motions in Council Member Jakubowski's excused absence. Four of those motions did not pass, as a result of a tie-vote.

The following three motions passed by a 3-1 vote:

1. To direct the City Manager to communicate with Metro to withdraw a request for any funds relating to the syncing of traffic lights on Huntington Drive.
2. To direct the City Manager to direct Metro that we are unwilling to accept any funds other than those to benefit the projects around our schools.
3. To reject all funds on all intersections except for Atlantic.

The language in the motions are somewhat competing and contradictory. Nonetheless, we believe that the City Council's intention at that meeting was as follows:

- Project 1 (Intersection Improvements) – Reject the project and funding for three of the four intersections and reconsider the fourth intersection, Atlantic/Huntington/Los Robles/Garfield, at this July 26 meeting.
- Project 2 (Huntington Improvements) – Continue to reserve the Metro funding and direct staff to return to the City Council with refined and concrete proposals in September.
- Project 3 (Sierra Madre Improvements) – Reject all projects and funding associated with this item.
- Project 4 (Huntington Signal Synchronization) – Reject all projects and funding associated with this item.
- Project 5 (San Gabriel Signal Synchronization) – Reject all projects and funding associated with this item.

If the City Council agrees, the only remaining item for discussion is whether to direct the City Manager to continue to reserve the Metro funding and further refine the Atlantic/Huntington/Garfield/Los Robles intersection portion of Project Proposal #1.

## **FISCAL IMPACT & PROCUREMENT REVIEW**

Metro reserved up to \$32m of Measure R transportation sales tax funds for San Marino, attached to five placeholder projects. Based on staff's understanding of the City Council's intentions on July 10, the City will be reserving \$6m pending refinements of Project 2 and rejecting \$18m related to Projects 3, 4, 5, and part of Project 1. A decision is pending today for the \$8m associated with the Atlantic/Huntington/Los Robles/Garfield intersection.

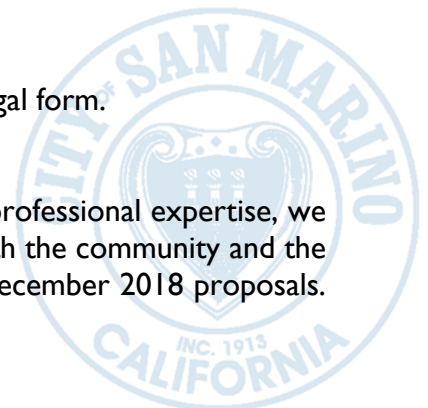
Funding rejected by San Marino will be reallocated to other local agencies in the San Gabriel Valley that are pursuing traffic projects similar to those proposed for San Marino.

## **LEGAL REVIEW**

The City Attorney has reviewed and approved the staff report as to legal form.

## **RECOMMENDATION**

Based on the Public Safety Commission's recommendation and staff's professional expertise, we recommend that the City Council direct the City Manager to work with the community and the Public Safety Commission to refine the remaining projects from the December 2018 proposals.



If the City Council concurs with staff's recommendation and staff's summary of the Council's July 10 intended actions, an appropriate motion would be:

"I move to vacate all motions approved at the July 10 City Council meeting related to this item and direct the City Manager to take the following actions related to the five Metro Measure R proposed projects:

- Project 1 (Intersection Improvements) – Continue to reserve the Metro funding of \$8m for the Atlantic/Huntington/Los Robles/Garfield intersection, direct staff to return to the City Council with refined and concrete proposals in September for that intersection, and reject the remaining projects and \$4m funding from this proposal.
- Project 2 (Huntington Improvements) – Continue to reserve the Metro funding of \$6m and direct staff to return to the City Council with refined and concrete proposals in September.
- Project 3 (Sierra Madre Improvements) – Reject all projects and funding of \$4m associated with this item.
- Project 4 (Huntington Signal Synchronization) – Reject all projects and funding of \$7m associated with this item.
- Project 5 (San Gabriel Signal Synchronization) – Reject all projects and funding of \$3m associated with this item."

## **ATTACHMENTS**

None.



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# City of San Marino

## Staff Report

*Steven W. Huang, DDS, Mayor  
Gretchen Shepherd Romey, Vice Mayor  
Susan Jakubowski, Council Member  
Steve Talt, Council Member  
Ken Ude, Council Member*

**TO:** Mayor and City Council  
**FROM:** Marcella Marlowe, Ph.D., City Manager  
**BY:** John Incontro, Chief of Police  
**DATE:** July 26, 2019  
**SUBJECT:** **2nd QUARTER POLICE DEPARTMENT REPORT**

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### STRATEGIC PLAN CRITICAL SUCCESS FACTORS

- Engaged and Connected Residents
- Efficient, Responsive, and Effective City Services
- Safe Community
- Fiscally Responsible and Transparent City Government

### BACKGROUND

On March 25, 2016, a Crime Reduction Plan was presented to the City Council outlining five areas that would assist the Department's effort to reduce crime. The Department's last report was May 8, 2019. Since that time Part I crimes have increased, including residential burglaries, this year to date. The Department continues to work steadily to overcome the increase of all Part I crimes.

As of the first quarter of 2019, the report has been refocused to provide the City Council an overview of Department operations rather than a micro focus on crime. This change enables the City Council to have a macro view of the Department.

### DISCUSSION

The Department has lost ground in the reduction of crime this quarter. In May, the City experienced 10 residential burglaries and, in June, five commercial burglaries. All other crimes remained static throughout the quarter. These specific increases have resulted in an increase of 5% for all Part I crimes, or six crimes more this year compared to last year. The Department has continued to spread the word on methods to reduce crime and how the residents can protect

their residences from burglaries. Similar increases are being felt throughout the San Gabriel Valley and our partnership with other agencies has assisted us in solving these crimes.

The ongoing problem the Department faces with residential burglaries is the reluctance of community members to install and use security systems. Of the 20 burglaries this year, 11 homes did not have a security system and, of the remaining homes with security systems, three residents did not have the system when they were victimized.

## **INVESTIGATIVE FOLLOW UP**

Detectives are continuing their outstanding investigative work and detective-initiated arrests. Five burglaries that occurred during this quarter have resulted in the identification of seven suspects with arrest warrants and arrested six other suspects. Detectives have similar leads on some of the other burglaries. The detectives have also made additional arrests related to financial and traffic related crimes.

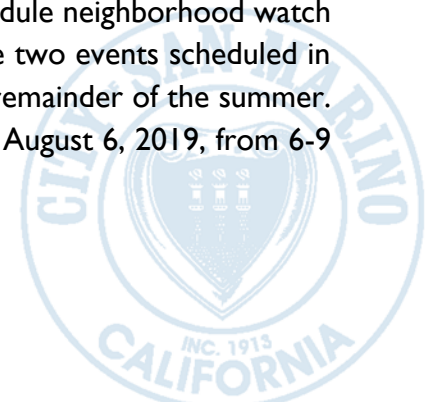
The primary reason for their success has been cooperation with different local task force operations and other agencies within the Los Angeles region. The networking that our detectives have utilized is having a positive impact on our crime reduction efforts.

## **COMMUNITY ENGAGEMENT**

The Department hosted a Coffee with a Cop event that resulted in approximately 40 people attending. This was the first co-hosted event with the Carver School Parent Teacher Association. The event was successful with approximately 40 parents in attendance. We had four additional events this quarter that, combined with the Coffee with a Cop, include over 90 residents.

The Department is now part of the Ring Law Enforcement Portal program. This portal allows specific members of the Department to view video data from residents who voluntarily provide the data from their doorbell camera device. It does not need to be a Ring device to provide the video data, only a person connected to the Neighborhood App. The data that is provided could be helpful in the identification and arrest of suspects involved in a crime.

Due to the end of school and summer vacations, our attempts to schedule neighborhood watch meetings or other community events have been challenging. We have two events scheduled in July and we are attempting to schedule additional events through the remainder of the summer. The Department's National Night Out event will be held on Tuesday, August 6, 2019, from 6-9 PM at the rear of the station.



## PERSONNEL UPDATE

The Department has 30 authorized positions. As of July 16, 2019:

- 26 full-time sworn positions are filled;
- Two recruitment positions are filled; of our two recruitments, one is in training at the LASD Recruit Academy, and a second will begin academy training at Rio Hondo Community College in August; and
- Two sworn officers are in the Field Training Program.

Additionally, we are processing four candidates for the two additional vacant positions. Of the four, two have law enforcement experience and have completed a basic academy course.

## FISCAL IMPACT & PROCUREMENT REVIEW

None.

## LEGAL REVIEW

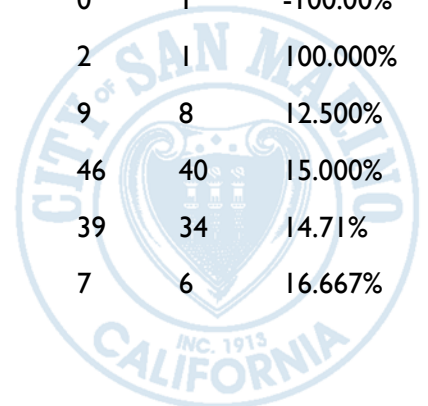
None.

## RECOMMENDATION

Staff recommends that the 2nd Quarter Police Department Report be discussed and if necessary, provide direction to the Public Safety Commission to prioritize items for discussion. If Council concurs, the appropriate action would be to receive and file.

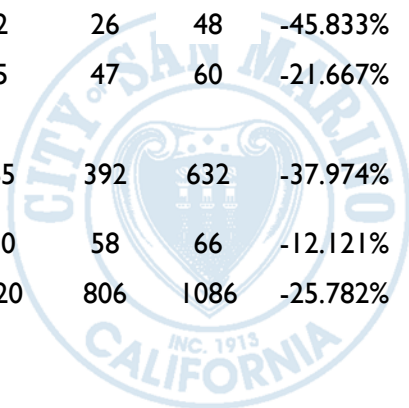
## 2019 YEAR-TO-DATE STATISTICS

2019	JAN	FEB	MARCH	APRIL	MAY	JUNE	YTD	YTD- LY	% change
<b>Part I Crimes</b>									
Homicide	0	0	0	0	0	0	0	0	0.000%
Rape	0	0	0	0	0	0	0	1	-100.00%
Robbery	0	1	0	0	0	1	2	1	100.000%
Aggravated Assault	0	1	4	1	1	2	9	8	12.500%
Burglary	7	6	8	6	11	8	46	40	15.000%
<i>Residential</i>	6	6	8	6	10	3	39	34	14.71%
<i>Commercial</i>	1	0	0	0	1	5	7	6	16.667%



Attempt	4	2	3	1	2	0	11	8	37.500%
Larceny	12	7	6	17	6	11	59	59	0.000%
Auto Theft	0	1	2	0	0	0	3	1	200.000%
Arson	0	0	0	0	0	0	0	3	-300.00%
<b>Total Part I Crimes</b>	<b>19</b>	<b>16</b>	<b>20</b>	<b>24</b>	<b>18</b>	<b>22</b>	<b>119</b>	<b>113</b>	<b>5.310%</b>

Priority 1 CFS	28	38	35	30	40	29	158	156	-1.282%
Priority 1 CFS Response Time	2:53	3:59	2:05	2:08	3:21	1:58	2:21	2:15	2.79%
Priority 2 CFS	433	485	516	409	401	450	2205	3113	-29.168%
Priority 2 CFS Response Time	4:31	3:18	4:23	3:35	3:22	3:56	3:23	3:40	-5.00%
Priority 3 CFS	335	271	353	250	277	276	1460	1606	-9.091%
Priority 3 CFS Response Time	11:22	3:08	6:45	3:16	4:20	3:50	3:19	2:38	34.03%
Calls for Service	2535	2182	2580	2210	2534	2751	14792	16324	-9.385%
<b>Citizen Initiated</b>	992	864	994	990	976	1104	5920	6944	-14.75%
<b>Officer Initiated</b>	1268	1116	1355	1041	1294	1475	7549	7877	-4.16%
<b>Walk In</b>	275	202	231	179	264	172	1323	1503	-11.976%
<b>Total Arrests</b>	12	9	14	14	11	20	80	73	9.589%
Adult	12	9	13	14	11	20	79	72	9.722%
Juvenile	0	0	1	0	0	0	1	1	0.000%
<b>Reports Taken All</b>	94	77	82	96	87	70	506	502	0.80%
Traffic Collisions	22	15	12	14	18	8	89	123	-27.642%
Fatal	0	0	0	0	0	0	0	0	0.000%
Hit& Run	4	1	2	3	5	1	16	15	6.667%
Injury	6	6	5	4	3	2	26	48	-45.833%
Non-Injury	12	8	5	7	10	5	47	60	-21.667%
<b>Citations</b>									
Moving Citations	49	76	64	70	68	65	392	632	-37.974%
Hazardous/Equipment/Other	9	5	13	12	9	10	58	66	-12.121%
Parking	112	221	114	120	119	120	806	1086	-25.782%



<b>Field Interview Cards</b>	3	5	8	1	8	10	35	56	-37.500%
Cases Assigned to Detectives	51	46	55	59	58	52	321	303	5.941%
Cases Cleared by Detectives	44	16	44	31	110	49	294	273	7.692%
Clearance Rate by Detectives	47%	21%	54%	32%	126%	70%	58%	54%	7.407%
Nixle Subscribers	1679	1744	1766	1835	1857	1869	1882	1467	28.28%
SMS Subscribers	1533	1593	1613	1679	1694	1703	1613	1332	21.096%
Voice Subscribers	182	202	189	212	213	215	189	158	19.620%
Email Subscribers	768	818	828	887	899	907	828	683	21.230%
Coffee with Cop	0	1	1	1	0	0	3	3	0.000%

## SECOND QUARTER STATISTICS

2019	APRIL	MAY	JUNE	YTD
<b>Part I Crimes</b>				
Homicide		0	0	0
Rape	0	0	0	0
Robbery		0	0	1
Aggravated Assault		1	1	2
Burglary		6	11	8
Residential		6	10	3
Commercial		0	1	5
Attempt	1	2	0	3
Larceny		17	6	11
Auto Theft	0	0	0	0
Arson	0	0	0	0
<b>Total Part I Crimes</b>	<b>24</b>	<b>18</b>	<b>22</b>	<b>64</b>
<b>Traffic Collisions</b>				
Fatal		0	0	0
Hit& Run	3	5	1	9
Injury		4	3	2
Non-Injury	7	10	5	22
<b>Calls for Service</b>				
SMPD assist other Agency		26	19	24
Other agency assist SMPD		11	11	13



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TO: Mayor and City Council

FROM: Marcella Marlowe, Ph.D., City Manager

BY: Aldo Cervantes, Planning and Building Director  
Christine Song, Assistant Planner

DATE: July 26, 2019

**SUBJECT: DISCUSSION REGARDING AN ORDINANCE OF THE CITY OF SAN MARINO AMENDING THE SAN MARINO MUNICIPAL CODE BY AMENDING THE REGULATIONS FOR FENCES AND WALLS IN RESIDENTIAL ZONES THAT ABUT ALLEYS**

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## **STRATEGIC PLAN CRITICAL SUCCESS FACTORS**

- Beautiful, Preserved, Single-Family Residential Neighborhoods

## **BACKGROUND**

The City Council has directed staff to draft an amendment to Chapter 23 Article 13, Regulations for fences, walls and hedges in the R-I Zone. The draft ordinance aims to only consider amending the provisions related to walls or fences adjacent to an alley. The intent of the draft ordinance is to allow for the ability to construct a new rear yard or side yard wall adjacent to the property line and to allow for a height that maintains some level of privacy for the residential property.

The current code requires that any wall adjacent to a street provide a setback of 18 inches from the property line. In addition, the maximum height for the wall may not exceed 6 feet as measured from the lowest grade. The original intent of the 18 inch setback was to provide enough space between the property line and the wall to install landscaping. The landscaping in front of the wall was intended to soften the appearance of the wall.

The proposed provision related to increased wall height is drafted to apply only when the grade between the residential property and the alley is greater than 2 feet. This provision will ensure

that only those properties with this unique condition can benefit from this proposed code amendment. In addition, due to the grade difference between the property and the alley, language has been included to allow for walls to exceed the height limit of 6 feet and provide privacy for that property. Staff also has added a requirement for the materials that can be used to construct these walls, which requires that fences, walls, and gates shall be constructed of solid wood, masonry, tubular steel, or wrought iron.

At the March 27 and April 24, 2019 Planning Commission meetings, a public hearing was conducted, and staff presented the details surrounding the proposed ordinance. Several of the Commissioners provided questions and comments regarding the Ordinance, which staff addressed at both meetings. At the conclusion of the April meeting, the Planning Commission approved the draft ordinance and recommended that the ordinance be presented to the City Council through the formal public hearing process.

Typically, the standard procedure for introducing a code amendment is to provide public notice and to introduce the ordinance to the Council for discussion and first reading. Due to the fact that there has not been adequate discussion on the merits of this topic and the ordinance, staff found that it would be appropriate to have a study session first before expending funds for the notice and for the formal amendment process.

## **FISCAL IMPACT & PROCUREMENT REVIEW**

None.

## **LEGAL REVIEW**

The City Attorney has reviewed and approved the staff report as to legal form.

## **RECOMMENDATION**

Staff recommends the City Council discuss the merits of the proposed ordinance and direct staff to proceed through the formal Code adoption process. If the Council concurs, an appropriate motion would be:

“Motion to direct staff to proceed with the formal Code adoption process and return the proposed ordinance to the City Council to conduct a public hearing for first reading of the Ordinance.”



## **ATTACHMENTS**

- I. Draft Ordinance No. O-19-XXXX

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**ORDINANCE NO. O-19-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF SAN MARINO AMENDING THE SAN MARINO MUNICIPAL CODE BY AMENDING THE REGULATIONS FOR FENCES AND WALLS IN RESIDENTIAL ZONES.**

**THE SAN MARINO CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:**

Section 1. Section 23.01.01 of Article I of Chapter 23 is hereby amended by adding the following definition in alphabetical order.

**ALLEY:** Any public roadway without curbs or sidewalks having a width that does not exceed twenty (20) feet that is primarily used for access to the rear or side yards of abutting residential properties.

Section 2. Subsections C and D of Section 23.13.04 of Article 13 of Chapter 23 of the San Marino Municipal Code are hereby amended to read as follows:

**C. Required Side Yard:** All fences, gates, pilasters, yard walls and retaining walls located in the required side yard shall conform to the requirements set forth herein:

**1. Setback:**

- a. No fence, pilaster, yard wall, or retaining wall shall be located less than two inches (2") from the side property line between two abutting residential properties, except by written mutual consent between the property owners.
- b. With the exception of fences, gates, pilasters, yard walls, or retaining walls abutting an alley, no fence, gate, pilaster, yard wall, or retaining wall in the required side yard facing a street on a corner lot shall be located less than eighteen inches (18") from the property line or the distance established by the DRC for safety reasons.

**2. Height:**

- a. Fences, yard walls, and retaining walls within the required side yard shall not exceed six feet (6') in height.
- b. Fences, gates, pilasters, yard walls, and retaining walls less than twenty feet (20') from the side street property line on a corner lot abutting a key lot shall not exceed four feet (4') in height.
- c. Fences, gates, pilasters, yard walls, and retaining walls less than twenty feet (20') from the front street property line abutting an alley shall not exceed four feet (4') in height.

- d. Where the existing grade between a residential property that abuts an alley is greater than two feet (2'-0"), as measured from the residential property, the maximum height of the fence and wall may be increased to a total height of twelve feet (12'-0").

3. Pilasters And Gates: No pilaster with cap, or gate facing the street, within the side yard of a corner lot, shall exceed six inches (6") above the height of the applicable fence or yard wall limit provided in subsection C2 of this section.

4. Ornamental Features: Ornamental features or lights on gate pilasters shall not exceed twelve inches (12") above the height of the pilaster, or the height determined by the Design Review Committee.

5. Finished Material:

- a. Fences, walls, and gates located adjacent to an alley shall be constructed of solid wood, masonry, tubular steel, or wrought iron.

D. Required Rear Yard: All fences, gates, pilasters, yard walls and retaining walls located in the required rear yard shall conform to the requirements contained herein:

I. Setback:

- a. No fence, yard wall or retaining wall between two abutting residential properties shall be located less than two inches (2") from the rear property line, except by written mutual consent between the property owners.
- b. With the exception of fences, gates, pilasters, yard walls or retaining walls abutting an alley, no fences, gates, pilasters, yard walls or retaining walls shall be located less than eighteen inches (18") from the rear property line facing the street of a lot.

2. Height:

- a. Fences, yard walls and retaining walls within the required rear yard shall not exceed six feet (6') in height, provided:
- b. Fences, gates, pilasters, yard walls and retaining walls less than twenty feet (20') from the side street property line on a corner lot abutting a key lot shall not exceed four feet (4') in height.
- c. Where the existing grade between a residential property that abuts an alley is greater than two feet (2'-0"), as measured from the residential property, the maximum height of the fence and wall may be increased to a total height of twelve feet (12'-0").

3. Pilasters And Gates: No pilaster with cap, or gate facing the street, within the rear yard of a corner lot, shall exceed six inches (6") above the height of the applicable fence or yard wall limit provided in subsection D2 of this Section.

4. Ornamental Features: Ornamental features or lights on gate pilasters shall not exceed twelve inches (12") above the height of the pilaster, or the height determined by the Design Review Committee.

5. Finished Material:

- a. Fences, walls, and gates located adjacent to an alley shall be constructed of solid wood, masonry, tubular steel, or wrought iron.

**PASSED, APPROVED, AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
STEVEN HUANG, DDS, Mayor

ATTEST:

\_\_\_\_\_  
EVA HETER, City Clerk

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