



# City of Sierra Madre Agenda Report

*Gene Goss, Mayor*  
*Edward Garcia, Mayor Pro Tem*  
*Rachelle Arizmendi, Council Member*  
*Kelby Kriebs, Council Member*  
*Robert Parkhurst, Council Member*

*Michael Amerio City Treasurer*

TO: Honorable Mayor Goss and Members of the City Council

FROM: Laura M. Aguilar, City Clerk 

REVIEWED BY: Jose Reynoso, City Manager  
Aleks Giragosian, City Attorney

DATE: June 14, 2022

SUBJECT: CONSIDERATION OF:

RESOLUTION 20-40: A RESOLUTION CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2022 FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISION OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

RESOLUTION 22-41: A RESOLUTION ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022; AND

RESOLUTION 22-42: A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY OF SIERRA MADRE RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2022; AND

QUALIFIED CITIZEN PETITION FOR INITIATIVE MEASURE TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM "INSTITUTIONAL" TO "HILLSIDE" AND THE ZONING DESIGNATION FROM "INSTITUTIONAL" TO "HILLSIDE MANAGEMENT" FOR THE MATER DOLOROSA PROPERTY; AND

RESOLUTION 22-43: A RESOLUTION SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND

RESOLUTION 22-44: A RESOLUTION PROVIDING FOR THE  
FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES  
AND INITIATIVES SUBMITTED AT MUNICIPAL ELECTIONS

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**STAFF RECOMMENDATION**

Staff recommends that the City Council adopt Resolutions 22-40; 22-41; 22-42; 22-43; 22-44 and provide direction regarding the qualified citizen petition.

**ALTERNATIVES**

1. Adopt Resolutions 22-40; 22-41; 22-42; 22-43, 22-44;
2. continue the discussion to a future Council meeting;

Additionally, proponents have gathered sufficient signatures on an initiative petition and Council is asked to consider several options:

1. adopt the initiative ordinance, without alteration
2. submit the initiative, without alteration, at the November 8, 2022 general municipal election;
3. call for a Special Election to be held before November 8, 2022 and submit the initiative to a ballot at an upcoming Special Election;
4. direct the City Attorney to prepare a report pursuant to Elections Code § 9212.

**SUMMARY**

The next Municipal election is Tuesday, November 8, 2022. There are currently three City Council seats slated for voter consideration on that ballot. It is necessary for the City to adopt a number of Resolutions. It is recommended that the City Council approve Resolutions 22-40, 22-41, 22-42, 22-43, and 22-44, respectively.

In addition, three proponents submitted their intent to circulate a petition with the City Clerk's Office on January 25, 2022 for the purpose of changing the zoning of the Monastery parcel (Mater Dolorosa) and any subdivisions of it, from Institutional to Hillside Residential Zone.

Accordingly, the City Attorney prepared a ballot title and initiative summary, pursuant to Elections Code § 9203. The proponents: Barbara Velluro, Alexander Arrieta, and Gary Bacio submitted proof of publication of their intent to circulate an initiative to the City Clerk's Office on February 24, 2022

The proponents submitted their completed petition to the City Clerk's Office on May 13, 2022. City Clerk Aguilar and two deputized City Clerks conducted a prima facie sampling of the collected signatures and subsequently forwarded the petition pages to the Los Angeles County Clerk's Office for a second analysis of the collected signatures. The Clerk's Office determined as follows:

- Number of signatures filed: 1,492
- Number of signatures found sufficient: 1,300

The minimum number of signatures needed to qualify as a ballot initiative for a future election is 856 signatures.

The proponents have gathered sufficient signatures and Council is asked to consider several options:

- adopt the initiative ordinance, without alteration
- submit the initiative, without alteration, at the November 8, 2022 general municipal election;
- call for a Special Election to be held before November 8, 2022 and submit the initiative to a ballot at an upcoming Special Election;
- direct the City Attorney to prepare a report pursuant to Elections Code § 9212

Election Code § 9212 stipulates that the legislative body may refer the proposed initiative measure to any city agency or agencies for a report on any or all of the following:

- 1) Its fiscal impact;
- 2) Its effect on the internal consistency of the city's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under Section 65008 of the Government Code and Chapters 4.2 (commencing with Section 65913) and 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code;
- 3) Its effect on the use of land, the impact on the availability and location of housing, and the ability of the city to meet its regional housing needs;
- 4) Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses;

- 5) Its impact on the community's ability to attract and retain business and employment;
- 6) Its impact on the uses of vacant parcels of land;
- 7) Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization;
- 8) Any other matters the legislative body requests to be in the report;

The report shall be presented to the legislative body within the time prescribed by the legislative body, but no later than 30 days after the elections official certifies to the legislative body the sufficiency of the petition (July 14, 2022).

#### **ANALYSIS**

The next Municipal election is Tuesday, November 8, 2022. There are currently three City Council seats scheduled for voter consideration on that ballot. It is necessary for the City to adopt a number of Resolutions. The Resolutions are:

#### **RESOLUTION 20-40:**

Calling and giving notice of the holding of a general municipal election to be held on November 8, 2022 for the election of certain officers as required by the provision of the laws of the State of California relating to General Law cities; and

#### **RESOLUTION 22-41:**

Adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held November 8, 2022; and

#### **RESOLUTION 22-42:**

Requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City of Sierra Madre relating to the conduct of a General municipal election to be held on November 8, 2022; and

The City Council is also asked to consider a qualified citizen petition for an initiative measure to change the General Plan Land Use designation from "Institutional" to "Hillside" and the zoning designation from "Institutional to "Hillside Management" for the Mater Dolorosa property; and

#### **RESOLUTION 22-43:**

Providing for the filing of rebuttal arguments for ballot measures and initiatives submitted at municipal elections; and

**RESOLUTION 22-44:**

Setting Priorities for filing written arguments regarding a measure and directing the City Attorney to prepare an Impartial Analysis

**CONSISTENCY WITH GENERAL PLAN**

The approval of election-related resolutions does not affect the General Plan. The Council's consideration of the options related to the citizen petition does not affect the General Plan. However, if approved by the voters, the initiative itself may impact the General Plan, as it pertains to zoning.

**FINANCIAL REVIEW/SOURCE OF FUNDING**

There is no financial impact in the preparation of this agenda report. However, staff time was incurred.

**ENVIRONMENTAL (CEQA)**

N/A

**PUBLIC NOTICE PROCESS**

This item has been noticed through the regular agenda notification process. Copies of this report can be accessed on the City's website at [www.cityofsierramadre.com](http://www.cityofsierramadre.com).

**Attachments**

- Election Resolutions 22-40, 22-41, 22-42, 22-43, and 22-44
- Notice of Intent to Circulate Petition
- Initiative Measure Title and Summary prepared by City Attorney
- Signature verification notification from Los Angeles County Clerk's Office

# ATTACHMENT

## RESOLUTION NO. 22-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISION OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on November 8, 2022, for the election of three City Council seats; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Sierra Madre, California, on Tuesday, November 8, 2022, a General Municipal Election for the purpose of electing three Members of the City Council for the full term of four years.

SECTION 2. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 3. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 4. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until 8:00 o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code Section 10242, except as provided in Section 14401 of the Election Code of the State of California.

SECTION 5. That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 9. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 10. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED ON JUNE 14, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Gene Goss, Mayor  
City of Sierra Madre

ATTEST:

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Laura Aguilar, City Clerk  
City of Sierra Madre

APPROVED AS TO FORM

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Aleks Giragosian, City Attorney  
City of Sierra Madre

# ATTACHMENT

## RESOLUTION NO. 22-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022

WHEREAS, Section 13307 of the Election Code of the State of California provides that the governing body of any local agency may adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidates' statements;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

### SECTION 1. GENERAL PROVISIONS

That pursuant to Section 13307 of the Election Code of the State of California, each candidate for elective office to be voted for at an election to be held in the City of Sierra Madre on April 10, 2018, may prepare a Candidate's Statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

### SECTION 2. FOREIGN LANGUAGE POLICY

- A. Pursuant to the Federal Voting Rights Act, the City is required to translate candidates' statements into whatever language the candidate requests: Spanish, Chinese, Japanese, Korean, Tagalong, Vietnamese or other.
- B. The City Clerk shall:
  - a) Have translated those statements into the languages as requested by the candidate in (A) above.
  - b) Print any translations of candidates who so request printing in the main voter pamphlet.
  - c) Print all candidates' statements in the main voter pamphlet in English.
  - d) Have all translations made available upon request in the office of the City Clerk.

### SECTION 3. PAYMENT



- A. The candidate shall be required to pay for the cost of translating the candidate's statement into any required foreign language as specified in (A) and/or (B) of Section 2 above, pursuant to Federal and/or State law.
- B. The candidate shall be required to pay for the cost of printing the candidate's statement in English in the main voter pamphlet.
- C. The candidate shall be required to pay for the cost of printing the candidate's statement in a foreign language requested by the candidate per (B) of Section 2 above, in the main voter pamphlet.

The City Clerk shall estimate the total cost of printing, handling, translating and mailing the candidates' statements filed pursuant to this Section, including costs incurred as a result of complying with the Voting Rights Act of 1965 (as amended) and require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. In the event the estimated payment is required, the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the Clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the Clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

SECTION 4. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 5. That the City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 6. That all previous resolutions establishing Council policy on payment for candidates' statements are repealed.

SECTION 7. That this Resolution shall apply only to the election to be held on April 10, 2018, and shall then be repealed.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

RESOLUTION 17-63 PASSED, APPROVED AND ADOPTED ON JUNE 14, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Gene Goss, Mayor  
City of Sierra Madre

ATTEST:

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Laura Aguilar, City Clerk  
City of Sierra Madre

APPROVED AS TO FORM

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Aleks Giragosian, City Attorney  
City of Sierra Madre

# ATTACHMENT

## RESOLUTION NUMBER 22-42

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE  
REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF  
LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY OF SIERRA  
MADRE RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO  
BE HELD ON TUESDAY, NOVEMBER 8, 2022

WHEREAS, a General Municipal Election is to be held in the City of Sierra Madre, California, on November 8, 2022; and

WHEREAS, in the course of conduct of the election it is necessary for the City to request services of the County; and

WHEREAS, all necessary expenses in performing these services shall be paid by the City of Sierra Madre.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the provisions of Section 10002 of the Elections Code of the State of California, this City Council requests the Board of Supervisors of the County of Los Angeles to permit the County Election Department to prepare and furnish the following for use in conducting the election:

- 1). A listing of county precincts with number of registered voters in each, so city may consolidate election precincts into city voting precincts, and maps of the voting precincts;
- 2). A list of polling places and poll workers the county uses for their elections;
- 3). The computer record of the names and address of all eligible registered voters in the city in order that the City's consultant may:
  - a. Produce labels for vote-by-mail voters;
  - b. Produce labels for sample ballot pamphlets;
  - c. Print Rosters of Voters and Street Indexes;
- 4). Voter signature verification services as needed;
- 5). Make available to the City election equipment and assistance as needed according to state law.

SECTION 2. That the City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill.

SECTION 3. That the City Clerk is directed to forward without delay to the Board of Supervisors and to the County Election Department, each a certified copy of this resolution.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SIERRA MADRE CITY COUNCIL RESOLUTION NO. 22-42 PASSED, APPROVED AND ADOPTED ON June 14, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Gene Goss, Mayor  
City of Sierra Madre

ATTEST:

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Laura Aguilar, City Clerk  
City of Sierra Madre

APPROVED AS TO FORM

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Aleks Giragosian, City Attorney  
City of Sierra Madre

## RESOLUTION NO. 22-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS.

WHEREAS, Section 9285 of the Election Code of the State of California, authorizes the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments for City measures, not to exceed 300 words, submitted at municipal elections.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to Section 9285 of the Elections Code of the State of California, when the Elections Official has selected the arguments for and against the measure (not to exceed 300 words) that will be printed and distributed to the voters, the Elections Official shall send a copy of an argument in favor of the proposition to the authors of any argument against the measure and a copy of the argument against the measure to the authors of any argument in favor of the measure immediately upon receiving the arguments.

The author or a majority of the authors of an argument relating to a City measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument.

A rebuttal argument may not be signed by more than five authors.

The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) who submitted it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers, not more than 10 days after the final date for filing direct arguments. The rebuttal arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument (see Form F-A-1).

Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

SECTION 2. That all previous Resolutions providing for the filing of rebuttal arguments for City measures are repealed.

SECTION 3. That the provisions of Section 1 shall apply only to the election to be held on November 8, 2022.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED ON JUNE 14, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Gene Goss, Mayor  
City of Sierra Madre

ATTEST:

---

Laura Aguilar, City Clerk  
City of Sierra Madre

APPROVED AS TO FORM

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Aleks Giragosian, City Attorney  
City of Sierra Madre

# ATTACHMENT

## RESOLUTION NO. 22-43

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENT(S) REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

**WHEREAS**, a General Municipal Election is to be held in the City of Sierra Madre California, on Tuesday, November 8, 2022, at which there will be submitted to the voters the following measure:

Shall the general plan land use designation change from "Institutional" to "Hillside" and the zoning designation change from "Institutional" to "Hillside Management" for the Mater Dolorosa Property?	Yes
	No

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

Section 1. Pursuant to Elections Code section 9282, the City Council authorizes the following member(s) of its body

\_\_\_\_\_ Councilmember in Favor or \_\_\_\_\_ Councilmember  
Against

\_\_\_\_\_ Councilmember in Favor or \_\_\_\_\_ Councilmember  
Against

\_\_\_\_\_ Councilmember in Favor or \_\_\_\_\_ Councilmember  
Against

\_\_\_\_\_ Councilmember in Favor or \_\_\_\_\_ Councilmember  
Against

\_\_\_\_\_ Councilmember in Favor or \_\_\_\_\_ Councilmember  
Against

To file written argument(s) not exceeding 300 words regarding the initiative as specified above, accompanied by the printed name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California. The arguments may be changed or withdrawn until and including the date fixed by the Office of the City Clerk after which no arguments for or against the City measure may be submitted to the Office of the City Clerk.

Section 2. Pursuant to Elections Code section 9280, the City Council directs the City Clerk to transmit a copy of the measure to the City Attorney.

- a. The City Attorney shall prepare an impartial analysis of the measure not exceeding 500 words showing the effect of the measure on the existing law and the operation of the measure.
- b. The analysis shall include a statement indicating whether the measure was placed on the ballot by petition signed by the requisite number of voters or by the governing body of the City.
- c. The Office of the City Clerk shall make a copy of the ballot measure, the City Attorney's Impartial Analysis and any ballot arguments available for public examination in accordance with California Elections Code Sections 9223 and 9295. The City Clerk's Office is further directed to publish a synopsis of the ballot measure in the manner required by California Elections Code Section 12111 at least one time not later than one week before the election in a newspaper of general circulation in the City.
- d. The impartial analysis shall be filed by the date set by the Office of the City Clerk for the filing of primary arguments.

Section 3. That the City Clerk shall certify to the passage and adoption of this resolution and enter into the book of original resolutions.

Section 4. That the City Clerk is directed to file a certified copy of this resolution and its attachments with the Board of Supervisors and the Registrar of Voters in the time and manner required by law.

RESOLUTION 22-43 PASSED, APPROVED AND ADOPTED ON \_\_\_\_\_, 2022,  
by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Gene Goss, Mayor  
City of Sierra Madre

ATTEST:



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Laura Aguilar, City Clerk  
City of Sierra Madre

APPROVED AS TO FORM

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Aleks Giragosian, City Attorney  
City of Sierra Madre

## Notice of Intent to Circulate Petition

Protect Sierra Madre - Stop the Housing Project has filed an Initiative to place an Ordinance on the Ballot in this year's election to be voted on by all registered voters of Sierra Madre. It would change the zoning of the Monastery parcel (Mater Dolorosa) and any subdivisions of it, from *Institutional* to *Hillside Residential Zone*. A petition with signatures of 10% of Sierra Madre registered voters will put the question on the ballot.

If the measure passes at this year's election, the Retreat Center can continue to operate as a pre-existing non-conforming use, as long as they choose. But any change in use, or development of any part of the parcel, would be subject to the requirements of our Hillside Ordinance.

Over the years, recognizing that all Sierra Madre properties adjacent to the mountains, and part of the wildland-urban interface, require special protection, our elected officials enacted many General Plan changes and ordinances to protect what makes Sierra Madre special, the Environment, the wildlife, tree canopies, the Hillsides, and the Monastery parcel. In discussing the Hillside Ordinance, Planning Commission members commented that the Ordinance wasn't only about slope, but about elevation, topography, views, vegetation, wildlife, fire safety and "things that would change the look and feel of this town."

The "Monastery" parcel is one of the only properties abutting the mountains that is not protected by a zoning designation of Open Space or Hillside Residential.

In 2015, during the drought, the Sierra Madre Planning Commission and City Council added many Water Conservation measures to the pending General Plan update, including removal of a provision that might have someday allowed the reuse of the Monastery property as housing. The EIR was certified and the General Plan adopted in 2015, and in 2016 the zoning was amended to conform to the General Plan with no objection to any of these actions during the 90 day periods after enactment.

The California Constitution gives voters the power to enact initiatives, to change laws in their City in light of the theory that all power of government ultimately resides in the people. We believe the citizens of Sierra Madre know best what is right for their City and will vote to forever protect that fragile open space, with an ordinance to change the zoning on the property from *Institutional* to *Hillside Residential Zone*.

Development can happen on that land, but with the protections of all our values that our City Government has failed to enact.

Original signed on January 25, 2022 by:

  
Barbara Velturo

  
Alexander Arrieta

  
Gary Bacio

**RECEIVED**

JAN 25 2022

  
CITY OF SIERRA MADRE  
CITY CLERK'S OFFICE

# INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

The people of the City of Sierra Madre do ordain as follows:

## Section 1. Title.

This initiative measure (“Initiative”) shall be known as the “**Mater Dolorosa Hillside Zoning Initiative.**”

## Section 2. Findings and Purpose.

A. Findings. The people of the City of Sierra Madre find and declare the following:

1. Preserving the small-town character of Sierra Madre is a matter of utmost importance, and residents of our city must not be excluded from major decisions affecting Sierra Madre.
2. A community-wide sensitivity is necessary to make decisions to ensure that the small-town character of Sierra Madre will be preserved, and the City has not consistently displayed this needed attention and care.
3. In years past, Sierra Madre has continually enacted General Plan provisions, Ordinances and Plans that serve to protect the things that make Sierra Madre unique: Its hillsides, wildlands urban interfaces, views, tree canopies, and flora and fauna, and that protect the safety of its citizens.
4. The people of Sierra Madre wish to ensure that those long-standing goals for the protection of sensitive and potentially hazardous areas in Sierra Madre are enforced to the greatest extent possible under the law.
5. Residents of Sierra Madre are no longer confident that enforcement of those policies and goals in our General Plan are a priority of our City Council, and believe that protection of sensitive, threatened and hazardous areas should be determined by the residents of the City, after a public debate and an election, and not by the individuals in City Hall.
6. The proposed redevelopment of the Mater Dolorosa Passionist Retreat Center property, located adjacent to Bailey Canyon Wilderness Park, and in a very high fire hazard zone, would undermine the intent of the City in adopting the General Plan and the Hillside Management Ordinance. The Mater Dolorosa Property is one of the only properties abutting the mountains that is not protected by a zoning designation of Open Space or Hillside residential. Permitting the construction of 42 homes would irrevocably alter the natural setting and change the feel of this portion of Sierra Madre forever, taking away the environmental setting that makes Sierra Madre special.

B. Intent and Purpose.

- a. The intent of this Initiative is to permit the continued operation of the Mater Dolorosa Passionist Retreat Center without expansion, significant physical alteration, or change in use, as a nonconforming use.

## **INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS**

- b. The purpose of this Initiative is to change the General Plan Land Use Designation and the zoning of the Mater Dolorosa property, APN 5761-002-008, located at 700 North Sunnyside Avenue (hereinafter "Mater Dolorosa Property"), as shown on Exhibit A, from Institutional/Institutional to Hillside/Hillside Residential Zone to ensure that any future development is protective of the City's hillside environment, while permitting the continued operation of the Mater Dolorosa. This Initiative also applies this designation to any properties created from any subdivision of the Mater Dolorosa Property shown on Exhibit A, including any lots created after the Notice of Intent to Circulate the Initiative was submitted.

### **Section 3. City of Sierra Madre General Plan Amendment**

The voters hereby amend the General Plan Diagram (shown in Exhibit B) of the City of Sierra Madre to:

Change the General Plan designation on the Land Use Map and in the General Plan of the Mater Dolorosa Property (labeled on Exhibit B, and as shown in Exhibit A) from Institutional-I to Hillside-H.

### **Section 4. Zoning Map Amendment**

The voters hereby amend the Zoning Map (shown in Exhibit C) of the City of Sierra Madre, to:

Change the zoning on the Mater Dolorosa Property (labeled on Exhibit B, and as shown in Exhibit A), from Institutional- I to Hillside Residential- H (also referred to as Hillside Management).

### **Section 5. Existing Use of Mater Dolorosa Property and Future Property Development**

It is the intent of the voters that the existing retreat center, the Mater Dolorosa Passionist Retreat Center, may continue as a pre-existing non-conforming use under the provisions of the Sierra Madre Municipal Code relating to non-conforming use.

It is the intent of the voters that any change of use of the Mater Dolorosa Property from its current use as the Mater Dolorosa Passionist Retreat Center must be consistent with the requirements of the Municipal Code governing the Hillside Residential Zone/Hillside Management Zone.

It is the intent of the voters that the City of Sierra Madre retains its authority, consistent with the limitations of the Hillside Residential Zone/Hillside Management Zone, to regulate use of property, design standards, or building construction on the Mater Dolorosa Property. However, it is the intent of the voters that no such authority shall be exercised in a manner that undermines or is inconsistent with the provisions of this Initiative, unless an amendment of this Initiative is approved by the voters.

## INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

### Section 6. Effect of Initiative on General Plan Land Use Classification and Zoning on Subject Property Only

This Initiative adopts General Plan designations and zoning designations only for the Mater Dolorosa Property, which is specifically identified in this Initiative and shown on Exhibit A. The Initiative applies to the Mater Dolorosa Property and any parcels created from the Mater Dolorosa Property, including those parcels created after the Notice of Intent to Circulate the Initiative was submitted. The Initiative does not adopt, alter, or change any other land use classifications or zoning on any other real property in the City of Sierra Madre.

### Section 7. Implementation

- A. This Initiative is considered adopted and effective upon the earliest date legally possible after either the City Council adopts the Initiative as law upon its qualification or, if it is placed on the ballot, the elections official certifies the vote on the Initiative by the voters of the City of Sierra Madre. Upon the effective date of this Initiative, the City is directed to promptly take all appropriate actions needed to implement this Initiative, including but not limited to taking any administrative steps necessary to update any and all City maps, figures, and any other documents maintained by the City so they conform to the legislative policies set forth in this Initiative.
- B. Upon the effective date of this Initiative, the General Plan amendments of Section 3 of this Initiative are hereby inserted into the General Plan; except that if the four amendments of any mandatory element of the General Plan permitted by state law for any calendar year have already been utilized in the year in which this Initiative becomes effective, the General Plan amendments set forth in this Initiative shall be the first amendments inserted into the General Plan on January 1 of the next year. The City may reorganize, renumber, and/or reformat the General Plan provisions of Section 3 of this Initiative, provided that the full text is inserted into the General Plan without alteration.
- C. The General Plan in effect on the date of filing of the Notice of Intent to Circulate this Initiative ("Filing Date"), and the General Plan as amended by this Initiative, comprise an integrated, internally consistent, and compatible statement of policies for the City. To ensure that the City's General Plan remains an integrated, internally consistent, and compatible statement of policies for the City, any provision of the General Plan that is adopted between the Filing Date and the effective date of the General Plan amendments adopted by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with or would diminish, render invalid, defeat, or impair the General Plan amendments adopted by this Initiative, be amended as soon as possible and in the manner and time required by state law to ensure consistency between the provisions adopted by this Initiative and other elements of the General Plan.
- D. Upon the effective date of this Initiative, the provisions of Section 4 (Zoning Amendments) of this Initiative are hereby inserted into the Sierra Madre Municipal Code. The City may reorganize, renumber, and/or reformat the provisions of Section 4 of this

## INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Initiative, provided that the full text is inserted into the Municipal Code without alteration.

### Section 8. Effect of Other Measures on the Same Ballot

It is the voters' intent to comprehensively regulate the zoning and development standards for the specific property that is subject to the Initiative. To ensure that this intent is not frustrated, and in the event this Initiative is not adopted by the City Council as law, this Initiative shall be presented to the voters as an alternative to, and with the express intent that it will compete with, any and all voter initiatives or City-sponsored measures placed on the same ballot as this Initiative and which, if approved, would regulate the use or development of the subject properties in any manner whatsoever (each, a "Conflicting Initiative"). In the event that this Initiative and one or more Conflicting Initiatives are adopted by the voters at the same election, then it is the voters' intent that only that measure that receives the greatest number of affirmative votes shall control in its entirety and said other measure or measures shall be rendered void and without any legal effect. In no event shall this Initiative be interpreted in a manner that would permit its operation in conjunction with the non-conflicting provisions of any Conflicting Initiative. If this Initiative is approved by the voters but superseded by law in whole or in part by any other Conflicting Initiative approved by the voters at the same election, and such Conflicting Initiative is later held invalid, this Initiative shall be self-executing and given full force of law.

### Section 9. Interpretation and Severability

A. This Initiative must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Initiative. The voters declare that this Initiative, and each section, sub-section, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application.

B. If any portion of this Initiative is held by a court of competent jurisdiction to be invalid, we the People of the City of Sierra Madre indicate our strong desire that: (i) the City Council use its best efforts to sustain and re-enact that portion, and (ii) the City Council implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, including adopting or reenacting any such portion in a manner consistent with this Initiative.

C. The Proponents of this Initiative, and any committee formed to support this Initiative, shall have standing to enforce and defend the provisions of this Initiative in any judicial forum, as necessary.

## **INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS**

D. This Initiative must be broadly construed in order to achieve the purposes stated above. It is the intent of the voters that the provisions of this Initiative be interpreted or implemented by the City and others in a manner that facilitates the purpose set forth in this Initiative.

### **Section 10. Amendment**

The provisions of this Initiative can be amended or repealed only by a majority of voters of the City of Sierra Madre voting in a regularly scheduled municipal election.

### **Section 11. Inconsistent Provisions Repealed**

Any provisions of the City of Sierra Madre Municipal Code, or any other ordinances of the City inconsistent with this Initiative, to the extent of such inconsistencies and no further, are hereby repealed. This Initiative expresses the voters' intent to eliminate any possible inconsistency between existing code provisions and the amended General Plan designations and zoning designations.

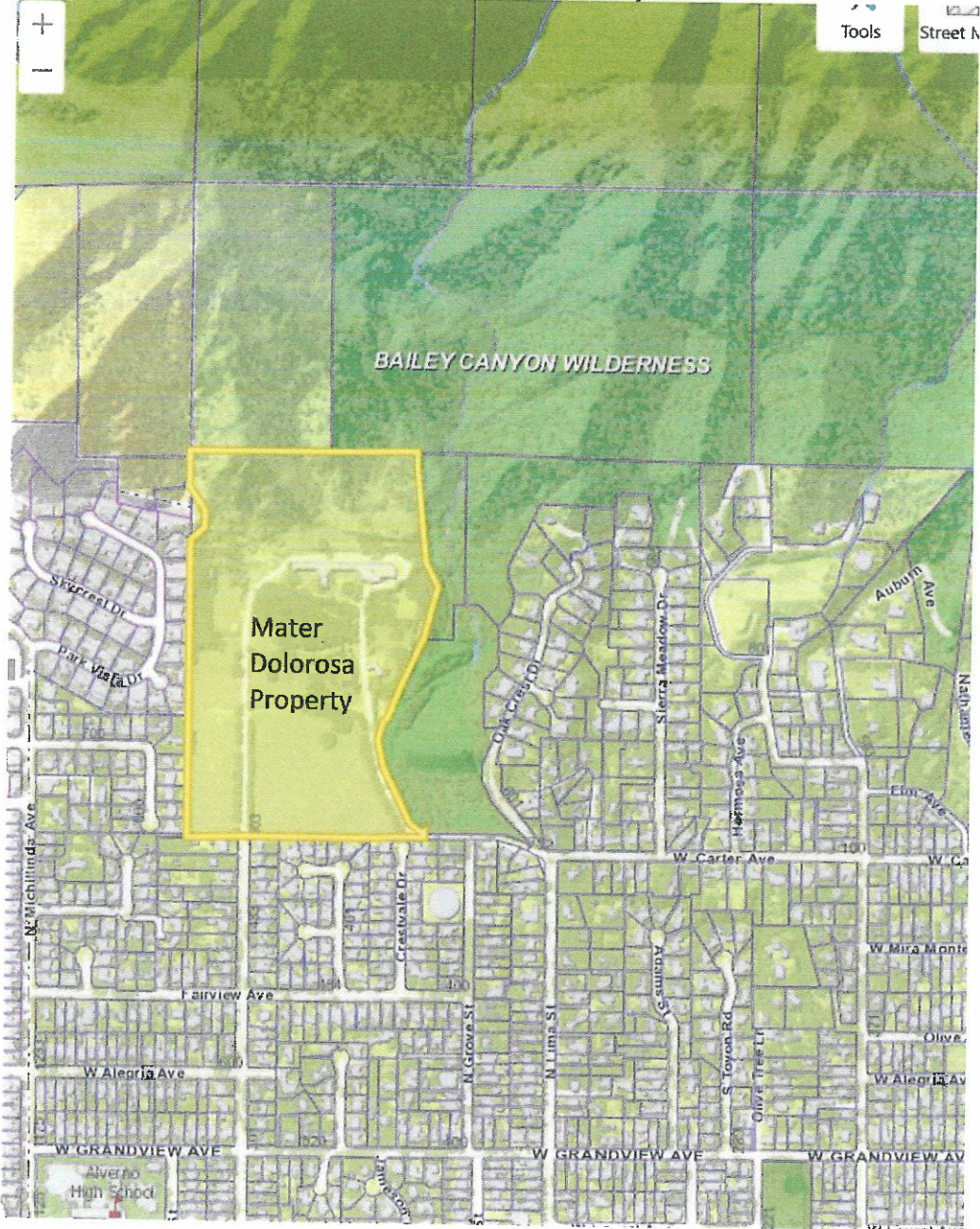
### **Section 12. Exhibits**

The following Exhibits A-C are provided for reference for the voters and incorporated by reference herein. The maps are intended to provide context and information regarding the location and current General Plan designations and zoning designations of the Mater Dolorosa Property, as well as the designations of surrounding properties. The inclusion of the maps does not amend the General Plan or zoning designations of any property other than those specifically amended in this Initiative.

# INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

## Exhibit A Identification of Mater Dolorosa Property

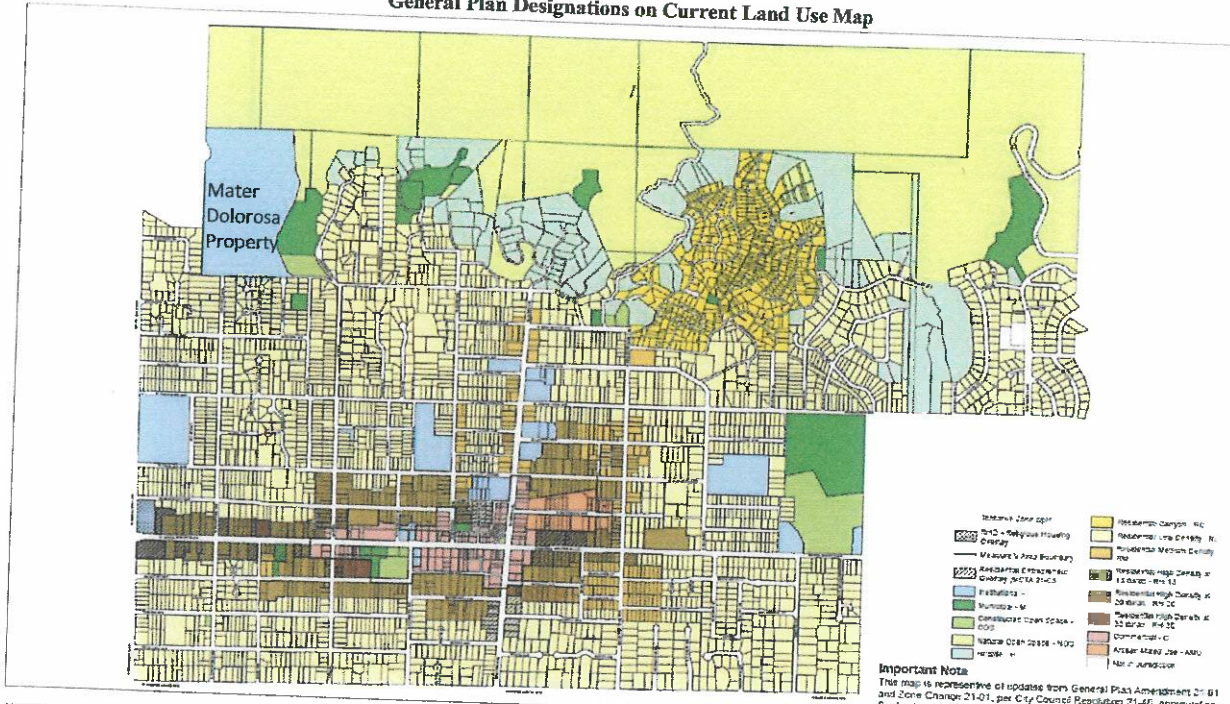
Obtained from Los Angeles County Property Assessment Information System.





**INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS**

**Exhibit B  
General Plan Designations on Current Land Use Map**

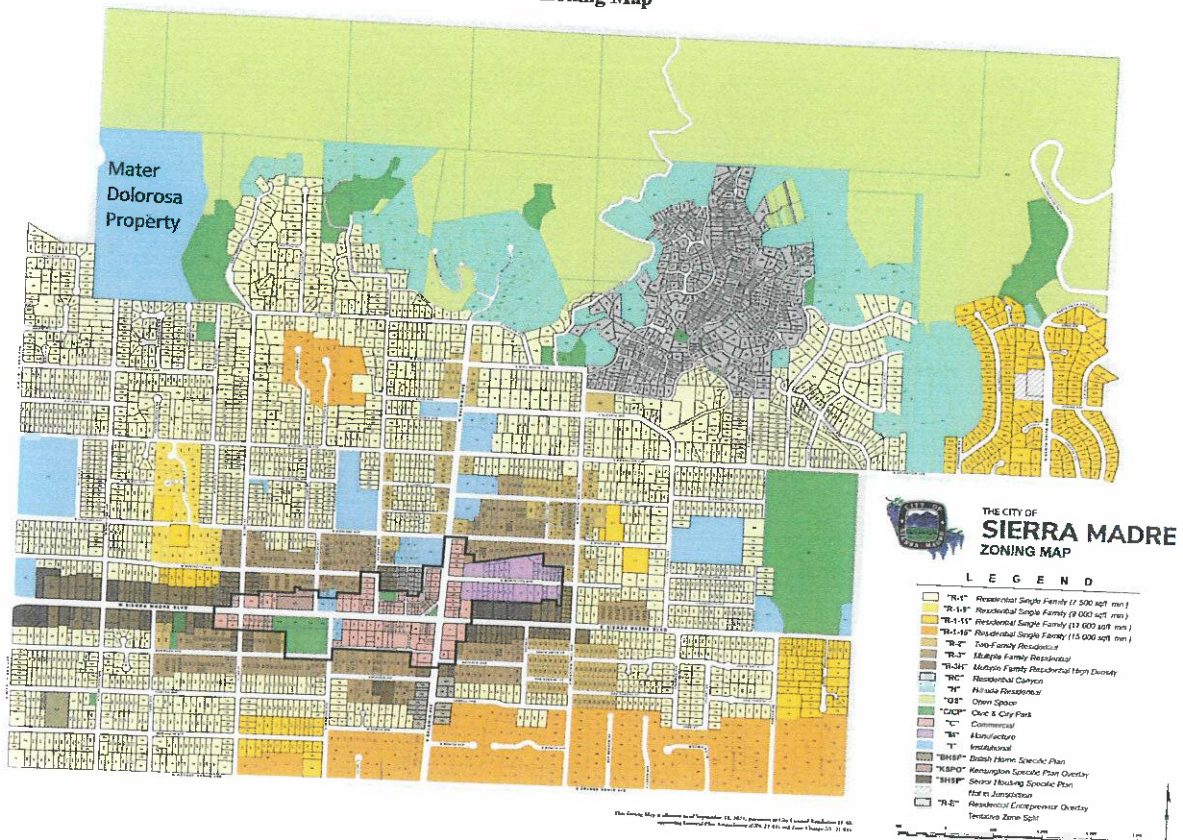


**City of Sierra Madre Land Use Map**  
Including Housing Element Updates

Parcel Label	Current Designation	Designation Adopted by Initiative
Mater Dolorosa Property	Institutional- I	Hillside- H

# INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Exhibit C  
Zoning Map



Parcel Label	Current Zoning	Zoning Adopted by Initiative
Mater Dolorosa Property	Institutional- I	Hillside Residential - H

SIGNED STATEMENT OF PROPONENT

(Elec. Code, § 9608)

I, Gary Bacio, acknowledge that it is a misdemeanor under state law (section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.



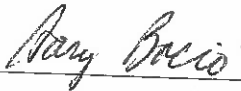
Signature of Proponent

Dated this 25 day of January, 2022

AUTHORIZATION FOR COUNSEL TO HANDLE PETITION FILING

(Elec. Code, § 9210)

I, Gary Bacio, as a proponent of the Mater Dolorosa Hillside Zoning Initiative (the "Initiative"), hereby authorize my legal counsel, Beverly Grossman Palmer of Strumwasser & Woocher LLP, to handle the filing of the Initiative for title and summary, filing of the Initiative petition, and any other actions and/or correspondence with your office, or any other elections officials, relating to the Initiative.



Signature of Proponent

Dated this 25 day of January, 2022

SIGNED STATEMENT OF PROPONENT

(Elec. Code, § 9608)

I, Barbara Velturo, acknowledge that it is a misdemeanor under state law (section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.



Signature of Proponent

Dated this 25 day of January, 2022

AUTHORIZATION FOR COUNSEL TO HANDLE PETITION FILING

(Elec. Code, § 9210)

I, Barbara Velturo, as a proponent of the Mater Dolorosa Hillside Zoning Initiative (the "Initiative"), hereby authorize my legal counsel, Beverly Grossman Palmer of Strumwasser & Woocher LLP, to handle the filing of the Initiative for title and summary, filing of the Initiative petition, and any other actions and/or correspondence with your office, or any other elections officials, relating to the Initiative.



Signature of Proponent

Dated this 25 day of January, 2022

SIGNED STATEMENT OF PROPONENT

(Elec. Code, § 9608)

I, Alexander Arrieta, acknowledge that it is a misdemeanor under state law (section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.



Signature of Proponent

Dated this 25 day of January, 2022

AUTHORIZATION FOR COUNSEL TO HANDLE PETITION FILING

(Elec. Code, § 9210)

I, Alexander Arrieta, as a proponent of the Mater Dolorosa Hillside Zoning Initiative (the "Initiative"), hereby authorize my legal counsel, Beverly Grossman Palmer of Strumwasser & Woocher LLP, to handle the filing of the Initiative for title and summary, filing of the Initiative petition, and any other actions and/or correspondence with your office, or any other elections officials, relating to the Initiative.



Signature of Proponent

Dated this 25 day of January, 2022

RECEIVED

ATTACHMENT

FEB 09 2022

INITIATIVE MEASURE TITLE AND SUMMARY

CITY OF SIERRA MADRE  
CITY CLERK'S OFFICE

PREPARED BY CITY ATTORNEY  
UNDER ELECTIONS CODE § 9203

BALLOT TITLE

Petition for Initiative Measure to Change the General Plan Land Use Designation from "Institutional" to "Hillside" and the Zoning Designation from "Institutional" to "Hillside Management" for the Mater Dolorosa Property

INITIATIVE SUMMARY

This initiative amends the allowable land use for the parcels owned by The Congregation of Passion, Mater Dolorosa Community. Specifically, the initiative changes the parcels' General Plan land use designation from "Institutional" to "Hillside" and zoning designation from "Institutional" to "Hillside Management."


The Congregation of the Passion, Mater Dolorosa Community, is a California charitable corporation that owns the parcels located at 700 North Sunnyside Avenue in Sierra Madre, California (APN: 5761-002-008) ("Mater Dolorosa Property"). The initiative does not amend the land use designation for any other property owner in the City.

Currently, the Mater Dolorosa Property is zoned as Institutional. Residential uses are limited in the Institutional zone. Single-family homes are prohibited, whereas communal residential facilities are allowed with a conditional use permit and master plan amendment approved by the City's Planning Commission after a public hearing.

Under the initiative, the Mater Dolorosa Property would be zoned Hillside Management. Any subdivisions of the Mater Dolorosa Property created after January 25, 2022, would also be zoned Hillside Management. Residential uses are permitted in the Hillside Management Zone. Under state law, duplexes, single-family homes, and accessory dwelling units are allowed with a permit approved ministerially and without a public hearing by the Director of Planning and Community Preservation. The existing Mater Dolorosa Passionist Retreat Center would be allowed to continue operating as a nonconforming use.

If you sign this petition, you will help place this initiative measure on the ballot for election by the qualified voters of the City of Sierra Madre.

If you do not sign this petition, you will not help place this initiative measure on the ballot.

  
\_\_\_\_\_  
Aleks R. Giragosian, City Attorney

2/9/2022  
\_\_\_\_\_  
Date

# ATTACHMENT



## LOS ANGELES COUNTY REGISTRAR-RECORDER/COUNTY CLERK

DEAN C. LOGAN  
Registrar-Recorder/County Clerk

June 6, 2022

Ms. Laura Aguilar, City Clerk  
City of Sierra Madre  
232 West Sierra Madre Boulevard  
Sierra Madre, California 91024

Dear Ms. Aguilar:

We have completed the signature verification resubmitted on May 25, 2022, for Petition for Initiative Measure to Change the General Plan Land Use Designation from "Institutional" to "Hillside" and the Zoning Designation from "Institutional" to "Hillside Management" for the Mater Dolorosa Property.

The results of the signature verification are as follows:

Number of signatures filed	1,492
Number of signatures verified	1,492
Number of signatures found sufficient	1,300
Number of signatures found not sufficient	192
Not sufficient because duplicate	19

Please call Tiffany Olsen, Head, Data Entry and Signature Verification, at (562) 462-2376 if you have any questions regarding the signature verification of this petition.

Sincerely,

  
DEAN C. LOGAN  
Registrar-Recorder/County Clerk

RECEIVED

JUN 07 2022

CITY OF SIERRA MADRE  
CITY CLERK'S OFFICE