

SAN GABRIEL CITY COUNCIL AND REDEVELOPMENT AGENCY

MINUTES OF APRIL 21, 2009

The regular meetings of the San Gabriel City Council and the San Gabriel Redevelopment Agency convened on April 21, 2009 at 7:30 p.m. with Mayor/Chair Costanzo, Vice Mayor/Vice Chair Huang, Council/Agencymembers De La Torre, Gutierrez, Sawkins, City Manager/Executive Director Paules, City Attorney/General Counsel Kress, and Deputy City Clerk/Agency Secretary Castruita present.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance

ATTENDANCE

Attendance

RECESS AGENCY MEETING

Recess Agency Meeting

Agencymember Gutierrez moved to recess; seconded by Agencymember Sawkins. There being no objections, it was so ordered.

PRESENTATIONS

Presentations: Fire Captain Ong and Fire Engineer Murphy were given Oath. National Donate Life Month and West Nile Virus and Mosquito and Vector Control Awareness Week Proclamations.

Fire Chief Nestor introduced Fire Captain Newton Ong and Fire Engineer Kevin Murphy. Deputy City Clerk Castruita administered the Oaths of Office.

The City Council presented a proclamation of National Donate Life Month to Sabrina Ko who accepted as the representative.

Proclamation for West Nile Virus and Mosquito and Vector Control Awareness Week was acknowledged by Vice Mayor Huang who will present proclamation personally to the organization.

PUBLIC COMMENT: PURSUANT TO GOVERNMENT CODE SECTION 54954.3, THIS IS THE TIME PROVIDED FOR MEMBERS OF THE PUBLIC TO ADDRESS THE COUNCIL ON ITEMS OF INTEREST THAT ARE NOT ON THE AGENDA WITHIN THE SUBJECT MATTER JURISDICTION OF THE SAN GABRIEL CITY COUNCIL

Public Comment

Daniel Wright, voiced concerns of land use appeal fees.

PUBLIC HEARING: CASE NO. PL-07-143; TENTATIVE TRACT MAP NO. 70958 MISSION 261 VILLAGE, 257-261 S. MISSION DRIVE
Applicant: TSCP Investment

Public Hearing: Case No. PL-07-143; Tentative Tract Map No. 70958 Mission 261 Village, 257-261 S. Mission Drive continued to Tuesday, August 18, 2009 at 7:30 p.m.

- A. ACTION ON SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT – Including Appeal of Planning Commission Certification and Findings
- B. APPEAL OF PLANNING COMMISSION DECISION - Variance (Height and Floor Area Ratio), Conditional Use Permit, Tentative Tract Map
- C. ACTION ON STREET VACATION, EASEMENT AGREEMENT, AMENDMENT TO ENCROACHMENT AGREEMENT

The Mission District mixed use project proposes the demolition of a one-story restaurant building and an existing park-and-ride facility at 257-261 Mission Drive. Under the developer's proposal, these would be replaced with a mixed-use, pedestrian-oriented facility encompassing a 54-room boutique hotel, 14,000 s.f. of restaurant space, 3,500 square feet of retail space, public art, historic preservation of certain features, outdoor dining, and 30 residential condominium units over subterranean parking.

Commission Action: The Planning Commission reviewed the project on February 9 and March 9, 2009, and on March 9 approved variances for heights of approximately 44 to 63 feet (varies) above grade, exceeding the Mission District Specific Plan standard of 40 feet; and a floor area ratio (FAR) of 1.26, exceeding the Specific Plan standard of 1.0 FAR. In related actions the Commission also approved a conditional

use permit for a mixed-use development and tentative tract map, and forwarded the proposal to Council for action on the street vacation and easement agreement for encroachment. The Commission also certified a Final Supplemental Environmental Impact Report (FSEIR) and approved a Statement of Overriding Considerations.

Appeal: On March 23, 2009 the Neighborhood Association of San Gabriel filed an appeal of the Planning Commission's decisions to approve the FSEIR, variance, conditional use permit and related entitlements. The Council will be asked to consider these appeals, and to act on separate actions requiring Council consideration, including street vacation, easement agreement for encroachments, and amendment to an encroachment permit for outdoor dining and certification of the FSEIR for those actions under the Council's authority.

Recommended Action: After holding a public hearing and considering all testimony regarding the appeal, the FSEIR, the Statement of Overriding Considerations, and the related entitlements, that the City council close public hearing and:

1. Adopt Resolution No. 09-04 (Attachment #11), which denies the appeal of the Planning Commission's actions relating to the Final SEIR and CEQA approvals and:
 - Certifies the Final Supplemental Environmental Impact Report for all purposes;
 - Makes required findings related to changes and alterations in the Project (Mitigation Measures)
 - Adopts a Statement of Overriding Considerations;
 - Adopts a Mitigation Monitoring Program; and
 - Identifies the environmentally superior project alternative.
2. Adopt Resolution No. 09-05 (Attachment #12) which denies the appeal and approves the following land use entitlements subject to the Recommended Conditions of Approval:
 - Approves the conditional use permit to permit a new mixed-use building;
 - Approves the variances for the floor area ratio and building height increases; and
 - Approves Tentative Tract Map No. 70958 to construct a 30 residential condominium subdivision.
3. Adopt Resolution No. 09-11 (Attachment #13), which:
 - Approves the street vacation;
 - Approves the easement agreement for encroachment ; and
 - Authorizes the City Manager to sign the amendment to the existing encroachment permit to change the location in which outdoor dining is allowed.

Planning Manager Barrett presented the Council with the staff report.

Collette Morse and Achilles Meliso, RBF Consultants, presented the Council with the PowerPoint presentation on CEQA related issues.

Vice Mayor Huang moved to open the public hearing; seconded by Councilmember Sawkins. There being no objections, it was so ordered.

Harvey Ng, representative for project owner, reiterated the positive elements of the project.

Public Speakers For:

Wilbur Gin

Public Speakers Opposed:

Daniel Wright
Senya Lubisich
Dave Major
June Lai
John Harrington
Annette Kondo
Ellie Andrews
Mary Cammarano
Eileen Leiva
Bill Williams
Frank Schifani
Olivia Rivera Lopez
Kay Kondo
Luanne Lynch
Joann Baldonado
Jackson Chia
Gus Mojarro
Sister Sharon Dempsey
Andy, Nodine, and Ernie Salas
Eloy Zarate
Tony Fung
Joseph Eddy
Jacob Garcia
Eric Kirchoffe
Camila Lopez

At 11:03 p.m., Vice Mayor Huang moved to close the public hearing; seconded by Councilmember Sawkins. There being no objections, it was so ordered.

Mayor Costanzo declared a five minute recess.

Council meeting resumed with Council comments and questions.

The City Council was not prepared make a decision and asked the developer to work to address public concerns.

Councilmember Sawkins moved to continue the public hearing to Tuesday, August 18, 2009 at 7:30 p.m. in the Council Chamber; seconded by Vice Mayor Huang. There being no objections, it was so ordered.

**MAYOR'S APPOINTMENTS OF COUNCIL MEMBERS TO SERVE ON THE
BOARDS OF VARIOUS REGIONAL AND LOCAL ORGANIZATIONS**

Mayor's appointments of Councilmembers to serve on the Boards of various regional and local organizations approved.

The Mayor appoints City Council Members to serve on various local and regional boards. Each year after Council reorganization, the Mayor has the opportunity to make any desired changes. Additionally, it is necessary for the Council to take formal action to designate the newly appointed Mayor to serve as the Delegate to the Los Angeles County Sanitation District Board.

Recommended Action: That the Council approve any requested changes by the Mayor and, further, formally appoint Mayor Costanzo to serve as the Delegate to the Los Angeles County Sanitation District Board.

Deputy City Clerk Castruita presented the Council with the staff report.

Councilmember Guterrez moved to approve the recommended action; seconded by

Councilmember De La Torre. There being no objections, it was so ordered.

NATIONAL LEAGUE OF CITIES PRESCRIPTION DISCOUNT CARD PROGRAM

The National League of Cities (NLC) has launched a free prescription discount card program for member cities to help residents cope with the high cost of prescription drugs. In collaboration with NLC, it is now possible for the City of San Gabriel to offer savings on prescription drugs to residents who are without health insurance, a traditional pharmacy benefit plan, or have prescriptions not covered by insurance.

National League of Cities
Prescription Discount Card
Program Approved.

Recommended Action: That the City Council adopt Resolution No. 09-10 resolving to participate in the National League of Cities (NLC) Prescription Discount Card Program.

Administrative Services Manager Smith presented the Council with the staff report.

Vice Mayor Huang moved to approve the recommended action; seconded by Councilmember De La Torre. There being no objections, it was so ordered.

CASH CONTRACT 09-01 AUTOMOTIVE SHOP HEAVY DUTY MOBILE VEHICLE LIFT SYSTEM

CC 09-01 Automotive Shop
Heavy Duty Mobile Vehicle Lift
System Approved.

The San Gabriel Automotive Shop is progressively expanding its fleet service to include both the Fire Department's heavy fire apparatus and Public Works heavy equipment. These vehicles require specialized lift equipment that are essential to safety and will provide the City of San Gabriel with reduced maintenance costs, significantly reducing emergency vehicle downtime and improving productivity.

Recommended Action: That the City Council:

1. Waive formal bidding and authorize the issue of a purchase order under the "California Multiple Award Schedule" (CMAS) with Steril-Koni, contract #4-07-49-0014A for the acquisition of four (4) Steril-Koni Heavy Equipment Mobile Lifts, four (4) safety support stands, and four (4) reducer sleeves.
2. Issue a purchase order in the amount of \$43,885.00 to Steril-Koni USA, Inc.

Auto Shop Supervisor Schmidt presented the Council with the staff report.

Councilmember Sawkins moved to approve the recommended action; seconded by Mayor Costanzo and passed by a vote on the board of five yes.

CONSENT CALENDAR: ALL ITEMS LISTED UNDER THE CONSENT CALENDAR ARE CONSIDERED ROUTINE AND ENACTED IN ONE MOTION UNLESS A MEMBER OF THE CITY COUNCIL OR AUDIENCE REQUESTS SEPARATE DISCUSSION

Consent Calendar

A. MINUTES OF REGULAR COUNCIL MEETING OF APRIL 7, 2009

Minutes Approved

The minutes are a record of the official actions taken at the last Council meeting.

Recommended Action: Approval

B. MATERIAL DEMANDS: 78626 - 78787 INCLUSIVE \$1,300,859.03

Material Demands Approved

This is the presentation of the "Register of Demands and Warrants" for the payment of City expenditures.

Recommended Action: Approval

C. REQUEST SUBMITTED ON BEHALF OF OAK KNOLL KINDERHAUS MONTESSORI FOR PERMISSION TO SERVE

Alcohol Request for Oak Knoll
Kinderhaus Approved

ALCOHOL AT A FUNDRAISER BEING HELD AT SAN GABRIEL
GRAPEVINE PARK ON MAY 2, 2009

San Gabriel Municipal Code Section 99.03(g) requires Council approval to serve alcoholic beverage, other than wine and champagne, for events held at the Grapevine Park, Mission Playhouse, and Adult Center.

Recommended Action: Approval subject to the condition that all requirements of the Alcoholic Beverage Control Board are met.

Councilmember Gutierrez moved to approve the consent calendar as presented; seconded by Councilmember Sawkins and passed by a vote on the board of five yes.

COUNCIL COMMENTS AND CONFERENCE/MEETING REPORTS

Council comments and
conference/meeting reports

Each Council Member addressed the Council and public on matters of general information and/or concern. Also, the Council gave reports on meetings they had attended.

ADJOURN COUNCIL MEETING AS FOLLOWS AND RECONVENE AGENCY
MEETING

Adjourn Council meeting as
follows and reconvene Agency
meeting: Adjourn to Tuesday,
May 5, 2009 at 5:30 p.m. for a
purpose of holding a Labor
Relations Study Session.

Council adjourns to Tuesday, May 5, 2009 at 5:30 p.m. in Conference Room "A," 425 South Mission Drive, San Gabriel, for the purpose of holding a Labor Relations Study Session.

Councilmember Sawkins moved to adjourn and reconvene as indicated above; seconded by Vice Mayor Huang. There being no objections, it was so ordered.

REDEVELOPMENT AGENCY MEETING

Agency Meeting

A. APPROVAL OF MINUTES OF APRIL 7, 2009

Minutes Approved

Agencymember Sawkins moved to approve the subject minutes; seconded by Agencymember Gutierrez. There being no objections, it was so ordered.

Public Comment

B. PUBLIC COMMENT

There was no one in the audience who wished to address the Agency at this time.

C. ADJOURN AGENCY MEETING

Adjourn Agency Meeting

At 12:25 p.m. Agencymember Gutierrez moved to adjourn; seconded by Agencymember Sawkins. There being no objections, it was so ordered.

SAN GABRIEL REDEVELOPMENT AGENCY

SAN GABRIEL CITY COUNCIL

Nina Castruita, Agency Secretary

Nina Castruita, Deputy City Clerk

Juli Costanzo, Chair

Juli Costanzo, Mayor