

# SAN GABRIEL CITY COUNCIL & REDEVELOPMENT AGENCY MINUTES OF MAY 3, 2005

The regular meeting of the San Gabriel City Council and the special meeting of the San Gabriel Redevelopment Agency convened on May 3, 2005 at 7:30 p.m. with Council/Agencymember Baldwin, Council/Agencymember Sawkins, Mayor/Chair Costanzo, Vice Mayor/Vice Chair Mui, Council/Agencymember Gutierrez, City Attorney/General Counsel Kress, City Manager/Executive Director Paules and City Clerk/Secretary Trujillo present.

Pledge of Allegiance

RECESS AGENCY MEETING UNTIL CONCLUSION OF COUNCIL BUSINESS MEETING Agency Recess

At 7:32 p.m., Agencymember Gutierrez made a motion to recess as indicated above; seconded by Agencymember Baldwin. There being no objections, it was so ordered.

PROCLAMATION: MUNICIPAL CLERKS WEEK – MAY 1-7, 2005 Proclamation

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 WITHIN THE SUBJECT MATTER JURISDICTION OF THE SAN GABRIEL CITY COUNCIL Public Comment

Wen Wen Zhang, the new San Gabriel Library Manager, introduced herself to the Council.

Fran Dyer, 5433 Charlotte Avenue, San Gabriel, addressed the Council regarding street improvements.

Gary Anderson, 700 W. Roses Rd., San Gabriel, addressed the Council regarding tree and street maintenance and after hours and weekend response procedures.

MAYOR'S APPOINTMENTS Appointment of Civil Service Commissioner Goldie

The Mayor is responsible for appointing persons to serve on the various city commissions. At this time, it is necessary to appoint a Civil Service Commissioner.

The Mayor is also responsible for appointing Council members to serve on the various local and regional boards, commissions and committees. At this time, the Mayor wishes to make certain Council appointments.

Upon recommendation by Mayor Costanzo, Councilmember Baldwin moved to approve the reappointment of Mary Goldie to serve a two-year term on the Civil Service Commission commencing April 17, 2005. Further, that Councilmember Sawkins be appointed as Parks & Recreation Commission Liaison, and Alternate representative to the Chamber of Commerce and San Gabriel Mosquito & Vector Abatement District and Mayor to be Alternate representative to Independent Cities Association. The motion was seconded by Vice Mayor Mui. There being no objections, it was so ordered.

## HOMELAND SECURITY GRANT

Homeland Security Grant  
Purchases Approved

The City of San Gabriel has received funding through the 2005 Homeland Security Grant for approved emergency equipment. At this time, staff wishes to purchase equipment as provided for by the Homeland Security Grant.

The report was given during which staff responded to Council questions.

Councilmember Baldwin moved to increase the Fire Department budget by \$107,798.00, waive the formal bid process and authorize the Fire Chief to purchase all approved grant items utilizing ISIS pricing through NIDA Communications; seconded by Vice Mayor Mui. The vote on the board was five yes.

## COMMUNITY DEVELOPMENT ANNUAL REVIEW AND EXTENSION OF STANDING CONTRACT AND PROFESSIONAL SERVICES AGREEMENTS

Community Development  
Annual Review of Contracts  
and Professional Services  
Agreements  
Approved

The Community Development Department performs an evaluation of all contracts with consulting firms for assigned tasks. The 2005 evaluation process has been completed and the report is being presented for Council consideration.

The report was given during which staff responded to Council questions.

Councilmember Gutierrez moved to:

- A. Approve the extensions of those agreements specified in Table 1 of the staff report and authorize the City Manager or designee to execute them in the City Attorney's approved form (letter or contract as required).
- B. As a reminder, all contracts will be subject to the execution of purchase orders documenting not-to-exceed limits on expenditures, tied to the amounts approved by City Council when it approves the annual budget (or any mid-cycle adjustments).
- C. Consider adjusting this process so that future reviews will be conducted on a biennial basis to mirror the biennial budget process (although individual departments would retain the right to bring individual contracts to Council for action at any time). Under this plan, the next comprehensive review of Community Development agreements would occur in March, 2007.

The motion was seconded by Vice Mayor Mui and passed by a vote on the board of five yes.

ORDINANCE NO. 554-C.S. – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN GABRIEL ADOPTING A ZONE CHANGE FOR PLANNING CASE NO. PL-04-151 CHANGING THE ZONE DESIGNATION OF 402 EAST LAS TUNAS DRIVE FROM R-3 (HIGH DENSITY MULTIPLE FAMILY RESIDENTIAL) ZONED PORTION TO C-1 (RETAIL COMMERCIAL)

Ord. 554-C.S.  
Zone Change  
402 E. Las Tunas  
R-3 to C-1

On April 5, 2005, the City Council held a duly noticed public hearing in consideration of the subject ordinance. After conducting the public hearing and considering all testimony, the City Council approved the ordinance on first reading, which is now being presented for adoption on second reading.

Councilmember Baldwin moved to adopt Ordinance 554-C.S. on second reading; seconded by Councilmember Sawkins. The vote on the board was four yes with Councilmember Gutierrez abstaining.

SEAT BELT COMPLIANCE GRANT

Seat Belt Compliance Grant  
Approved

The City has received approval from the Office of Traffic Safety (OTS) to participate in the California Seat Belt Compliance Campaign (CSBCC). Staff has prepared a report that is being presented for Council consideration.

The staff report was given after which Vice Mayor Mui moved to approve the request for a budget increase of \$14,886.00 that will be reimbursed by the California Office of Traffic Safety; seconded by Councilmember Gutierrez. The vote on the board was five yes.

PRESENTATION OF PROPOSALS FOR CIVIC AUDITORIUM SITE(S)

Proposals for Civic  
Auditorium Site  
Ratkovich Company  
Proposal Affirmed

As directed by the Council, staff has solicited developer proposals for potential sites in the Mission District anchored by the parking lot adjoining the Civic Auditorium. The solicitation, review and evaluation process has been completed and the Ratkovich Company has been selected as the most qualified, most compatible and best proposal demonstrating an understanding of the District.

The report was given during which staff and Claire DeBriere, Ratkovich representative, responded to Council questions.

Vice Mayor Mui moved to:

- A. Affirm the selection of the Ratkovich Company as the City's preferred developer for the development of the Civic Auditorium and related sites.
- B. Direct staff to develop an exclusive negotiating agreement with the Ratkovich Company to be presented to Council at its May 17, 2005 meeting.
- C. Direct the Economic Development Division to work directly with qualified developers not being considered for this opportunity, to identify other potential developer sites in and around the Mission District.

The motion was seconded by Councilmember Baldwin 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 5, 2005

Minutes Approved

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

Recommended Action: Approval.

- B. MATERIAL DEMANDS: 59877 – 59942 INCLUSIVE \$185,555.05

Material Demands  
Approved

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

Recommended Action: Approval

- C. RESOLUTION 05-09 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN GABRIEL AUTHORIZING THE ACCEPTANCE OF A GRANT DEED FROM THE WU FAMILY TRUST AND THE LAI FAMILY TRUST TO THE CITY OF SAN GABRIEL  
CASE PL-04-095 – SHOPPING CENTER AT 1008 E. LAS TUNAS DRIVE
- Resolution 05-09  
Grant Deed  
1008 E. Las Tunas Drive  
Adopted

The subject project was conditionally approved by the Planning Commission that includes the dedication of a portion of the land to comply with City Street and Highway standards. The subject resolution accomplishes this.

Recommended Action: That the City Council:

- (1) Adopt Resolution 05-09
- (2) Accept the Grant Deed Document including Exhibit “A.”
- (3) Authorize the City Engineer to execute the acceptance certificate.
- (4) Authorize staff to submit the Grant Deed to the County for recordation.

- D. RESOLUTION 05-10 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN GABRIEL AUTHORIZING THE ACCEPTANCE OF A GRANT DEED FROM JAMES AND YU-CHING FU SHEN, HUSBAND AND WIFE, AS JOINT TENANTS TO THE CITY OF SAN GABRIEL  
CASE PL-03-095 – MEDICAL BUILDING AT 324 E. LAS TUNAS DRIVE
- Resolution 05-10  
Grant Deed  
324 E. Las Tunas Drive  
Adopted

The subject project was conditionally approved by the Planning Commission that includes the dedication of a portion of the land to comply with City Street and Highway standards. The subject resolution accomplishes this.

Recommended Action: That the City Council:

- (1) Adopt Resolution 05-10
- (2) Accept the Grant Deed Document including Exhibits “A” and “B”.
- (3) Authorize the City Engineer to execute the acceptance certificate.
- (4) Authorize staff to submit the Grant Deed to the County for recordation.

- E. ACCEPTANCE OF FINAL TRACT MAP 53185  
1258 ELM STREET  
8-UNIT CONDOMINIUM PROJECT
- Tract Map 53185  
1538 Elm Street  
Approved

The Los Angeles County Department of Public Works has reviewed the subject tract map for mathematical accuracy, survey analysis, title information and compliance with the State Subdivision Map Act. The Community Development Department has reviewed the map for compliance with the conditions of approval and applicable City ordinances. It has also been found that the project is exempt from the provisions of the California Environmental Quality Act.

Recommended Action: It is recommended that the City Council:

- (1) Affirm the environmental determination by the Planning Commission, which approved a Negative Declaration on March 11, 2005.
- (2) Approve the subject tract map and authorize the City Clerk, City Treasurer and the City Engineer to sign the map and return it for recordation.

- F. REQUEST SUBMITTED ON BEHALF SAN GABRIEL EDUCATIONAL FOUNDATION OF FOR PERMISSION TO SERVE ALCOHOL FOR A FUND RAISER BEING HELD AT GRAPEVINE PARK ON SATURDAY, MAY 21, 2005
- SEF Alcohol Request  
Approved

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

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

- G. RESOLUTION 05-12 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN GABRIEL APPOINTING A DELEGATE DIRECTOR AND ALTERNATE DIRECTOR TO SERVE ON THE COUNTY SANITATION DISTRICT NO. 1 OF LOS ANGELES COUNTY
- Resolution 05-12  
Sanitation Districts  
Delegate & Alternate  
Directors

The County Sanitation Districts of Los Angeles require that the Mayor be appointed to serve as the delegate director to their board. Traditionally, the City Council appoints the Vice Mayor to serve as the delegate director. Each year the Council must formally appoint the individuals at a Council meeting. The proposed resolution formally designates the Mayor & Vice Mayor as the directors and will eliminate the need for Council action in the future. With the adoption of this resolution only a Notice of Reorganization from the City Clerk will be necessary.

Recommended Action: That the City Council adopt Resolution 05-12.

- H. REQUEST SUBMITTED ON BEHALF OF MISSION HIGH SCHOOL FOR A WAIVER OF CIVIC AUDITORIUM RENTAL FEES FOR THEIR 2005 GRADUATION AND SUBSEQUENT YEARS
- Waiver of Civic Auditorium  
Rental Fee for Mission High  
School  
Approved

Resolution 91-14, Section 2, states that the Council may waive the rental fee for organizations for the use of the Auditorium provided that no fee is charged and no revenue is derived from the event.

Recommended Action: That the Council approve the request for waiver of the Auditorium rental fee, in accordance with Resolution 92-14, Section 2, including the condition that the organization will be responsible for all labor and equipment charges.

- I. RESOLUTION 05-11 – RESOLUTION TO PARTICIPATE IN THE FISCAL YEAR 2006-2008 URBAN COUNTY PROGRAM
- Resolution 05-11  
2006-08 CDBG Agreement

The City participates in the Los Angeles Community Development Block Grant Program that provides funding to the City. The subject resolution authorizes the execution for fiscal years 2006-2008 Cooperation Agreement with the County.

Recommended Action: That the City Council adopt Resolution 05-11.

Councilmember Baldwin moved to approve the consent calendar as presented; seconded by Vice Mayor Mui. The vote on the board was five yes with the exception of Councilmember Gutierrez who abstained from voting on the April 19, 2005 minutes.

As Mayor Costanzo and Vice Mayor Mui are not able to attend the May 11, 2005 County Sanitation Districts meeting, Councilmember Gutierrez moved to amend the agenda to include the designation of Councilmember Sawkins to serve as the Council representative at the next County Sanitation Districts meeting being held May 11, 2005; seconded by Councilmember Baldwin. There being no objections, it was so ordered.

Councilmember Gutierrez moved to designate Councilmember Sawkins to serve as the City representative at the subject meeting; seconded by Vice Mayor Mui. There being no objections, it was so ordered.

#### COUNCIL COMMENTS

Each Council Member addressed the Council and public on matters of general information and/or concern.

#### RECESS COUNCIL MEETING AND RECONVENE AGENCY MEETING AGENCY MEETING

Recess Council Meeting &  
Reconvene Agency Meeting

##### A. MINUTES OF APRIL 5, 2005

Minutes Approved

Agencymember Baldwin moved to approve the minutes as presented; seconded by Vice Chair Mui. There being no objections, it was so ordered.

##### B. APPROVAL OF JUST COMPENSATION FOR PROPERTIES TO BE ACQUIRED BY AGENCY UNDER DISPOSITION AND DEVELOPMENT AGREEMENT WITH NEW CENTURY L.M., LLC

Property Compensation  
New Century DDA

Pursuant to the Disposition and Development Agreement approved by the Agency on April 5, 2005, appraisals for certain properties are being presented for Agency consideration.

The report was given during which staff responded to Council question.

Agencymember Gutierrez moved to approve the appraisals and determine that the amount of the appraisals constitutes just compensation for the properties to be acquired.

##### C. AT 8:52 P.M., THE AGENCY MEETING RECESSED AND THE COUNCIL MEETING RECONVENED THE SPECIAL MEETING OF THE COUNCIL, WHICH STARTED AT 6:00 P.M., FOR THE CONTINUATION OF THE CLOSED SESSION REGARDING LABOR NEGOTIATIONS.

Agency Recess &  
Council Reconvene

AT 10:36 P.M., THE COUNCIL ADJOURNED AND THE AGENCY RECONVENED FOR THE PURPOSE OF HOLDING A CLOSED SESSION TO MEET WITH REAL PROPERTY NEGOTIATOR, PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

Council Adjourn &  
Agency Reconvene

- (1) Property: Portions of property bounded by San Gabriel Boulevard on the west, Rubio Wash on the east, Santa Fe Avenue on the north and Grand Avenue on the south  
Agency Negotiators: Executive Director, General Counsel  
Negotiating Parties: Property owners, Grand-Mission, LLC, SDC Partners, Ltd. and San Gabriel Redevelopment Agency  
Under Negotiation: Terms and conditions of property disposition and development
- (2) Site D: SE Corner of San Gabriel Blvd and Live Oak Avenue, San Gabriel California (Assessors Parcel No's: 5373-001-014, 5373-001-013, 5373-001-005, 5373-001-004, 5373-001-001 and 5373-002-026)  
City Negotiators: Executive Director, Deputy Executive Director, General Counsel, Agency Attorney and Economic Development Specialist  
Negotiating Parties: Watt Commercial Properties and Legacy Partners Residential, Inc.
- (3) Site A: Northeast corner of Las Tunas Drive and San Gabriel Boulevard  
Agency Negotiators: Redevelopment Agency Executive Director & Agency Counsel  
Negotiating Parties: Jacobsen Family Holdings and San Gabriel Redevelopment Agency  
Under Negotiation: Terms and conditions of property disposition and development

D. RECONVENE AND ADJOURN

Agency Reconvene and  
Adjourn

At 11:10 p.m., the Agency reconvened in open session at which time Agency Counsel advised that no reportable action had been taken.

There being no further business to discuss, the Agency adjourned.

SAN GABRIEL REDEVELOPMENT AGENCY

SAN GABRIEL CITY COUNCIL

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Cynthia A. Trujillo, Secretary

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Cynthia A. Trujillo, C.M.C., City Clerk

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Juli Costanzo, Chair

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Juli Costanzo, Mayor