

SAN GABRIEL CITY COUNCIL AND REDEVELOPMENT AGENCY

MINUTES OF MAY 4, 2010

The regular meetings of the San Gabriel City Council and the San Gabriel Redevelopment Agency convened on May 4, 2010 at 7:43 p.m. with Mayor/Chair Huang, Vice Mayor/Vice Chair Gutierrez, Council/Agencymembers Costanzo, De La Torre, Sawkins, City Manager/Executive Director Preston, 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

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

PRESENTATIONS

Presentations

Mission Playhouse Manager Anna Cross introduced John Holder to the City Council as the new Mission Playhouse Stage Manager.

Julie Sorenson, Librarian of the San Gabriel Library introduced Desmond Cheung and Michelle DeLuna to the City Council as participants in the Library Volunteer Service. The City Council presented volunteer recognition certificates to the recipients.

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

Wes Reutimann, representing the San Gabriel Coalition for Tobacco Free Youth and Director of Day One, presented the Council a certificate and thanked them for their support towards the policies for smoke-free parks.

Pricilla and Richard Hundley, residents of San Gabriel, spoke of concerns over unsanitary conditions of trash bins and noise due to delivery trucks from the Hilton Hotel. City Manager Preston responded by designating Planning Manager Carol Barrett as the contact person and suggested meeting with multiple departments for recommendations to be brought back to the Council at a later date.

1051 S. SAN GABRIEL BLVD. PLANNING CASE No. PL-10-006
(MESSAGE MORATORIUM RELIEF) APPLICANT: LU CHEN
(LIREN INTERNATIONAL GROUP, DBA: SENSES SPA)

1051 S. San Gabriel PL-10-006 relief from moratorium approved.

The City's massage moratorium (Ordinance NO. 583-C.S.) provides for a hardship exemption. The Planning Commission must first prepare a recommendation to the City Council based on specific hardship findings. The Council may then grant the exemption subject to the hardship findings. In this case, the applicant secured permission to provide foot massage services in August 2009 and is now requesting an exemption from the moratorium to allow for full body massage services. Reasons cited for the hardship exemption claim include expenses incurred on interior decorations, a lack of similar businesses in the vicinity and compliance with new state regulations governing massage providers.

Recommended Action: That the City Council deny relief from the massage moratorium ordinance for Planning Case No. PL-10-006.

City Planner Gallatin presented the staff report.

Brandon Ward, representing Best, Best & Krieger on behalf of Liren International Group, stated his support for the exemption and gave a full summary of SB 731.

Lu Chen, owner, interpreted by Feng Zhao, gave a breakdown of her investments made to the property and expressed what her consequences would be if not granted relief from this moratorium.

Christopher Collings, business owner said he, supports the exemption and believes it will bring more business to other business owners. He asked the Council for leniency to the applicant in her request.

Councilmember Sawkins moved to grant relief from the moratorium with the condition that the appellant would comply with the provisions of SB 731; seconded by Councilmember De La Torre and passed by a vote on the board of three yes and two noes, the noes voted by Councilmember Costanzo and Vice Mayor Gutierrez.

139 E. LAS TUNAS DR. PLANNING CASE NO. PL-10-012
(MASSAGE MORATORIUM RELIEF) APPLICANT: JOHN A. PONG (JOYFUL SPA)

139 E. Las Tunas Dr. PL-10-012 relief from moratorium approved.

The City's massage moratorium (Ordinance No. 583-C.S.) provides for a hardship exemption. The Planning Commission must first prepare a recommendation to the City Council based on specific hardship findings. The Council may then grant the exemption subject to the hardship findings. In this case, the applicant cites costs incurred in remodeling the premises and purchasing equipment in anticipation of being able to apply for a conditional use permit for full body massage, which they claim as necessary in order for the business to be profitable, as reason for the hardship exemption claim.

Recommended Action: That the City Council deny relief from the massage moratorium ordinance for Planning Case No. PL-10-012.

City Planner Gallatin presented the staff report.

John A. Pong, owner, urged the Council to consider the exemption because of hardship findings.

Councilmember Sawkins moved to grant the relief from the moratorium with the condition that the appellant would comply with the provisions of SB 731; seconded by Councilmember De La Torre and passed by a vote on the board of three yes and two no voted by Councilmember Costanzo and Vice Mayor Gutierrez.

1039 E. VALLEY BLVD., #B-113 PLANNING CASE NO. PL-10-007
(MASSAGE MORATORIUM RELIEF) APPLICANT: HE LI MIN
(LUCKY FOOT MASSAGE)

1039 E. Valley Blvd. #B-113 PL-10-007 denied moratorium relief.

The City's massage moratorium (Ordinance No. 583-C.S.) provides for a hardship exemption. The Planning Commission must first prepare a recommendation to the City Council based on specific hardship findings. The Council may then grant the exemption subject to the hardship findings. In this case, the applicant claims that an "unjust" citation for performing full body massage without a conditional use permit in 2009 was issued. Also listed as reasons for the exemption request is the business' high ranking in consumer surveys and their attempt to comply with new state regulations governing massage providers.

Recommended Action: That the City Council deny relief from the massage moratorium ordinance for Planning Case No. PL-10-007.

City Planner Gallatin presented the staff report.

He Li Min, owner, urged the Council to consider the exemption because of hardship findings.

Councilmember Costanzo moved to approve to deny relief from the massage moratorium; seconded by Vice Mayor Gutierrez and passed by a vote on the board of three yes and two no voted by Mayor Huang and Councilmember Sawkins.

RECOMMENDATION OF FIRM FOR ENVIRONMENTAL CONSULTING SERVICES (RFP 09-04) FOR NEW PUBLIC WORKS AND POLICE DEPARTMENT FACILITY

The Community Development Department circulated Request for Proposal 09-04 to provide Environmental Consulting Services for the new Public Works and Police Facility. The scope of work included the preparation of an Environmental Impact Report (EIR for the Public Works Facility and a Mitigated Negative Declaration for the Police Department Facility.)

Recommendation of firm for Environmental Consulting Services RFP-09-04 for new Public Works and Police Department Facility Approved agreement with The Planning Center.

Recommended Action: That the City Council authorize the City Manager or designee to enter into a professional services agreement with The Planning Center as the Environmental Consultants for the new Public Works and Police Facility, and to issue a purchase order in the amount not to exceed \$175,292.

Planning Manager Barrett presented the staff report.

Councilmember Sawkins moved to approve the recommendation with the modification that monitoring shall be the responsibility of the Community Development Director or designee; seconded by Vice Mayor Gutierrez and passed by a vote on the board of five yes.

COUNCIL REQUEST CONCERNING A DISCUSSION ON USC REAL ESTATE CONFERENCE – REAL ESTATE WITHOUT BORDERS – AUGUST 2010

A request by Mayor Huang has been made to hold a discussion regarding the USC Real Estate Conference – Real Estate Without Borders – August 2010.

Mayor Huang discussed information regarding USC Real Estate Conference

Recommended Action: That the City Council consider the matter and provide direction to staff.

Councilmember Costanzo recused herself from the Council Chambers for possible conflict of interest due to the fact that the event was proposed to be held at the San Gabriel Hilton.

Mayor Huang discussed information regarding a USC Real Estate Conference recommending the City of San Gabriel to participate.

City Manager Preston suggested that USC should submit a request to the City in writing and for City staff to respond and bring back to Council the amount of participation of the staff that can be reasonably provided.

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 6, 2010 AND APRIL 20, 2010

Minutes Approved

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

Recommended Action: Approval

- B. MATERIAL DEMANDS: 82994 – 83157 INCLUSIVE \$1,222,336.62 Material Demands Approved

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

Recommended Action: Approval

- C. INVESTMENT REPORT Investment Report Approved

Investment Report for the Month of December 2009

Recommended Action: That the City Council receive and file report.

- D. RESOLUTION SUPPORTING THE SAN GABRIEL VALLEY ENERGYWISE PARTNERSHIP AND THE WORK OF SOUTHERN CALIFORNIA EDISON Resolution 10-13 supporting the San Gabriel Valley Energywise Partnership and the work of Southern California Edison Approved.

Southern California Edison has asked cities to adopt resolutions supporting the San Gabriel Valley Energywise Partnership (SGVEWP) and Southern California Edison to maintain eligibility to receive enhanced rebates and incentives through the SGVEWP.

Recommended Action: That the City Council:

- A. Adopt Resolution 10-13 endorsing the San Gabriel Valley Energywise Partnership.
- B. Direct staff to transmit the adopted resolution to the San Gabriel Valley Council of Governments.
- C. Amend the Strategic Priority Matrix to include participation in the Energywise Partnership as a new activity.

- E. GRANT RECEIVED FROM SAN GABRIEL ROTARY FOR GREEN ROOM RENOVATION. Grant received from San Gabriel Rotary for Green Room Renovation Approved.

In February 2010, the San Gabriel Mission Playhouse applied for a grant from the San Gabriel Rotary Club for funds to be used toward renovation of the Playhouse Green Room. The San Gabriel Rotary Club has awarded a \$1,500 grant to the Playhouse for the renovation project.

Recommended Action: That the City Council increase the Estimated Revenue Budget (Account #121-3920) by \$1,500 to reflect the grant received by the San Gabriel Rotary and increase the Mission Playhouse Expenditure Budget by \$1,500 (Account #121-712-00-35-000), which will be used for the purchase of materials.

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

CITY MANAGER ITEMS City Manager Items

There were no items to report at this time.

COUNCIL COMMENTS AND CONFERENCE/MEETING REPORTS Council Comments and Conference/Meeting Reports

Each Council Member may address the Council and public on matters of general information and/or concern. This is also the time for Council members to report on conferences and/or meetings they have attended.

RECONVENE AGENCY MEETING (JOINT CITY COUNCIL & REDEVELOPMENT AGENCY MEETING)

Reconvene agency meeting (joint City Council & Redevelopment Agency Meeting)

Councilmember/Agencymember Costanzo moved to reconvene as stated; seconded by Councilmember/Agencymember Sawkins. There being no objections, it was so ordered.

PUBLIC HEARING FOR ACTIONS RELATED TO SGRA-OWNED PARCELS AT 1266-1288 E. LAS TUNAS DRIVE

Public Hearing for actions related to SGRA-owned parcels at 1266-1288 E. Las Tunas Drive Approved.

1266-1288 E. Las Tunas Drive are San Gabriel Redevelopment Agency-owned parcels located in the Redevelopment Project Area. The buildings have been vacant for several years and are dilapidated and pose a potential liability to the public. Demolition of these buildings and the installation of landscaping along Las Tunas Drive will eliminate blighting conditions and improve the appearance of the streetscape.

Recommended Action: That the City Council:

1. Find that the environmental impacts of the proposed demolition will not have an effect on the environment sufficient enough to require an environmental impact report and approve the Negative Declaration of Environmental Impact.

Recommended Action: That the Redevelopment Agency authorize the Community Development Director to:

2. Enter into a contract with and issue a purchase order for Castlerock Environmental, Inc. to perform the demolition services for the buildings located at 1266-88 E. Las Tunas Dr. in the amount not to exceed \$47,530;
3. Issue a purchase order with David Evans & Associates to perform the landscaping services for 1266-88 E. Las Tunas Dr. in the amount not to exceed \$9,245.

Economic and Housing Development Specialist Scherr presented the staff report.

Vice Mayor/Vice Chair Gutierrez moved to open the public hearing; seconded by Councilmember/Agencymember Costanzo. There being no objections, it was so ordered.

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

Vice Mayor/Vice Chair Gutierrez moved to close the public hearing; seconded by Councilmember/Agencymember Costanzo. There being no objections, it was so ordered.

Vice Mayor/Vice Chair Gutierrez moved to approve the recommended action; seconded by Councilmember/Agencymember De La Torre and passed by a vote on the board of five yes.

INDEPENDENT AUDITING SERVICES

Independent Auditing Services agreement approved.

In December 2009, a Request for Proposal (RFP) for financial auditing services was sent out. The term being considered would include the fiscal years ending June 2010, 2011 and 2012 with the option to extend the agreement for three subsequent fiscal years.

Recommended Action: That the City Council and Redevelopment Agency Members authorize the City Manager/Executive Redevelopment Agency Director to enter into an agreement with Caporicci & Larson, CPA to provide financial auditing services to the City and Redevelopment Agency for a three-year term with the option to extend for three subsequent fiscal years.

Finance Director Marston presented the staff report.

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

ADJOURN COUNCIL MEETING TO TUESDAY, MAY 18, 2010 AT 1:00 P.M. AT AUTUNNO, 409 SOUTH MISSION DRIVE, SAN GABRIEL FOR THE YOUTH IN GOVERNMENT DAY LUNCHEON

Adjourn Council meeting to Tuesday, May 18, 2010 for Youth in Government Day Luncheon.

NOTE: A STUDY SESSION WILL BE HELD ON MAY 18, 2010 AT 6:00 P.M. AT CITY HALL, CONFERENCE ROOM "A" FOR A BUDGET STUDY SESSION

Councilmember/Agencymember De La Torre moved to adjourn as stated; seconded by Councilmember/Agencymember Costanzo. There being no objections, it was so ordered.

REDEVELOPMENT AGENCY MEETING:

Agency Meeting

A. APPROVAL OF MINUTES OF APRIL 6, 2010 AND APRIL 20, 2010

Minutes Approved

Vice Chair Gutierrez moved to approve the subject minutes; seconded by Agencymember Costanzo. The motion passed by a vote on the board of five yes.

B. PUBLIC COMMENT

Public Comment

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

C. ADJOURN AGENCY MEETING

Adjourn

At 11:28 p.m., Vice Chair Gutierrez moved to adjourn; seconded by Agencymember Costanzo. 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

Albert Y. M. Huang, Chair

Albert Y.M. Huang, Mayor