

# SAN GABRIEL CITY COUNCIL AND REDEVELOPMENT AGENCY

## MINUTES OF MAY 5, 2009

The regular meetings of the San Gabriel City Council and the San Gabriel Redevelopment Agency convened on May 5, 2009 at 7:33 p.m. with Mayor/Chair Costanzo, Vice Mayor/Vice Chair Huang, Council/Agencymembers De La Torre and 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

Councilmember Sawkins moved to excuse the absence of Councilmember Gutierrez; seconded by Vice Mayor Huang. There being no objections, it was so ordered.

Councilmember Gutierrez excused

### RECESS AGENCY MEETING

Recess Agency Meeting

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

### PRESENTATIONS

Presentations

Deputy City Manager Preston introduced Szeka Angela Cheng, Associate Civil Engineer.  
Senior Building Inspector Zeisel received proclamation from Council for Building and Safety Week.  
Deputy City Clerk Castruita administered Oath of office to Sergeant Rene Hernandez (promotion) and Police Officer Ryan Evan Gee. Police Chief Lawton introduced the officers to the Council.  
Fire Chief Nestor and Fire Engineer Barwick presented certificates to CERT Training recipients (Community Emergency Response Team Training).

Szeka Angela Cheng-  
Associate Civil Engineer,  
Building and Safety Week,  
Sergeant Rene Hernandez,  
Police Officer Ryan Evan Gee,  
CERT Training 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

**PUBLIC HEARING: CASE NO. PL-08-119 - APPEAL  
MY FRIENDS OYSTER BAR, 523 SOUTH SAN GABRIEL BOULEVARD**

Public Hearing: Case No. PL-08-119 Appeal My Friends Oyster Bar, 523 S. San Gabriel Blvd. continued to May 19, 2009.

City Planner Gallatin recommended that the Council continue the hearing to Tuesday, May 19, 2009 in order to properly notify residents.

Councilmember Sawkins moved to open the public hearing and continue the hearing to May 19, 2009; seconded by Vice Mayor Huang. There being no objections, it was so ordered.

### BIENNIAL REVIEW AND EXTENSION OF STANDING CONTRACTS AND PROFESSIONAL SERVICES AGREEMENTS

Biennial review and extension of standing contracts and professional services agreements approved.

When the City Council approved the selection of consulting firms to assist the Community Development Department in 2000, it was proposed that the firms be regularly reviewed and communicated to Council to determine whether and when contracts should be extended, renewed, terminated, or put out to bid. All related service agreements have been placed on a common schedule for review.

Recommended Action: That the City Council approve extensions of agreements specified in report, and authorize the City Manager or designee to execute them in the City Attorney's approved form.

Deputy City Manager Preston presented the Council with the staff report.

Councilmember Sawkins moved to approve the recommended action; seconded by Vice Mayor Huang and passed by a vote on the board of four yes, with Councilmember Gutierrez absent.

#### SELECTION OF CITY ARCHITECT CONSULTANT REQUEST FOR PROPOSAL 09-01

Selection of City Architect Consultant request for proposal 09-01 approved.

The firm that provided the City's previous Architect Consultant services eliminated this from their firm's practice earlier this year. Request for Proposal 09-01 has been circulated to provide for City architectural consulting services.

Recommended Action: That the City Council authorize the City Manager or designee to execute the professional services agreement with Onyx Architects as the City Architectural consultant in the amount not to exceed \$36,000 for the period of June 1, 2009 through May 31, 2011.

Planning Manager Barrett presented the Council with the staff report.

Vice Mayor Huang moved to approve the recommended action; seconded by Councilmember De La Torre and passed by a vote on the board of four yes, with Councilmember Gutierrez absent.

#### APPROVAL OF TREE TRIMMING CONTRACT WITH WEST COAST ARBORIST

Approval of tree trimming contract with West Coast Arborist approved.

The Public Works Division and the Parks and Recreation Department would like to piggyback on the City of Agoura Hills competitive bid process for tree trimming services with West Coast Arborists. The contract agreement would be for one year and in an amount not to exceed \$35,000. This would allow for the trimming of approximately 545 street/parkway trees and 90 park trees.

Recommended Action: That the City Council:

- A. Waive formal bidding and authorize a "piggyback" arrangement on the City of Agoura Hills competitive bid process for tree trimming services.
- B. Award contract to West Coast Arborists in the amount not to exceed \$35,000.00 as budget has been approved by Council.
- C. Authorize the City Manager to execute the contract.

Street Supervisor Lopez presented the Council with the staff report.

Councilmember Sawkins moved to approve the recommended action; seconded by Vice Mayor Huang and passed by a vote on the board of four yes, with Councilmember Gutierrez absent.

#### CITY OF SAN GABRIEL DRAFT HOUSING ELEMENT 2008-2014

City of San Gabriel Draft Housing Element 2008-2014 Approved.

State law requires a periodic update of Housing Elements to reflect changing housing needs. Our Housing Element, last updated in 2002, is being revised for the 2008-2014 planning period. There has been significant new legislation which requires the City to address new requirements. These include:

- Analyze by parcel vacant and “underutilized” sites with potential for new housing to meet San Gabriel’s fair share of the region’s needs.
- Demonstrate capacity to meet the City’s existing need for emergency shelters for homeless families or individuals. Otherwise, state law requires that shelters be allowed “by-right” (i.e., without a conditional use permit or other discretionary approval) in at least one zoning district.
- Treat transitional and supportive housing as a residential use subject to only those requirements that apply to other residential uses of the same type in the same zone.
- Revise the City’s development regulations to ensure that they do not unduly constrain the provision and use of housing by persons with disabilities or other special needs.

Recommended Action: That the City Council review the Draft Housing Element, receive comment, and direct staff to submit the Draft Housing Element to the California Department of Housing and Community Development for comment.

City Planner Mark Gallatin presented the Council with the staff report.

John Douglas, representing Conexus (Housing Element Consultant) presented the Council with a PowerPoint presentation.

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

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. MATERIAL DEMANDS: 78788 – 78974 INCLUSIVE \$1,323,009.59

Material Demands Approved

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

Recommended Action: Approval

B. LEGISLATION IMPACTING THE SAN GABRIEL VALLEY

Legislation impacting the San Gabriel Valley Approved

The San Gabriel Valley Council of Governments has taken action to support SB 652(Huff) which would clarify that the Alameda Corridor East Construction Authority and the SGVCOG are political subdivisions of the state and oppose AB 113(Portantino) which would siphon off funds from the 710 gap closure project for education.

The Independent Cities Association has also taken a position to support SB 696(Wright) which would allow the South Coast Air Quality Management District to restart issuing urgently needed air permits to businesses and public agencies that were put on-hold following a state court CEQA decision.

Recommendation: That the City Council support SB 652 (Huff) and SB 696 (Wright) and oppose AB 113 (Portantino).

C. REQUEST SUBMITTED ON BEHALF OF SYMPHONIC JAZZ ORCHESTRA FOR PARTNERSHIP WITH CITY ON MAY 27, 2009 CONCERT

Request by Symphonic Jazz Orchestra for fee waiver approved.

The Symphonic Jazz Orchestra (SJO) offers the City of San Gabriel a partnership opportunity for a free educational concert on May 17, 2008. SJO is requesting a fee waiver for the San Gabriel Mission Playhouse theater rental fee of \$1,450.00 for this free concert.

Recommended Action: That the City Council approve the Symphonic Jazz Orchestra's request to waive the theater rental fee of \$1,450.00 for the proposed free admission educational concert on May 27, 2009

Vice Mayor Huang moved to approve the consent calendar as presented; seconded by Councilmember De La Torre and passed by a vote on the board of four yes, with Councilmember Gutierrez absent.

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.

RECESS COUNCIL MEETING AND RECONVENE AGENCY MEETING

Recess Council meeting and reconvene agency meeting

Vice Mayor Huang moved to recess Council meeting; seconded by Councilmember Sawkins. There being no objections, it was so ordered.

REDEVELOPMENT AGENCY MEETING:

Agency meeting

A. PUBLIC COMMENT

Public Comment

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

B. ADJOURN AGENCY MEETING

Adjourn agency meeting

Agencymember Sawkins moved to adjourn; seconded by Vice Chair Huang. There being no objections, it was so ordered.

RECONVENE COUNCIL MEETING

Reconvene Council meeting

RECESS COUNCIL MEETING TO CLOSED SESSION:

Recess Council meeting to Closed Session

At 9:25 p.m., Councilmember Sawkins moved to recess Council meeting to Closed Session; seconded by Vice Mayor Huang. There being no objections, it was so ordered.

A. CLOSED SESSION  
CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

The City Council will meet in a closed session, pursuant to Government Code §54956.9 (a), to discuss Mawson v. Sam, City of San Gabriel et al., Case No. GC 039817, Los Angeles Superior Court, for the following purpose: conference with legal counsel – existing litigation

City Attorney Kress confirmed there was no reportable action.

ADJOURN COUNCIL MEETING IN MEMORY OF CHIEF ISHMAEL "BUTCH" SWEET AND CHI MUI (THIRD ANNIVERSARY).

Adjourn Council meeting in memory of Chief Ishmael "Butch" Sweet and Chi Mui third anniversary.

ADJOURN COUNCIL MEETING AS FOLLOWS

Council amends the adjournment to Tuesday, May 19, 2009 at **4:30 p.m.** in Conference Room "A" of the San Gabriel City Council Chambers, 425 S. Mission Drive, for the purpose of conducting a budget workshop and labor negotiations closed session.

Adjourn Council meeting as follows: amend adjournment to May 19, 2009 at 4:30 for the purpose of conducting a budget workshop and labor negotiations closed session.

At 9:35 p.m., the Council meeting was adjourned.

SAN GABRIEL REDEVELOPMENT AGENCY

SAN GABRIEL CITY COUNCIL

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Nina Castruita, Agency Secretary

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Nina Castruita, Deputy City Clerk

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Juli Costanzo, Chair

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Juli Costanzo, Mayor