

SAN GABRIEL CITY COUNCIL AND REDEVELOPMENT AGENCY

MINUTES OF JUNE 16, 2009

The regular meetings of the San Gabriel City Council and the San Gabriel Redevelopment Agency convened on June 16, 2009 at 7:32 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.

PRESENTATION

Presentation: Los Angeles Conservancy Preservation Award presented

Senya Lubisich presented the Council with the Los Angeles Conservancy Preservation Award for La Laguna de San Gabriel

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

Marissa Castro-Salvati, Southern California Edison, presented the Council with the State of the Utility System.

Casey Lo, introduced as the new District Representative for Senator Carol Liu.

PUBLIC HEARING: DESIGNATION OF LA LAGUNA DE SAN GABRIEL AS A LOCAL LANDMARK

Public Hearing: Designation of La Laguna de San Gabriel as a local landmark approved.

To recognize the historic significance of the La Laguna de San Gabriel play area at Vincent Lugo Park by designating it as a local landmark. The play area has a rich history which has led to the formation of an organization dedicated to its preservation, the Friends of La Laguna.

Recommended Action: That the City Council adopt Resolution 09-12 designating La Laguna de San Gabriel as a local landmark, and direct the Planning Division to add the playground to the City's register of historic sites.

Assistant Planner De La Cruz presented the Council with the staff report.

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

Eloy Zarate, Boardmember of Friends of La Laguna (FOLL) acknowledged the historical designation and thanked supporters.

Councilmember Gutierrez moved to close the public hearing; seconded by Councilmember Sawkins. There being no objections, it was so ordered.

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

MAYOR'S APPOINTMENT OF A PLANNING COMMISSIONER

The Mayor is responsible for appointing persons to serve on the various City commissions. At this time it is necessary to appoint a Planning Commissioner.

Recommended Action: That the City Council approve the Mayor's appointment.

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

The Mayor recommended Planning Commissioner Carol Kimbrough for a two-year re-appointment term commencing June 13, 2009 and expiring on June 12, 2011.

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

Mayor Costanzo appointed Planning Commissioner Carol Kimbrough for re-appointment two-year term June 13, 2009 to June 12, 2011 approved.

CITATION PROCESSING & MANAGEMENT SERVICES AGREEMENT

The San Gabriel Police Department has contracted with the City of Inglewood for use of their automated system for issuing and collecting parking citations since 1993. After a restructuring of their program in 2006 Inglewood no longer offers the service in-house and must outsource the services. This created a number of ongoing service problems. The current contract has expired and staff researched employing another organization.

After completing research, it was determined that the Phoenix Group could provide all the services previously offered by Inglewood in a more efficient, user-friendly system with better customer service and at a substantially reduced cost.

Recommended Action: That the City Council authorize the San Gabriel Police Department to enter into a contractual agreement for citation management and processing services with the Phoenix Group and to continue to utilize Franchise Tax Board tax intercept lien services to collect delinquent citations at \$2.50 per filing and 15% collection fee for citations collected.

Police Chief Lawton presented the Council with the staff report.

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

Citation Processing & Management Services Agreement approved.

INTER-CON PARKING ENFORCEMENT CONTRACT

The City has contracted with Inter-Con Security Systems Inc. since 2005 to provide parking enforcement services. Quality service has been provided to the community during this time. Any City concerns along the way have been addressed promptly. Research has been done to make the parking enforcement program more financially sound while increasing revenue and enforcement for the City. These ideas are reflected in the revised contract put before Council.

Recommended Action: That the City Council award a one-year contract with two option periods of one year each to Inter-Con Security Systems Inc. to provide enforcement services.

Police Chief Lawton presented the Council with the staff report.

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

Inter-Con Parking Enforcement Contract approved.

PARKING CITATION PENALTIES

Increasing parking penalties amounts for all San Gabriel Municipal Code (SGMC) parking violations and applicable California Vehicle Code (CVC) violations will allow the City to recover all future parking violation penalty amounts lost as a result of SB 1407 and GC 70372(b). It will further allow the penalty amount to match the Consumer Price Index (CPI) increases since the parking penalty amounts were last assessed in 2005.

Recommended Action: That the City Council approve the parking penalty schedule as proposed.

Police Chief Lawton presented the Council with the staff report.

Vice Mayor Huang moved to amend the recommended action by reducing penalties from \$55.00 to \$50.00; seconded by Mayor Costanzo and passed by a vote on the board of five yes.

RATIFICATION OF LABOR AGREEMENTS FOR FY 2009-10

The City has recognized four employee units that represent management and non-management police and fire safety personnel for labor negotiation purposes. Pursuant to State law, the City is required to meet-and-confer and endeavor to reach agreements with these groups on issues which affect their membership relating to wages, benefits and working conditions. City employees who are not represented by one of the recognized employee associations receive adjustments as determined by the City Council.

Recommended Action: That the City Council:

1. Ratify the agreement with the San Gabriel Fire Officers' Association and San Gabriel Police Officers' Association;
2. Following completion of the membership ratification vote, ratify the agreement with the San Gabriel Firefighters' Association;
3. Discontinue deferred compensation contributions for all full-time City employees who are not represented by an employee association effective with the first pay period commencing on or after July 1, 2009.
4. Approve the Amendment to the Group Insurance Contract with the Standard Insurance Company.
5. Direct staff to update the City's salary and benefits policies and the City budget to reflect these actions.

City Manager Paules presented the Council with the staff report.

Councilmember Gutierrez moved to amend the recommended action by removing the Police Officers' MOU so that it may be considered at a later date; seconded by Vice Mayor Huang 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

A. MINUTES OF COUNCIL MEETINGS OF MAY 26, 2009 & JUNE 2, 2009

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

Recommended Action: Approval

Parking Citation Penalties amended to reduce penalties from \$55.00 to \$50.00 approved.

Ratification of Labor Agreement for FY 2009-10 approved except MOU for Police Officers' Association considered for later date approved.

Consent Calendar

Minutes Approved

B. MATERIAL DEMANDS: 79344 – 79466 INCLUSIVE \$1,276,957.05

Material Demands Approved

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

Recommended Action: Approval

E. REQUEST FOR TEMPORARY STREET CLOSURE TO HOLD A BLOCK PARTY

Request for Temporary Street Closure to Hold a Block Party approved.

A request for temporary street closure has been submitted for the purpose of holding a block party on Saturday, July 4, 2009 as follows:

300 block of Pasqual Avenue from Sycamore to Pasqual from 1:00 to 9:00 p.m.

Recommended Action: That the Council approve the requests subject to the following conditions:

- (1) A minimum width of 20 feet of one side of the street shall remain unobstructed for access by public safety vehicles.
- (2) Fire hydrants shall remain unobstructed at all times.
- (3) There shall be no consumption of alcohol within the public right-of-way.
- (4) There shall be no fireworks or other pyrotechnic displays.
- (5) A resident shall be identified as the responsible party for all contacts by City agencies and for installing and removing the street barricades.
- (6) Parties are subject to disturbing the peace laws.
- (7) The street closure shall be between the hours as indicated on the request form.
- (8) Applicant is responsible for moving the barricades when City officials arrive at the event.

F. CASH CONTRACT 09-05 PURCHASE OF BRUSH CHIPPER

CC 09-05 Purchase of Brush Chipper approved.

The Public Works Division is requesting to replace an 18-year old brush chipper that requires high maintenance costs due to age, wear and tear, and does not meet current safety standards for operation. The Vermeer BC1000XL brush chipper was selected after meeting all of the qualifications being sought and resulted as the most cost effective product available.

Using bid amounts offered through the National Joint Powers Alliance, the total cost of the Vermeer BC1000XL brush chipper is \$33,689.93. The Fiscal Year 2008-09 budget allocated \$30,000 for the purchase of the chipper; however, the total purchase price exceeded the approved budget by \$3,689.93.

Recommended Action: That the City Council:

1. Approve the transfer of \$3,689.93, as recommended by the Finance Director, from Accounts No. 122-800-15-99-204 and 121-800-02-21-000 to Capital Improvement Program account 122-800-15-99-202 to fully fund this purchase.
2. Waive formal bidding and authorize the issue of a purchase order under the “National Joint Powers Alliance” bid process, based upon Vermeer’s NJPA Heavy Equipment Contract #100907-FFC price of \$33,689.93 for the acquisition of a 2009 Vermeer, BC1000XL Brush Chipper with an Air Resources Board Tier 3 compliant 85 horsepower Cummins diesel engine.

3. Direct the Public Works Manager and Finance Director to issue a purchase order in the amount of \$33,689.93 to Vermeer Pacific.

G. RECOVERY ACT JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

Recovery Act Justice Assistance Grant (JAG) Program Award approved.

The City of Los Angeles has submitted a Recovery Act Justice Assistance Grant (JAG) application on behalf of the 79 eligible jurisdictions in Los Angeles County. All 79 jurisdictions must enter into one Memorandum of Understanding (MOU) with the City of Los Angeles. This grant program allows states and local governments to support a broad range of activities to prevent and control crime and improve the nation's criminal justice system.

Recommended Action: That the City Council approve the MOU with the City of Los Angeles for the Recovery Act Justice Assistance Grant (JAG) Program Award, accepting \$88,646.71 and authorize the Mayor to execute on behalf of the City.

Vice Mayor Huang moved to approve items A,B,E,F,G; seconded by Councilmember Sawkins and passed by a vote on the board of five yes.

Consent Calendar Items # C & D were pulled for discussion at Mayor Costanzo's request.

C. CONSIDERATION OF REQUEST SUBMITTED BY ATHENS SERVICES FOR SPECIAL INTERIM RATE AND ANNUAL RATE ADJUSTMENT DECREASES

Consideration of request submitted by Athens Services for special interim rate and annual rate adjustment decreases approved.

Athens has combined their annual rate adjustment along with a special interim rate review. Pursuant to the contract, if there has been a decrease in the category which was presented to the City Council by the Contractor to justify a special interim rate increase, the City Council or City Manager may initiate a special interim rate review to decrease the rate based on the decrease in the cost category. Any decrease in a cost category shall only be considered to the extent of the prior increase in that cost category. Athens, recommends that the 2.28% special rate increase for fuel provided last year be removed at this time.

Recommended Action: That the City Council endorse both the annual rate and the special rate adjustments proposed by Athens Services not to exceed the attached rate schedule effective July 1, 2009 for bin service and commercial customers and August 1, 2009 for residential customers.

Mayor Costanzo thanked Athens Services for keeping their word on lowering prices as gas prices went down.

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

D. RENEWAL OF POLLUTION LIABILITY INSURANCE COVERAGE

Renewal of Pollution Liability Insurance Coverage approved.

The City has been insuring for Pollution Liability coverage since April 2001. The current policy expires June 30, 2009 and covers damage and loss for pollution related liability and defense costs with set deductibles for each incident and a general aggregate limit.

Recommended Action: That the City Council approve participation in the California Joint Powers Insurance Authority's Pollution Liability Insurance program with Indian Harbor Insurance Company for the period of July 1, 2009 through June 30, 2011 for a premium cost of \$24,164.

Mayor Costanzo questioned the timeline of the missing quote.

Councilmember Sawkins moved to approve the recommended action; seconded by Vice Mayor Huang 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.

RECESS COUNCIL MEETING AND RECONVENE AGENCY MEETING

Recess Council meeting and
reconvene Agency meeting

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

REDEVELOPMENT AGENCY MEETING:

Agency meeting

A. APPROVAL OF MINUTES OF MAY 26, 2009 & JUNE 2, 2009

Minutes approved

Agencymember Sawkins moved to approve the subject minutes; seconded by Agencymember De La Torre. 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. SGRA CASE NO 01-01 - FIRST AMENDMENT TO OWNER PARTICIPATION AGREEMENT WITH NEW CENTURY AUTOS, LLC (NEW CENTURY FORD)

SGRA Case No. 01-01 – First
Amendment to owner
participation agreement with
New Century Autos, LLC (New
Century Ford) approved

In 2001, the Agency and New Century Autos, LLC (Participant) entered into an Owner Participation Agreement (OPA) relating to the development of a new car sales and service facility and relocation of New Century Ford to the location. Participant commenced new car sales operations on Site in 2004 with the terms of the OPA covenanted to operate the dealership for ten consecutive years. Participant's Ford dealership closed for business in October of 2008. The current vacancy generates no revenue for the City but a used car dealership would generate sales tax revenue. Participant and Agency staff have accordingly negotiated a First Amendment to the OPA which modifies the covenant in accordance with the Participant's request.

Recommended Action: That the Redevelopment Agency approve the First Amendment to the Owner Participation Agreement with New Century Autos, LLC.

Economic Development Manager Davis presented the Council with the staff report.

Agencymember Gutierrez moved to approve the recommended action; seconded by Vice Chair Huang and passed by a vote on the board of five yes.

D. ADJOURN AGENCY MEETING TO TUESDAY, JUNE 30, 2009 AT 5:00 P.M. IN CONFERENCE ROOM A, 425 S. MISSION DRIVE, SAN GABRIEL, FOR THE PURPOSE OF HOLDING A BUDGET WORKSHOP

Adjourn agency meeting to
Tuesday, June 30, 2009 at
5:00 p.m. for the purpose of
holding a budget workshop
and regular items

Agencymember Gutierrez moved to adjourn agency meeting to June 30, 2009 at 5:00 p.m. in conference room A, for the purpose of holding a budget workshop and to Address regular items; 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: Labor negotiations.

At 8:45 p.m., Councilmember Sawkins moved to recess Council meeting to Closed Session; seconded by Councilmember Gutierrez. There being no objections, it was so ordered.

A. CLOSED SESSION

The City Council will meet in Closed Session with the City's labor negotiators, pursuant to Government Code §54957.6.

City negotiator: Negotiator Linda Jenson, City Manager,
Police Chief, Finance Director, City Attorney

Employee organizations: All recognized City labor organizations

City Attorney Kress confirmed there was no reportable action.

ADJOURN COUNCIL MEETING AS FOLLOWS

Council adjourns to Tuesday, June 30, 2009 at 5:00 p.m. in Conference Room A, 425 S. Mission Drive, San Gabriel, for the purpose of holding a Budget Workshop and regular items.

At 9:30 p.m. the meeting was adjourned.

Council meeting adjourned

SAN GABRIEL REDEVELOPMENT AGENCY

SAN GABRIEL CITY COUNCIL

Nina Castruita, Agency Secretary

Nina Castruita, Deputy City Clerk

Juli Costanzo, Chair

Juli Costanzo, Mayor