

# SAN GABRIEL CITY COUNCIL AND REDEVELOPMENT AGENCY

## MINUTES OF OCTOBER 5, 2010

The regular meetings of the San Gabriel City Council and the San Gabriel Redevelopment Agency convened on October 5, 2010 at 7:30 p.m. with Mayor/Chair Huang, Vice Mayor/Vice Chair Gutierrez, Council/Agencymembers Costanzo, De La Torre, Sawkins, Acting City Manager/Acting Executive Director Lawton, 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 Costanzo moved to recess; seconded by Agencymember De La Torre. There being no objections, it was so ordered.

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

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

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 SEPTEMBER 21, 2010

Minutes approved.

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

Recommended Action: Approval

B. MATERIAL DEMANDS 84819-84978 INCLUSIVE \$1,599,768.21

Material Demands approved.

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

Recommended Action: Approval

C. DUI ENFORCEMENT AND AWARENESS PROGRAM GRANT

DUI Enforcement and Awareness Program Grant approved.

The Police Department has received approval for a grant from the Office of Traffic Safety (OTS) to participate in a DUI Enforcement and Awareness Program for Fiscal Year 2010. The goal of the OTS is to reduce the number of persons killed or injured in alcohol related crashes through grant funding for local law enforcement agencies on an overtime basis. The grant would reimburse the City for personnel overtime costs incurred to participate in this campaign in the sum of \$114,169.00.

Recommended Action: That the City Council:

1. Approve the program contained in the staff report.
2. Increase the Estimated Revenue Budget (Account #147-3229) by \$114,169.00 to reflect an increase in the 2010 DUI Enforcement and Awareness Program.

3. Increase the Police Department's Expenditure Budget by \$114,169.00 (Account #147-751-00), to be used for the purposes outlined in the Grant.

D. 2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

2009 Edward Byrne Memorial Justice Assistance Grant approved.

The San Gabriel Police Department (SGPD) seeks City Council authorization to use grant funding from the 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Program to purchase new in-car mobile monitor/computers and station radio repeaters. The JAG award is in the amount of \$88,646.71.

Recommended Action: That the City Council waive compliance with the formal purchasing procedures and authorize the Chief of Police to use allotted funds from the 2009 Edward Byrne Memorial Justice Assistance Grant award totaling \$88,646.71 to purchase seven in-car mobile monitor/computers and two Motorola repeaters. The 2009 Edward Byrne Memorial Justice Assistance Grant was budgeted in the 2009-2010 Budget, account #122-751-57-99-233. Cost for labor and installation of \$8,566.43 to be funded by account #122-751-15-99-872.

E. 2007 SUBRECIPIENT STATE HOMELAND SECURITY GRANT PROGRAM (SHSGP)

2007 Subrecipient State Homeland Security Grant Program (SHSGP) approved.

The San Gabriel Police Department (SGPD) seeks City Council authorization to use grant funding from the 2007 State Homeland Security Grant Program (SHSGP) to purchase mandated police radio upgrades. The SHSGP award is in the amount of \$9,125.00

Recommended Action: That the City Council:

1. Authorize the Chief of Police to use allotted funds from the 2007 Subrecipient State Homeland Security Grant Program award totaling \$9,125.00 to pay for the "Narrowbanding" of 73 radios (47 handheld and 26 vehicle).
2. Increase the Estimated Revenue Budget (Account #186-3215) by \$9,125.00.
3. Increase the Police Department Expenditure Budget by \$9,125.00 (Account #122-751-57-99-380).

F. 2008 AND 2009 HOMELAND SECURITY GRANT PROGRAM

2008 and 2009 Homeland Security Grant Program approved.

In June 2010, the Los Angeles County Board of Supervisors accepted the 2009 State Homeland Security Grant Program (SHSGP) for local agencies. This year the County is requiring a formal Subrecipient Agreement between the City of San Gabriel and the County which outlines the requirements of the grant and provides the guidelines for SHSGP reimbursement of eligible expenses.

The 2009 SHSGP Grant has approved the following for the City of San Gabriel:

- Terrorism Liaison Training for existing and new Terrorism Liaison Officers (TLO) \$24,803
- Planning and coordination for CBRNE response team training – 28,399
- Increase the 2008 SHSGP grant for TLO training - \$6,750
- Total new approved SHSGP grant for 2008 and 2009 to San Gabriel is \$59,952

Recommended Action: That the City Council:

1. Approve the program as contained in the staff report.
2. Authorize the Mayor to sign the Subrecipient Agreement between the County of Los Angeles and the City of San Gabriel.
3. Increase the estimated Revenue Budget (Account #186-3215) by \$59,952 to reflect the 2008 and 2009 Homeland Security Grant Program.
4. Increase the Fire Department Budget by \$59,952 (Account #122-761-57-96-380) to purchase new items approved on the 2008 and 2009 Homeland Security Grant Program.

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

**PUBLIC HEARING: EXTENSION OF MORATORIUM ON MASSAGE USES AND REPORT**

Public Hearing: Extension of Moratorium on Massage uses and report approved.

New state legislation (SB 731), standardizing certification of massage therapists, took effect September 1, 2009. Under SB 731, certain of the City's current regulations were preempted, necessitating a rewrite of the City's massage provisions. Before the City could draft a new ordinance, additional state legislation (AB 1822) was introduced that would have reversed many of the changes made by SB 731. AB 1822 went through many revisions until it was substantially "gutted" in late August 2010. Now that it is clear that AB 1822 will not impact local jurisdictions, the City can begin working on an ordinance that will comply with SB 731. However, a new ordinance regulating massage businesses cannot be developed, go through the public hearing process and be effective prior to the expiration of the current moratorium on October 19, 2010.

Recommended Action: After holding the public hearing, that the City Council adopt Ordinance No. 586-C.S. AN URGENCY INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN GABRIEL, CALIFORNIA EXTENDING ORDINANCE NO 583-C.S. PROHIBITING THE ISSUANCE OF PERMITS AND OTHER ENTITLEMENTS FOR BUSINESSES OFFERING MASSAGE SERVICES.

City Attorney Kress presented the report.

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

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

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

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

**NOMINATION TO SERVE AS BOARD MEMBER FOR THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY**

Nomination of Margaret Clark to serve as board member for the San Gabriel Basin Water Quality Authority approved.

The San Gabriel Basin Water Quality Authority (WQA) was established by the State Legislature (SB 1679) on February 11, 1993 to develop, finance and implement ground water treatment programs in the San Gabriel Valley. The WQA is under the direction and leadership of seven member board, one member each from an overlying municipal water district, one from a city with water pumping rights, one from a city without water pumping rights and two members representing water purveyors. Under the WQA's enabling legislation, the term of the board member and alternate

representing cities without pumping rights expires on January 1, 2011. An Election to fill this seat is scheduled for December 21, 2010.

Recommended Action: That the City Council consider the matter and make a determination. If the Council wishes to support the subject nomination, adoption of Resolution 10-33 is necessary.

Deputy City Clerk Castruita presented the staff report.

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

#### RENEWAL OF WMM ASSOCIATES PROFESSIONAL SERVICES AGREEMENT

Renewal of WMM Associates Professional Services Agreement approved.

In July of 2000, the City of San Gabriel entered into a Professional Services Agreement with WMM Associates for a Needs Assessment. This agreement was completed in November of 2001. In January of 2002, the City renewed this Professional Services Agreement with WMM Associates to provide the Schematic study for the Police Facility. This agreement was completed in May of 2010.

Recommended Action: That the City Council authorize the City Manager or designee to execute/renew the Professional Services Agreement with WMM Associates as the architectural firm of choice for the continued design and development of the new Police Facility in the amount not to exceed \$1,735,225.00

Police Lieutenant Perrine presented the staff report.

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

#### CITY MANAGER ITEMS

City Manager Items

There were no City Manager items at this time.

#### 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 AND RECONVENE AGENCY MEETING

Adjourn Council meeting and reconvene Agency meeting

Councilmember Sawkins moved to adjourn and reconvene as indicated above; seconded by Councilmember De La Torre. There being no objections, it was so ordered.

#### REDEVELOPMENT AGENCY MEETING:

Agency meeting

##### A. APPROVAL OF MINUTES OF SEPTEMBER 21, 2010

Minutes approved.

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

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

Public Comment

Citizens wishing to address the Agency Board on any matter not on the Agenda, which is in the subject matter jurisdiction of the San Gabriel Agency Board, may do so at this time. Please state your NAME and ADDRESS CLEARLY for the record.

Please note that while the Agency Board values your comments, pursuant to the Brown Act, the Agency Board cannot take any action until such time as the matter may appear as an item on a forthcoming agenda.

Marissa Castro-Salvati, representative of Southern California Edison, informed the Council of the Tehachapi Renewable Transmission Project.

C. ADJOURN AGENCY MEETING

Adjourn Agency meeting

At 8:35 p.m., Agencymember Costanzo moved to adjourn; seconded by Agencymember Sawkins. There being no objections, it was so ordered.

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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Albert Y. M. Huang, Chair

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Albert Y.M. Huang, Mayor