

SAN GABRIEL CITY COUNCIL AND REDEVELOPMENT AGENCY

MINUTES OF OCTOBER 7, 2008

The regular meetings of the San Gabriel City Council and the San Gabriel Redevelopment Agency convened on October 7, 2008 at 7:30 p.m. with Mayor/Chair Baldwin, Vice Mayor/Vice Chair Costanzo, Council/Agencymembers Gutierrez, Huang, 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

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

Recess Agency Meeting

PRESENTATIONS

Air Force Staff Sergeant Jamerson Adams presented the United States Air Force Civilian Recruiting Award to Alex Acosta.

Presentations

The City Council recognized Alex Acosta with a certificate of recognition for both the 2008 Crime Prevention Practitioner of the Year and United States Air Force Civilian Recruiting Award. Alex Acosta addressed the Council and thanked them for the recognition.

PUBLIC HEARING: MEDICAL MARIJUANA DISPENSARY – ORDINANCE NO. 579-C.S., ZONING TEXT AMENDMENT PL-06-171

Public Hearing: Medical
Marijuana Dispensary – Ord.
No. 579-C.S., Zoning Text
Amendment PL-06-171
Approved

Currently, the City does not have regulations for an explicit prohibition of medical marijuana dispensaries. The City Council, consistent with Government Code Section 65858, has adopted and extended a moratorium on the location of medical marijuana dispensaries. The current moratorium will expire November 20, 2008 and cannot be extended again. The moratoria provided staff with time to research how this issue is being addressed in other jurisdictions. On September 8, 2008, the Planning Commission reviewed a draft ordinance, conducted a public hearing, and adopted a recommendation that the zoning ordinance is amended and a new Section 153.490 be added which provides that medical marijuana dispensaries shall not be a permitted use in any zoning district nor in any specific plan.

Recommended Action: That the City Council introduce Ordinance No. 579 - C.S., Zoning Text Amendment PL-06-171, and place the ordinance on first reading.

Planning Manager Barrett presented the Council with the staff report.

Mayor Baldwin moved to open the public hearing.

There was no one who wanted to address the Council at this time.

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

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

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

Sally Baldwin, gave the Council invitations to attend an event for the Asian Youth Center and reminded the Council about the Mission Playhouse Cabaret dinner on Monday, November 3, 2008.

Clarence Wong, introduced himself as a candidate for the Upper San Gabriel Valley Water District election.

MAYOR'S APPOINTMENT OF A CIVIL SERVICE COMMISSIONER

Mayor's Appointment of Civil Service Commissioner Steven J. Kemp Approved

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.

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 Steven J. Kemp for a two-year appointment term commencing October 7, 2008 and expiring on October 6, 2010.

Councilmember Sawkins moved to approve the recommendation; seconded by Councilmember Huang. There being no objections, it was so ordered.

CASH CONTRACT 07-02 ROSES ROAD STREET REHABILITATION FROM MISSION DRIVE TO DEL MAR (STPL – 5217 (008))

CC 07-02 Roses Rd. Street Rehabilitation from Mission Dr. to Del Mar (STPL-5217 (008)) Approved

Proposed improvements on Roses Road from Mission Drive to Del Mar Avenue were designed in accordance with City design standards. The project includes pavement rehabilitation, sidewalk and driveway replacement, installation of cross gutters, gutter plate and installation of new handicap ramps with colored truncated dome inserts to comply with the latest American disability Act standards. The project is funded by Proposition 1B, STPL, Traffic Congestion and Waste Management Funds. Bids were received and opened publicly on September 29, 2008.

Recommended Action: That the City Council:

1. Approve the plans and specifications, and
2. Award Cash Contract 07-02 to Sully Miller in the amount of \$487,576.50 in accordance with its bid; and
3. Authorize the execution of the contract documents.

City Engineer Mattern presented the Council with the staff report.

Councilmember Gutierrez moved to approve the recommended action; seconded by Councilmember 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

Consent Calendar

- A. MINUTES OF REGULAR COUNCIL MEETING OF SEPTEMBER 16, 2008

Minutes Approved

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

Recommended Action: Approval

- B. MATERIAL DEMANDS: 75930-76253 INCLUSIVE \$1,561,996.36 Material Demands Approved

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

Recommended Action: Approval

- C. DEVELOPMENT IMPACT FEES FUND REPORT Development Impact Fees Fund Report Approved

The subject report has been prepared in compliance with Government Code 66006 which requires local agencies to make available to the public information regarding Development Impact Fees for the fiscal year.

Recommended Action: That the City Council review the report and make the information available to the public pursuant to Government Code Section 66006.

Councilmember Gutierrez moved to approve the consent calendar as presented; seconded by Vice Mayor Costanzo 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.

ADJOURN COUNCIL MEETING AND RECONVENE AGENCY MEETING

Adjourn meeting and reconvene agency meeting

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

REDEVELOPMENT AGENCY MEETING:

Agency Meeting

- A. APPROVAL OF MINUTES OF SEPTEMBER 16, 2008 Minutes Approved

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

- B. PUBLIC COMMENT Public Comment

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

- C. RECESS TO CLOSED SESSION: Recess to Closed Session

1. Conference with Real Property Negotiators

Property: 2.9 acre site at the southwest corner of San Gabriel Boulevard and Live Oak Avenue

Agency negotiator:
Deputy City Manager Steve Preston
Economic Development Manager Jennifer Davis
Planning Manager Carol Barrett
Keyser Marston Associates by Kathleen Head
Agency Attorney Peter Wallin.

Negotiating parties: Frost Chaddock Developers, LLC
Under negotiation: Price and terms of payment

Agencymember Sawkins moved to recess to closed session as indicated above; seconded by Vice Chair Costanzo. There being no objections, it was so ordered.

Council agreed to move forward with negotiations with Frost Chaddock.

At 8:34 p.m., Agency returned from closed session.

D. PRESENTATION: Presentation

Presentation on Site C by Frost Chaddock Development, LLC (SGRA Case No. 03-02)

Recommended Action: That the Redevelopment Agency receive the information into the record and direct staff appropriately.

Mathew Levy, James Frost, and Wade Killefer, representing Frost Chaddock, presented the Council with an update on Rubio Village.

Executive Director recused himself from participation. Adjourn meeting

E. ADJOURN AGENCY MEETING

At 8:54 p.m., Vice Chair Costanzo moved to adjourn; seconded by Agencymember Gutierrez. 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

Juli Costanzo, Vice Chair

Juli Costanzo, Vice Mayor