

**SAN GABRIEL CITY COUNCIL  
SPECIAL MEETING**

**CONFERENCE ROOM "A" at CITY HALL  
425 SOUTH MISSION DRIVE, SAN GABRIEL, CALIFORNIA**

**TUESDAY, OCTOBER 20, 2009  
at  
5:00 P.M.**

**AGENDA**

1. CALL TO ORDER
2. ATTENDANCE: COSTANZO, DE LA TORRE, GUTIERREZ, HUANG, SAWKINS
3. PUBLIC COMMENT: PURSUANT TO PROVISIONS OF THE GOVERNMENT CODE §54957, THIS IS THE TIME PROVIDED FOR MEMBERS OF THE PUBLIC TO ADDRESS THE CITY COUNCIL REGARDING MATTERS ON THIS AGENDA

1. CLOSED SESSION:

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

The City Council will meet in a closed session with legal counsel to determine whether or not to initiate litigation pursuant to Government Code §54956.9 (c). One potential case.

2. ADJOURN

Note: The regularly scheduled City Council meeting will be held at 7:30 p.m. in the Council Chambers

**SAN GABRIEL CITY COUNCIL  
ADJOURNED REGULAR MEETING  
CONFERENCE ROOM "A" at CITY HALL  
425 SOUTH MISSION DRIVE, SAN GABRIEL, CALIFORNIA**

**TUESDAY, OCTOBER 20, 2009  
at  
6:30 P.M.**

**AGENDA**

1. CALL TO ORDER
2. ATTENDANCE: COSTANZO, DE LA TORRE, GUTIERREZ, HUANG, SAWKINS
3. PUBLIC COMMENT: PURSUANT TO PROVISIONS OF THE GOVERNMENT CODE §54957, THIS IS THE TIME PROVIDED FOR MEMBERS OF THE PUBLIC TO ADDRESS THE CITY COUNCIL REGARDING MATTERS ON THIS AGENDA
3. MATTERS PERTAINING TO THE OFFICE OF CITY MANAGER
  - a. Revised date for contract termination
  - b. Discussion and direction regarding the selection process for City Manager
4. ADJOURN

Note: The regularly scheduled City Council meeting will be held at 7:30 p.m. in the Council Chambers

**NOTE: CITY HALL IS HANDICAPPED ACCESSIBLE. AUDIO DEVICES FOR THE HEARING IMPAIRED ARE AVAILABLE FROM THE CITY CLERK DURING EACH MEETING**

*Speaker's Request Cards are provided on the table in the lobby of the Council Chamber. If you wish to address the Council during the meeting, please complete a speaker's card and hand it to the City Clerk before the start of the meeting.*

**SAN GABRIEL CITY COUNCIL REGULAR MEETING  
and  
REDEVELOPMENT AGENCY REGULAR MEETING  
held in the  
COUNCIL CHAMBER  
at  
CITY HALL  
425 SOUTH MISSION DRIVE  
SAN GABRIEL, CALIFORNIA  
on  
TUESDAY, OCTOBER 20, 2009  
at  
7:30 P.M.**

**AGENDA**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ATTENDANCE: COSTANZO, DE LA TORRE, GUTIERREZ, HUANG, SAWKINS**
4. **RECESS AGENCY MEETING**
5. **PRESENTATION:**
  - A. **Administration of Oath – Firefighter Aaron Terry**
6. **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**

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

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

**7. 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.

**8. STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS SANITARY SEWER MANAGEMENT PLAN (SSMP)**

State regulations require that the City, based on its population, complete all phases of the Sanitary Sewer Management Plan (SSMP) and certify it to the State Board. An SSMP covers the evaluation, maintenance, rehabilitation, and expansion of sanitary sewers. The plan addresses the operational aspects of a sanitary sewer system as well as the engineering aspects such as evaluation, rehabilitation, and expansion.

Recommended Action: That the City Council approve the Sewer System Management Plan and authorize the Director of Public Works to make future changes as needed.

**9. SAN GABRIEL GOES GREEN: SUSTAINABILITY ACTION PLAN**

The City Council asked staff to formulate a strategy for making San Gabriel a greener city. Series of recommendations have been drafted, vetted through City departments, and made available for public comment. The sustainability action plan will be an annual document to report accomplishments and identify the most likely next steps taken to improve sustainability.

Recommended Action: That the City Council adopt San Gabriel Goes Green: 2009 Sustainability Action Plan and adopt the Mayors Climate Protection Agreement.

**10. MORATORIUM ON MASSAGE USES**

New state legislation (SB 731), standardizing certification of massage therapists, took effect on September 1, 2009. Certain of the City’s current regulations will be preempted, although the extent of local regulation is yet to be defined. Staff is recommending a brief moratorium (45 days) on issuance of permits for uses involving massage until the new state legislation can be further analyzed and the City amends its ordinance to be in compliance on regulatory and zoning issues.

Recommended Action: That the City Council adopt Ordinance No. 583-C.S.

**11. CONSENT CALENDAR: ALL ITEMS LISTED UNDER THE CONSENT CALENDAR ARE CONSIDERED ROUTINE AND WILL BE ENACTED BY ONE MOTION UNLESS A MEMBER OF THE CITY COUNCIL OR AUDIENCE REQUESTS SEPARATE DISCUSSION**

A. MINUTES OF REGULAR COUNCIL MEETING OF SEPTEMBER 15, 2009 AND ADJOURNED MEETING OF OCTOBER 6, 2009

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

Recommended Action: Approval

B. MATERIAL DEMANDS

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

Recommended Action: Approval

C. REQUEST FOR TEMPORARY STREET CLOSURE TO HOLD A VACCINATION EVENT

A request for temporary street closure has been submitted for the purpose of holding a Vaccination event on Saturday, October 24, 2009 as follows:

- 700 block of Grand Avenue between San Gabriel Blvd. and Mission Road. from 8:00 a.m. to 5:00 p.m.

Recommended Action: That the City 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.

D. DEVELOPMENT IMPACT FEES FUND REPORT

The subject report was 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.

E. SMITH PARK POOL USE BY SAN GABRIEL HIGH SCHOOL

San Gabriel High School is interested in contracting for the use of Smith Park Pool during the months of October and November.

Recommended Action: That the City Council approve the use of Smith Park Pool by San Gabriel High School through November 20, 2009.

F. 2008 HOMELAND SECURITY GRANT PROGRAM

In June 2009, the Los Angeles County Board of Supervisors accepted the 2008 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 2008 SHSGP Grant has approved the following for the City of San Gabriel:

- L.A. Area Fire Chiefs Association Regional CBRNE Self Contained Breathing Apparatus (SCBA) Project – Fire Department SCBA Equipment \$67,548
- L.A. Area Fire Chiefs Association IED/Hazmat Training Project – Fire Department Training \$28,021
- Automated License Plate Recognition System (ALPR) and L.A. County Sheriff Antares Project
- Total approved SHSGP grant for 2008 to San Gabriel is \$118,681

Recommended Action: That the City Council:

1. Authorize the Mayor to sign the Subrecipient Agreement between the County of Los Angeles and the City of San Gabriel, and
2. Increase the Fire Department budget by \$95,569 to purchase items approved on the 2008 Homeland Security Grant Program, and
3. Increase the Police Department budget by \$23,112 to purchase items approved on the 2008 Homeland Security Grant Program.

G. CASH CONTRACT 09-11 PUBLIC WORKS DIVISION 2010 FORD F550 CHIPPER TRUCK

In complying with the AQMD fleet rule, the Public Works Division will need to replace its 1991 F700 diesel chipper truck. Public Works wishes to purchase one (1) new vehicle, a 2010 Ford F550 Gasoline 4X2 Regular Cab Chassis Chipper Dump Truck as part of the "City of Sacramento Contract" bid process, based upon the State of California's Contract 1-09-23-201

Recommended Action: That the City Council:

1. Waive formal bidding and authorize the use of the State of California Contract 1-09-23-20 with Downtown Ford Sales.
2. Authorize the issuance of a purchase order to Downtown Ford Sales for the acquisition of one (1) 2010 Ford F550 XLT Super Duty Chipper Dump Truck in the amount of \$49,202.33 including taxes, ancillary costs and delivery; to be funded from account #122-800-15-99-211.

H. DESIGNATE LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH AS LOCAL ENFORCEMENT AGENCY FOR SOLID WASTE MANAGEMENT

The Los Angeles County Department of Health Services (DHS) was originally designated as the solid waste management enforcement agency for the City of San Gabriel in 1977. In July of 2006, (DHS) reorganized and the Department of Public Health (DPH) was formed. Within DPH is the Los Angeles County Department of Environmental Health, Solid Waste Management Program (SWAP), which is the local enforcement agency (LEA) for all laws and regulations relating to solid waste management including disposal, handling and transport.

The County Department of Public Health has requested that the City adopt a resolution designating the Los Angeles County Department of Public Health-Solid Waste Management Program as the Local Enforcement Agency for the City.

Recommended Action: That the City Council adopt Resolution 09-32 and direct staff to submit the resolution to Los Angeles County Department of Public Health.

I. ADMINISTERING AGENCY-STATE MASTER PROGRAM SUPPLEMENTAL AGREEMENT No. 009-N THRU 012-N, RESOLUTIONS 09-33 THRU 09-36 SAN GABRIEL BLVD REHABILITATION PHASE II

The City of San Gabriel entered into a revised Administering Agency-State Master Agreement No. 07-5217R in September 2007. Program Supplemental Agreements No. 009-N through No. 012-N provide for the funding of the San Gabriel Blvd Rehabilitation Phase II project (CIP 1-08-22B) from Broadway to Mission Road. This project is being funded by SAFETEA-LU, Proposition "C" and RDA funds. The project will be advertised as one project with four Federal funding numbers. The State requires each funding number have its own Supplemental Agreement and resolution. The agreements provide funding for the construction phase only; the design portion and construction administration of the project will be funded by City funds.

Recommended Action: That the City Council:

1. Approve Program Supplemental Agreements No. 009-N thru 012-N, and
2. Adopt Resolutions 09-32 thru 09-06 authorizing the City Manager to sign the Agreement, and
3. Direct staff to submit the agreements and resolutions to Caltrans.

**12. 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.

**13. ADJOURN COUNCIL MEETING AND RECONVENE AGENCY MEETING**

**14. REDEVELOPMENT AGENCY MEETING:**

- A. APPROVAL OF MINUTES OF SEPTEMBER 15, 2009
- 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

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.

- C. ADJOURN AGENCY MEETING

The next regular Council meeting will be held Tuesday, November 3, 2009 at 7:30 p.m. in the Council Chamber at City Hall, 425 South Mission Drive, San Gabriel, California. Immediately following the Council meeting, the Redevelopment Agency will hold their regular meeting. Information regarding matters to be considered at each meeting will be available on Friday, October 30, 2009 by calling the Council Agenda Information Line at (626) 308-2800 and selecting option 5 or on the City's website at [www.sangabrielcity.com](http://www.sangabrielcity.com)

**NOTICE:** The Office of the City Clerk has on file copies of written documentation relating to each item of business on this Agenda available for public inspection. Materials related to an item on this agenda, submitted to the City Council/Redevelopment Agency after distribution of the Agenda packet, are available for public inspection at the meeting or in the City Clerk's office, located at City Hall, 425 South Mission Drive, San Gabriel, California, during regular office hours, Monday through Friday 8:00 a.m. to 5:00 p.m. except for Tuesdays until 6:30 p.m.

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office at 626/308-2816 at least 48 hours before the meeting, if possible.

Should any person have a question concerning any of the above agenda items prior to the meeting, please contact the City Clerk in person or by telephone at (626) 308-2816 during regular office hours.