

**SAN GABRIEL CITY COUNCIL
MINUTES OF SPECIAL MEETING OCTOBER 20, 2009**

The special meeting of the San Gabriel City Council was called to order by Mayor Costanzo at 5:00 p.m. Vice Mayor Huang, Councilmember Sawkins, Councilmember Gutierrez and Councilmember De La Torre were present. Also present were Interim City Manager Steve Preston and City Attorney Robert Kress.

There were no persons who wished to speak under Public Comment.

The Council recessed to Closed Session for the purpose stated on the agenda.

At 6:25 p.m. the Council reconvened in Open Session and announced that no reportable action occurred during the Closed Session.

At 6:26 p.m. the Council adjourned the Special Meeting.

Prepared by Robert L. Kress, City Attorney

Juli Costanzo, Mayor

**SAN GABRIEL CITY COUNCIL
MINUTES OF ADJOURNED MEETING OCTOBER 20, 2009**

The adjourned regular meeting of the San Gabriel City Council was called to order by Mayor Costanzo at 6:30 p.m. Vice Mayor Huang, Councilmember Sawkins, Councilmember Gutierrez and Councilmember De La Torre were present. Also present were Interim City Manager Steve Preston and City Attorney Robert Kress.

There were no persons who wished to speak under Public Comment.

The Council considered and approved the revised date (from December 31, 2009 to November 6, 2009) for termination of the employment contract with Michael Paules.

The Council discussed the engagement of an executive recruiting firm to assist with the recruitment of a City Manager. The City Attorney was directed to prepare a Request for Proposals for this consulting assignment.

At 7:15 p.m. the Council adjourned.

Prepared by Robert L. Kress, City Attorney

Juli Costanzo, Mayor

SAN GABRIEL CITY COUNCIL AND REDEVELOPMENT AGENCY MINUTES OF OCTOBER 20, 2009

The regular meetings of the San Gabriel City Council and the San Gabriel Redevelopment Agency convened on October 20, 2009 at 7:30 p.m. with Mayor/Chair Costanzo, Vice Mayor/Vice Chair Huang, Council/Agencymembers De La Torre, Gutierrez, Sawkins, Interim City Manager/ Interim Executive Director Preston, 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

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

PRESENTATIONS

Presentations

Fire Chief Nestor introduced Firefighter Aaron Terry. Deputy City Clerk Castruita administered the Oath of Office.

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

Lydia Lee, U.S. Census Bureau, requested City Council assistance in the 2010 Census.

MAYOR'S APPOINTMENT OF A PLANNING COMMISSIONER

Mayor's re-appointment of Planning Commissioner Norman Garden approved.

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 presented the City Council with the staff report.

The Mayor re-appointed Planning Commissioner Norman Garden for a two-year appointment term commencing November 1, 2009 to October 31, 2011.

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

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

Statewide General Waste Discharge Requirements for Sanitary Sewer Systems Sanitary Sewer Management Plan (SSMP) approved.

State regulations require that the City, based on its population, complete all phase 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.

Senior Engineer Marsciuska presented the City Council with the staff report.

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

SAN GABRIEL GOES GREEN: SUSTAINABILITY ACTION PLAN

San Gabriel Goes Green:
Sustainability Action Plan
approved.

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.

Planning Manager Barrett presented the City Council with the staff report.

Winnie Kho, business owner, supports the sustainability action plan.

Councilmember Sawkins moved to approve Resolution 09-17 San Gabriel Goes Green: 2009 Sustainability Action Plan; seconded by Vice Mayor Huang and passed by a vote on the board of five yes.

Councilmember Sawkins moved to approve Resolution 09-26 Mayors Climate Protection Agreement; seconded by Vice Mayor Huang and passed by a vote on the board of five yes.

MORATORIUM ON MESSAGE USES

Moratorium on Message uses
approved.

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.

City Attorney Kress presented the City Council with the staff report.

Winnie Kho, business owner, requests business owners input on the final ordinance.

Vice Mayor Huang moved to approve the recommended action; seconded by Councilmember Gutierrez 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 15, 2009 AND ADJOURNED MEETING OF OCTOBER 6, 2009

Minutes approved

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

Recommended Action: Approval

- B. MATERIAL DEMANDS: 80576 – 81025 INCLUSIVE \$2,749,221.44 Material Demands approved
- 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 Request for temporary street closure approved
- 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 Development Impact Fees Fund Report approved
- 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 Smith Park Pool use by San Gabriel High School approved
- 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

2008 Homeland Security Grant Program approved

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

CC 90-11 Public Works Division 2010 Ford F550 Chipper Truck approved

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

Designate Los Angeles County Department of Public Health as Local Enforcement Agency for Solid Waste Management approved

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

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 approved

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 09-33 thru 09-36 authorizing the City Manager to sign the Agreement, and
3. Direct staff to submit the agreements and resolutions to Caltrans.

Councilmember Sawkins moved to approve the consent calendar as presented; seconded by Councilmember De La Torre 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

Vice Mayor Huang moved to adjourn Council meeting to 6:00 p.m., Tuesday, November 3, 2009 in conference room "A" at City Hall to discuss interim staff and reconvene Agency meeting; seconded by Councilmember Gutierrez and passed by a vote on the board of five yes.

Adjourn Council meeting to 6:00 p.m. Tuesday, November 3, 2009 and reconvene agency meeting

REDEVELOPMENT AGENCY MEETING:

A. APPROVAL OF MINUTES OF SEPTEMBER 15, 2009

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

Agency meeting

Minutes approved

B. PUBLIC COMMENT

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

Public Comment

C. ADJOURN AGENCY MEETING

At 8:34 p.m., Agencymember Gutierrez moved to adjourn; seconded by Agencymember De La Torre. There being no objections, it was so ordered.

Adjourn meeting

SAN GABRIEL REDEVELOPMENT AGENCY

SAN GABRIEL CITY COUNCIL

Nina Castruita, Agency Secretary

Nina Castruita, Deputy City Clerk

Juli Costanzo, Chair

Juli Costanzo, Mayor