

**SAN GABRIEL CITY COUNCIL  
SPECIAL MEETING**

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

**TUESDAY, NOVEMBER 16, 2010  
at  
6:00 P.M.**

**AGENDA**

1. CALL TO ORDER
2. ATTENDANCE: COSTANZO, DE LA TORRE, GUTIERREZ, 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
4. STUDY SESSION: San Gabriel Community Foundation: Status report and future programs
5. ADJOURN to City Council meeting

**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, NOVEMBER 16, 2010  
at  
7:30 P.M.**

**AGENDA**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ATTENDANCE: COSTANZO, DE LA TORRE, GUTIERREZ, SAWKINS**
4. **RECESS AGENCY MEETING**
5. **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.

**6. 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 NOVEMBER 2, 2010

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. INVESTMENT REPORT

Investment Report for the Month of September 2010

Recommended Action: That the City Council receive and file report.

D. RESOLUTION IN SUPPORT OF SCAG's BUSINESS FRIENDLY PRINCIPLES

Southern California Association of Governments (SCAG) has requested that the City of San Gabriel participate in their efforts to increase awareness of business friendly principles as they develop a Southern California Economic Growth Strategy. The initial step in the development of the Strategy is to request that Southern California cities adopt a resolution supporting these principles. Resolutions from a majority of Californian cities will then be presented to the Governor-elect at a December 2<sup>nd</sup> event being held for elected officials and members of the business community.

Recommended Action: That the City Council adopt Resolution No. 10-40.

E. OPTIONS PRESCHOOL AGREEMENT

The Public Works Department and Options Preschool have agreed on a License for Use of the property at 927 E. Grand Avenue. The license agreement will run from October 1, 2010 and shall terminate on July 31, 2011. Under the terms of agreement, Options Preschool will pay the City a fixed amount on the first of every month for the use of the building and will be responsible for all utility expense. The agreement allows Options to operate a preschool on the property and may not use the property for any other reason without obtaining prior written consent from the City.

Recommended Action: That the City Council approve the License for Use of the property at 927 E. Grand Avenue and allow Options Preschool to operate through the current school year and terminate their operations on or before July 31, 2011.

F. **MEMORANDUM OF AGREEMENT – LOS ANGELES RIVER METALS TOTAL MAXIMUM DAILY LOAD (TMDL) SITE SPECIFIC OBJECTIVES STUDIES**

The Los Angeles River and Tributaries Metals Total Maximum Daily Load (TMDL), adopted by the Regional Water Quality Control Board requires Los Angeles River watershed cities and agencies to take steps to reduce the concentration of certain metals in the Los Angeles River and its tributaries.

Recommended Action: That the City Council:

1. Approve and authorize the City Manager or designee to sign the Memorandum of Agreement with the Gateway Cities Council of Governments as fiduciary agent to secure services to conduct scientific studies and prepare an analysis of Site Specific Objectives to direct implementation of the Los Angeles River Metals TMDL; and
2. Appropriate a total of \$22,781 over the next three fiscal years from the Waste Management Fund to support the Los Angeles River Metals TMDL SSO studies.

7. **PUBLIC HEARING: 1532 SOUTH PALM AVENUE; PLANNING CASE PL-10-011; ZONE CHANGE AND SPECIFIC PLAN AMENDMENT**

This is a request for a specific plan amendment and zone change to change the land use designation of this property in the Valley Boulevard Specific Plan from R-C (Valley Boulevard Multi Family Residential Corridor) to MU/T (Valley Boulevard Mixed-Use Transit Oriented Development.) Pending approval, the applicant plans to convert the existing auditorium building on this site into office space. To permit office uses at this location requires the amending of the specific plan and the rezoning of the property.

Recommended Action: That after conducting the public hearing, the City Council:

1. Find that the environmental impacts of the proposed specific plan amendment and zone change will not have an effect on the environment sufficient enough to require an environmental impact report and approve the Negative Declaration of Environmental Impact; and
2. Introduce and place on first reading Ordinance No. 586 C.S. which will approve and adopt the specific plan amendment and the zone change.

8. **RESOLUTION 10-34 – CASTING VOTES FOR ROSEMEAD COUNCILMEMBER MARGARET CLARK TO REPRESENT CITIES WITHOUT PRESCRIPTIVE PUMPING RIGHTS ON THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY**

The San Gabriel Basin Water Quality Authority (WQA) is composed of seven members with three appointed members from each of the three municipal water districts, one elected City Council person from cities in the San Gabriel Basin with prescriptive pumping rights, and one elected City Council person from cities in the San Gabriel Basin without prescriptive pumping rights, and two members representing water producers in the San Gabriel Basin. Rosemead Councilmember Margaret Clark requested the Council's support for re-election to this position. On September 21, 2010, the San Gabriel City Council unanimously adopted Resolution 10-33 nominating Councilmember Clark for this office. Resolution 10-34 officially casts San Gabriel's four votes for Councilmember Clark.

Recommended Action: That the City Council adopt Resolution 10-34.

**9. S.B. 1608 CERTIFIED ACCESS SPECIALISTS PROGRAM (CASp)**

Senate Bill 1608 was signed into law by Governor Schwarzenegger on September 28, 2008. This bill is a comprehensive reform measure intended to promote better compliance with the Americans with Disabilities Act (ADA) as well as the state's own equal access laws provided in the California Building Code. Local building departments do not enforce federal ADA standards; however, property owners are required to comply with these requirements. The Department of Justice regulates these standards. This bill was established to primarily address the problem of non-complying commercial properties, by recognizing the value of promoting voluntary compliance and prevention. Therefore, this bill requires that the City retain a Certified Access Specialist (CASp) who is knowledgeable in both ADA and state regulations.

Recommended Action: That the City Council receive and file this report.

**10. ORDINANCE NO. 587 C.S. – ADOPTION OF 2010 CALIFORNIA BUILDING AND FIRE CODES**

The California Building Standards Commission has adopted new building & fire codes as of January 1, 2010. Publications were available as of July of this year. The Building & Safety Division and Fire Department staff have monitored the development of these Codes closely, and are engaging in training to ensure that the City's building and safety and fire personnel are properly trained to implement the new standards.

Recommended Action: That the City Council introduce and place on first reading Ordinance No. 587-C.S., adopting the specific California Codes, and making related amendments to the San Gabriel Municipal Code.

**11. DEVELOPMENT IMPACT FEES FUND REPORT**

The San Gabriel City Council adopted Development Impact Fee Ordinance No. 533 C.S. (SGMC Sections 154.001-154.006) on October 19, 2004 and the fees became effective January 17, 2005. The Development Impact Fees are to fund the cost of key capital facilities that will be needed to meet the City's growth demands over the next 20 years.

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

**12. CASH CONTRACT NO. CC-10-07; VINCENT LUGO PARK SITE IMPROVEMENTS PROJECT; PHASE I**

The proposed project includes Phase I site improvements as part of the Vincent Lugo Park Master Plan. Scope of work for this phase includes clearing and grading; replacement of the park's aging electrical system and new pedestrian lighting; planting of drought-tolerant landscaping; and the addition of the following park elements – a dry stream bed; an outdoor classroom; a walking trail, decorative fencing and landscape buffering along the Alhambra Wash; and a youth-sized athletic field/open space.

The project plans and specifications were reviewed by Community Development, Police and Fire Department staff and were authorized for bid advertisement. These improvements will be funded through the following sources – Rivers and Mountains Conservancy (RMC), 2002 Bond Act Per Capita Grant Program, 2002 Bond Act Roberti-Z'Berg-Harris Grant Program, LA River Parkways Grant Program, LA County Trails Grant Funds and City Development Impact Funds. Bids were received and opened publicly on October 14, 2010.

Recommended Action: That the City Council:

1. Approve the plans and specifications;
2. Authorize the removal of two Canary Island Pines in the southeast corner of the park and thus reduce project costs by not requiring the proposed retaining wall;
3. Award Cash Contract 10-07 to Simgel Co. Inc. in the amount of \$2,144,000 in accordance with its bid;
4. Approve the revised Use Agreement with LA County Flood Control District;
5. Authorize staff to move forward with proposed options to complete project funding, including – direct purchase of lighting fixtures, proposal to RMC to apply preliminarily approved funds to Phase I and/or intra-fund borrowing to be repaid as park impact funds are acquired; and,
6. Authorize the execution of the contract documents.

**13. CITY MANAGER ITEMS**

**14. 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.

**15. RECONVENE AGENCY MEETING (JOINT CITY COUNCIL & REDEVELOPMENT AGENCY MEETING)**

- A. CITY COUNCIL RESOLUTION NO. 10-25;  
SAN GABRIEL REDEVELOPMENT AGENCY RESOLUTION NO. 10-03;  
CONFLICT OF INTEREST CODE FOR DESIGNATED EMPLOYEES

Every two years, the City Council and Redevelopment Agency are required to review their Conflict of Interest Code to determine if any changes are necessary. Any necessary amendments to the list of designated filers and to the disclosure categories are identified and modified.

The City will continue to utilize the Standard Conflict of Interest and Disclosure Code promulgated by the Fair Political Practices Commission (FPPC). All employees, from whom disclosure is required, will continue to use the standardized forms and instructions provided annually by the FPPC.

Recommendation:

1. That the City Council adopt Resolution No. 10-25; and
2. That the Redevelopment Agency adopt Resolution No. SGRA No. 10-03.

**16. ADJOURN COUNCIL MEETING**

**17. REDEVELOPMENT AGENCY MEETING:**

- A. APPROVAL OF MINUTES OF NOVEMBER 2, 2010
- 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, December 7, 2010 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, December 3, 2010 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.