

# SAN GABRIEL CITY COUNCIL AND REDEVELOPMENT AGENCY

## MINUTES OF DECEMBER 7, 2010

The regular meetings of the San Gabriel City Council and the San Gabriel Redevelopment Agency convened on December 7, 2010 at 7:30 p.m. with Mayor/Chair Gutierrez, Council/Agencymembers Costanzo, De La Torre, Sawkins, City Manager/Executive Director Preston, City Attorney/General Counsel Kress, and Acting Deputy City Clerk/Acting Agency Secretary Aguilar present.

### PLEDGE OF ALLEGIANCE

Pledge of Allegiance

### ATTENDANCE

Attendance

### RECESS AGENCY MEETING

Recess Agency meeting

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

### PRESENTATIONS

Presentation of the 2010 Employee Service and Recognition Awards

The City Council presented Service Awards to employees for their years of service to the City. Recognition Awards were also presented to employees for outstanding employee contributions. Categories included: Overall Work Performance, Leadership, Teamwork, Customer Service, Emergency Response and Innovation.

**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

Sheryl MacPhee, San Gabriel Education Foundation, presented information on the "Music Plus" fundraiser and to save the date of May 7, 2011 for the SEF Gala.

Consent Calendar

**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**

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

A. MINUTES OF REGULAR COUNCIL MEETING OF NOVEMBER 16, 2010

Minutes Approved

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

Recommended Action: Approval

B. MATERIAL DEMANDS: 85443–885616 INCLUSIVE \$2,594,905.92

Material Demands Approved

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

Recommended Action: Approval

- C. ORDINANCE NO. 586-C.S. 1532 SOUTH PALM AVENUE; PLANNING CASE PL-10-011; ZONE CHANGE AND SPECIFIC PLAN AMENDMENT
- Ord. 586 C.S. 1532 S. Palm Ave. PL-10-011; zone change and specific plan amendment approved
- At the November 16, 2010 meeting, the subject ordinance was unanimously introduced and placed on first reading. Ordinance 586-C.S. is being presented for adoption on second reading.
- Recommended Action: That the City Council adopt Ordinance 586-C.S. on second reading.
- D. ORDINANCE NO. 587-C.S. ADOPTION OF 2010 CALIFORNIA BUILDING AND FIRE CODES
- Ord. 587-C.S. adoption of 2010 California Building and Fire Codes approved
- At the November 16, 2010 meeting, the subject ordinance was unanimously introduced and placed on first reading. Ordinance 587-C.S. is being presented for adoption on second reading.
- Recommended Action: That the City Council adopt Ordinance 587-C.S. on second reading.
- E. CONTRACT WITH RETIRED BATTALION CHIEF MICHAEL TERRY
- Contract with retired Battalion Chief Michael Terry approved
- Battalion Chief Michael Terry will be retiring at the end of this year or early next year after holding his position for more than 13 years. With no Battalion Chief eligibility list in effect, the Fire Department is interested in retaining his services to allow time to recruit a suitable replacement. The agreement outlines the terms and conditions which are consistent with the California Public Employees Retirement System (CalPERS) regulations regarding post retirement employment.
- Recommended Action: That the City Council approve Resolution 10-39, authorizing that upon receipt of approval from CalPERS, the City Manager execute an agreement between the City and Michael Terry providing for temporary, full time employment as a Battalion Chief.
- F. NOTICE OF COMPLETION – CASH CONTRACT 2009-09 STREET REHABILITATION OF HAZELL WAY AND BILTON WAY CIP No. 1-09-43
- Notice of Completion – CC 2009-09 Street Rehabilitation of Hazell Way and Bilton Way CIP No. 1-09-43 approved
- D.P. Mangan Inc., dba Pave West, was awarded \$263,339.00 for the construction project by the City Council. The final construction cost including change orders to increase added work and for adjustment of final quantities is \$299,659.66. The total project cost including design, surveying, construction administration and material testing is \$405,737.08. The work has been completed in compliance with the contract documents.
- Recommended Action: That the City Council
1. Accept the work performed by D.P. Mangan Inc. dba Pave West.
  2. Authorize the issuance of the Notice of Completion in accordance with the contract documents.

G. ACCEPTANCE OF FINAL PARCEL MAP NO. 66580;  
224 SOUTH SAN MARINO AVENUE; PLANNING CASE PL-06-050

Acceptance of Final Parcel  
Map No. 66580; 224 S. San  
Marino Ave.; PL-06-050

Parcel Map No. 66580 is in compliance with the State Subdivision Map Act and the City's ordinances regarding subdivisions. The development is a three-unit, two-story condominium subdivision on a 9,800 square foot lot located in the R-3 zone (Multiple Family Residence) and has a General Plan designation of Medium-Density Residential. Prior to this project, the lot was developed with a single family home. The Covenants, Conditions and Restrictions (CC&R's), have been approved for content and form by the City Attorney.

Recommended Action: That the City Council accept Final Parcel Map No. 66580 and authorize the City Clerk, City Engineer, and City Treasurer to sign the map and return the map for filing with the Los Angeles County Recorder.

H. RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE  
MEMORANDUMS OF UNDERSTANDING WITH THE LOS  
ANGELES COUNTY METROPOLITAN TRANSPORTATION  
AUTHORITY (LACMTA) FOR 2007 CALL FOR PROJECTS  
PROPOSITION C FUNDS

Resolution Authorizing the  
Mayor to execute MOU's with  
LACMTA for 2007 Call for  
Projects Proposition C Funds  
approved

The City of San Gabriel has been awarded Proposition C grant funds for capacity improvements at two intersections on San Gabriel Boulevard through the Los Angeles County Metropolitan Transportation Authority (LACMTA) 2007 Call for Projects. The two intersections are San Gabriel Boulevard/Las Tunas Drive and San Gabriel Boulevard/Broadway.

Recommended Action: That the City Council adopt Resolution 10-42 authorizing the Mayor to execute Memorandums of Understanding (MOU) between the City and LACMTA in order to allow the disbursement of the grant funds for these two projects.

MAYOR'S APPOINTMENT OF A DESIGN REVIEW COMMISSIONER

Mayor Gutierrez reappointed  
Design Review Commissioner  
Kenneth Nakaba for a two-  
year term.

The Mayor is responsible for appointing persons to serve on the various City commissions. At this time it is necessary to appoint a Design Review Commissioner.

Recommended Action: That the City Council approve the Mayor's recommended reappointment of Kenneth S. Nakaba (Design Review Commission).

Councilmember Costanzo moved to reappoint Kenneth S. Nakaba to serve a two-year term on the Design Review Commission commencing on December 1, 2010 and expiring November 30, 2012; seconded by Vice Mayor Sawkins. There being no objections, it was so ordered.

PARKING CITATION PENALTIES INCREASE

Parking Citation Penalties  
Increase approved

The San Gabriel Police Department requests City Council to adopt a resolution authorizing an increase for all San Gabriel Municipal Code (SGMC) parking violations and applicable California Vehicle Code (CVC) violations to recover a \$3.00 fee recently enacted by the State of California.

Recommended Action: That the City Council adopt Resolution No. 10-43 and approve the parking penalty schedule as proposed which shows a \$3.00 increase in the penalty amount and increase the revenue account 121-3413 by \$26,000 to account for the increase in the penalty.

Police Chief Lawton presented the staff report.

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

#### CITY MANAGER ITEMS

City Manager Items

There were no City Manager items as 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 AS FOLLOWS AND RECONVENE AGENCY MEETING

Adjourn Council meeting as follows and reconvene agency meeting

Adjourn Council Meeting to attend reception in recognition of the Service and Recognition Award Recipients at Autunno, 409 South Mission Drive, San Gabriel.

Note: The Service and Recognition Award reception will be adjourned to December 14, 2010 at 4:00 p.m. at the Redevelopment Office, 410 McGroarty Street, San Gabriel, for the San Gabriel Boulevard Streetscape Adjourned Regular Meeting.

Vice Mayor 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 NOVEMBER 16, 2010

Minutes approved

Agencymember Costanzo moved to approve the subject minutes; seconded by Agencymember De La Torre. The motion passed by a vote on the board of four 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

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

##### C. LEASE AND MAINTENANCE AGREEMENTS WITH COPYFREE FOR REDEVELOPMENT OFFICE MULTIFUNCTIONAL DEVICE

Lease and maintenance agreements with Copyfree for redevelopment office multifunctional device approved

The Economic Development Division staff has relocated to 410 McGroarty Street and the new redevelopment office is in need of a durable and versatile device for copying, printing, scanning, and faxing, both in color and black and white. Staff proposes to lease, with an option to own, a Canon C5035 from Copyfree, a San Gabriel business of 35 years. The Fiscal Year 2010-11 Budget provides for funds for the redevelopment office's operating costs including a new copier.

Recommended Action: That the Redevelopment Agency authorize the Executive Director or designee to:

1. Enter into a Service Maintenance Agreement with Copyfree and a five-year Lease Agreement with Canon Financial Services for a Canon C5035 versatile multifunctional device with color copy, print, scan capabilities and black and white fax; and
2. Purchase the multifunctional device at the end of the lease term for \$1.00.

Acting Economic Development Manager Scherr presented the staff report.

Vice Chair Sawkins moved to approve the recommended action; seconded by Agencymember De La Torre and passed by a vote on the board of four yes.

D. ADJOURN AGENCY MEETING AS FOLLOWS

Adjourn Agency meeting as follows

Adjourn Agency Meeting to attend reception in recognition of the Service and Recognition Award Recipients at Autunno, 409 South Mission Drive, San Gabriel.

Note: The Service and Recognition Award reception will be adjourned to December 14, 2010 at 4:00 p.m. at the Redevelopment Office, 410 McGroarty Street, San Gabriel, for the San Gabriel Boulevard Streetscape Adjourned Regular Meeting.

Note: The next regular City Council meeting of December 21, 2010 will not be held due to the lack of business.

At 8:10 p.m., Agencymember Costanzo moved to adjourn as stated above; seconded by Agencymember De La Torre. There were no objections, it was so ordered.

SAN GABRIEL REDEVELOPMENT AGENCY

SAN GABRIEL CITY COUNCIL

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Diana Aguilar, Acting Agency Secretary

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Diana Aguilar, Acting Deputy City Clerk

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David R. Gutierrez, Chair

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David R. Gutierrez, Mayor