

**CITY OF SAN GABRIEL
CITY COUNCIL
REGULAR MEETING AGENDA**

REVISED
AGENDA ITEM 5A
RECOMMENDATION

Tuesday, February 6, 2018 - 7:30 P.M.

**City Hall Council Chamber
425 South Mission Drive
San Gabriel, California 91776**

Juli Costanzo
Mayor

John R. Harrington
Vice Mayor

Chin Ho Liao
Council Member

Denise Menchaca
Council Member

Jason Pu
Council Member



Mark Lazzaretto
City Manager

Keith Lemieux
City Attorney

Julie Nguyen
City Clerk

Kevin B. Sawkins
City Treasurer

Materials Available for Inspection. The City Clerk's Department has on file copies of written documentation relating to each item of business on this Agenda available for public inspection. You may also view agenda items online at www.sangabrielcity.com/agendacenter. Materials related to an item on this Agenda, submitted to the City Council after distribution of the Agenda packet, are available for public inspection at the meeting or in the City Clerk's Department, 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.

Persons with Disabilities. 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.

Persons requesting a Translator. Any person requesting translation for the meeting must notify the City Clerk's Department at (626) 308-2816 at least 48 hours before the meeting.

Questions about this Agenda? 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.

NOTE: CITY HALL IS AN ACCESSIBLE FACILITY PER THE AMERICANS WITH DISABILITIES ACT. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such a request to the City Clerk's Department at (626) 308-2816 at least 48 hours before the meeting, if possible.

**City Council Meeting Agenda
Tuesday, February 6, 2018**

- **CALL TO ORDER**
- **PLEDGE OF ALLEGIANCE LED BY:** Council Member Liao
- **ROLL CALL:** Mayor Costanzo, Vice Mayor Harrington, Council Members Liao, Menchaca and Pu

1. PRESENTATIONS

None.

2. PUBLIC COMMENT

This is the time set aside for members of the public to address the City Council on items of interest that are not on the Agenda, but are within the subject matter jurisdiction of the San Gabriel City Council. Pursuant to the Brown Act, the City Council cannot answer any questions or take any action until such time as the matter may appear as an item on a future agenda.

If you wish to address the City Council, please complete a speaker's request card and hand it to the Assistant City Clerk before the start of the meeting. When speaking, please state your NAME for the record.

3. CONSENT CALENDAR

All items listed under the Consent Calendar are considered routine and recommendations will be approved in one motion unless a member of the City Council or audience requests separate discussion.

A. MATERIAL DEMANDS

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

Recommended Action: Approval

B. INVESTMENT REPORT

This is a presentation of City Investments for the month of December 2017.

Recommended Action: Approval

C. CONFORMING RESOLUTION – APPEAL OF PLANNING COMMISSION DECISION FOR PL-17-047 AT 425 WEST VALLEY BOULEVARD #105

On January 16, 2018, the City Council denied the appeal of the Planning Commission decision and denied PL-17-047, for a Conditional Use Permit to allow a massage establishment to continue operating at 425 West Valley Boulevard #105.

The Council directed staff to prepare findings for denial and return at the next council meeting with a resolution. The attached Resolution states the findings upon which the denial of the application was based and is presented to the Council for its adoption.

Recommended Action:

Staff recommends that the City Council adopt Resolution No. 18-09, Upholding the decision of the Planning Commission denying planning Case No. PL-17-047 for a Conditional Use Permit to allow a massage establishment to continue operations at 425 West Valley Boulevard #105.

RESOLUTION NO. 18-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN GABRIEL, CALIFORNIA UPHOLDING THE DECISION OF THE PLANNING COMMISSION DENYING PLANNING CASE NUMBER PL-17-047 FOR A CONDITIONAL USE PERMIT TO ALLOW A MASSAGE ESTABLISHMENT TO CONTINUE OPERATIONS AT 425 W. VALLEY BOULEVARD, #105

D. AMENDMENTS TO PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION MANAGEMENT, INSPECTION SERVICES AND LABOR COMPLIANCE FOR THE MARSHALL PARK IMPROVEMENT PROJECT

Construction of Marshall Park was completed in January 2018. The five professional firms who performed inspection, labor compliance and construction management services during construction have experienced additional costs associated with project delays. Final amendments are needed for all five professional services agreements amounting to \$75,700.00 to account for the additional time and effort required to complete the work.

Recommended Action:

Staff recommends that the City Council approve the following:

1. Allocation of \$25,000 in Park Development Impact Fee Funds to the Marshall Community Park Project (Account#122-850-57-97-964);
2. Approve the Fifth Amendment with Dale Evans and Associates in the amount of \$27,100 increasing Purchase Order #6709 to \$600,459.00;
3. Approve the Third Amendment with GKK Works, Inc. in the amount of \$7,800.00 increasing Purchase Order #7278 to \$207,960.00;
4. Approve Second Amendment with Massadi Enterprises, Inc. in the amount of \$4,800.00 and increasing Purchase Order #7635 to \$120,300.00;
5. Approve First Amendment with Alliant Consulting Inc. in the amount of \$33,000.00 and increasing Purchase Order #6395 to \$49,340.00; and
6. Approve the Second Amendment with Converse Consultants in the amount of \$3,000.00 increasing Purchase Order #7661 to \$114,495.00.

E. THEATRE RENTAL FEE WAIVER REQUEST: INTERNATIONAL YOUTH FELLOWSHIP

The International Youth Fellowship has approached the City of San Gabriel with a request for waiver of the theatre rental fee for their upcoming free performance. The request fits within the City's existing guidelines for fee waivers. The request is for a fee waiver of the San Gabriel Mission Playhouse theater rental fees for their February 16, 2018 free event.

Recommended Action:

Staff recommends that the City Council approve the International Youth Fellowship request to waive the theater rental fee of \$2,200.00 for the rehearsal and performances for the upcoming free admission community performance on February 16, 2018.

4. PUBLIC HEARING

None.

5. NEW BUSINESS

A. HOMELAND SECURITY INVESTIGATIONS MOU

The San Gabriel Police Department is a full-service law enforcement agency tasked with the enforcement of local, state, and certain federal laws as is necessary in its overall service mission to protect the San Gabriel community. Crime prevention and criminal investigation are two cornerstones of the mission parameters that often require progressive approaches to solve complicated crime and quality of life issues. One key component is involvement in local, state, and federal task forces, and the use of those entity resources in furtherance of the mission. In that vein, in December 2017, the Police Department entered into an MOU with U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) - under the Department of Homeland Security - to address specific crime components that adversely affect the residents of the San Gabriel Community and the surrounding San Gabriel Valley.

Recommended Action:

This item has been presented so that the City Council may discuss City policy regarding the MOU. Staff will receive comments.

B. RESTORATION OF THE MISSION PLAYHOUSE EXTERIOR

The Mission Playhouse wishes begin the restoration of the Mission Playhouse exterior with a combination of funding received from foundation grants, donations, and City allocated funds. Playhouse staff have raised \$102,500 for this project through a combination of foundation grants, corporate donations, individual donations, general operating funds, and a budget request for \$25,000 for the City, which was allocated for this project.

Recommended Action:

Staff recommends that the City Council approve the following:

1. Approve U.S. National Corp. dba Jimenez Painting Company as vendor for the exterior paint and restoration for the amount of \$93,000;

2. Approve receipt of \$46,000 (\$21,000 and \$25,000) from the **Friends of San Gabriel Mission Playhouse** CCF fund for deposit to City/Playhouse donation account (152-3920) and increase estimated revenue by \$46,000;
3. Approve an increase appropriation to expenditure account 152-712-00-35-000 by \$77,500 (from costume sales 152-712-00-11-000/\$17,327);
4. Approve decreased appropriation to reflect salary savings 152-712-00-11-000 for \$17,327; and
5. Approve expenditure of \$25,000 from CIP 122-712-15-97-600.

C. DEVELOPMENT IMPACT FEE COMPLIANCE REPORT REQUIRED PURSUANT TO GOVERNMENT CODE SECTION 66006

Government Code Section 66006 requires local agencies to make its report on the accounting of development impact fees within 180 days after the close of each fiscal year publicly available and review the report at a public meeting not less than 15 days after the information is made available to the public.

The purpose of this report is to provide the community with information regarding the status and use of impact fees collected and to satisfy Government Code subdivision 66006. The report meets the requirements for the fiscal year ending June 30, 2017.

Recommended Action:

Staff recommends that the City Council receive this report prepared to satisfy Government Code Section 66006.

D. SIDEWALK CONDITION ASSESSMENT AND REPAIR AGREEMENT

Public Works staff has identified a method for making long term repairs to concrete which involves a proprietary process and specialized equipment to cut the concrete to correct the damage, uplift, or trip hazard and make the surface level. This method of repair complies with all ADA requirements. Precision Concrete Cutting estimates that 80% of sidewalk, curb, and gutter defects can be corrected through their precise cutting methods leaving only 20% of these issues to be addressed through costlier removal and replacement of concrete.

Based on the price established in the CJPIA Master Agreement of \$386.00 per mile, it is estimated that assessment of two areas of City sidewalks will cost

\$19,300. Staff proposes to utilize the remainder of the budgeted \$100,000 to perform the highest priority repairs found through the assessment. Any remaining repairs beyond that amount would be addressed through temporary grinding or patching until funds are available for cutting or replacement. Funds for this project are included in the approved FY2017/18 Budget for Special Projects Account #122-800-41-96-106.

Recommended Action:

Staff recommends that the City Council approve the following:

1. Waive compliance with the formal purchasing procedures set forth in the San Gabriel Municipal Code, which requires 4/5 vote of the City Council; and
2. Approve a three-year agreement with Precision Concrete Cutting, Inc. for sidewalk assessment and repairs in an amount not to exceed \$100,000 for FY2017/18, with future allocation amounts subject to Council approval during the annual budget process.

E. 2016 GREAT STREETS PROJECT CONSTRUCTION CHANGE ORDER

In October 2016, the City Council awarded a construction contract to Sully-Miller Contracting Company for the 2016 Great Streets Project for the rehabilitation of pavement on various street segments around the City. Construction of the project began in January 2017 and the original scope of work was completed in April 2017.

Change Order No. 1 is for repaving approximately 475 linear feet of the street segment on Del Mar Avenue and constructing four accessible pedestrian ramps. Sully-Miller submitted a proposal in the amount of \$193,226.15 to complete the work. ACE has agreed to reimburse the City an amount of \$139,272.00, leaving the City with a remaining balance of \$53,954.15.

Recommended Action:

Staff recommends that the City Council approve the following:

1. Authorize the City Manager to execute Change Order No. 1 with Sully-Miller Contracting Co. for the 2016 Great Street Project; and
2. Approve a purchase order increase in the amount of \$193,226.15 for a total contract amount of \$659,172.15.

F. ADOPTION OF RESOLUTION NO. 18-05, DELEGATING AUTHORITY TO THE CITY MANAGER TO MAKE DETERMINATIONS OF DISABILITY FOR RETIREMENT PURPOSES

The City is required to make determinations on Industrial Disability Retirements through CalPERS. In order to make determinations, the City has previously delegated authority to the City Manager, under the title of City Administrator, which CalPERS will no longer accept. The purpose of Resolution No. 18-05 is to correct the title of "City Administrator" to "City Manager" to comply with CalPERS guidelines.

Recommended Action:

Staff recommends that the City Council approve Resolution No. 18-05, delegating authority to the City Manager to make determinations of disability for retirement purposes.

RESOLUTION 18-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN GABRIEL DELEGATING AUTHORITY TO THE CITY MANAGER TO MAKE DETERMINATIONS OF DISABILITY FOR RETIREMENT PURPOSES

G. APPROVAL OF RESOLUTION NO. 18-08, AMENDING SALARY AND BENEFITS FOR THE POLICE OFFICERS' ASSOCIATION

The City of San Gabriel has four employee associations: the Police Management Group (PMG), the Fire Management Group (FMG), the Police Officers' Association (POA), and the Firefighters' Association (FFA). The current Memorandum of Understanding (MOU) with each of these groups expired on June 30, 2017. Successor MOU's have been adopted for the PMG and FMG. City representatives have now concluded negotiations with the POA.

Recommended Action:

Staff recommends that the City Council adopt Resolution No. 18-08 implementing salary and benefit changes for POA employees of the City.

RESOLUTION NO. 18-08

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SAN GABRIEL, CALIFORNIA, AMENDING
PERSONNEL AND REGULATIONS, TO PROVIDE FOR
COMPENSATION AND SUPPLEMENTAL BENEFITS
FOR POLICE OFFICERS' ASSOCIATION EMPLOYEES
FOR FISCAL YEAR 2017 – 2020**

6. CITY MANAGER ITEMS

7. COUNCIL COMMENTS AND CONFERENCE/MEETING REPORTS

Each Council Member may address the City 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.

8. ADJOURN COUNCIL MEETING

The next regular City Council meeting will be held on Tuesday, February 20, 2018 at 7:30 p.m. in the Council Chamber at City Hall, 425 South Mission Drive, San Gabriel, California. Information regarding matters to be considered at each meeting will be available on the Friday before the City Council Meeting on the City's website at www.sangabrielcity.com.