

SAN GABRIEL CITY COUNCIL AND REDEVELOPMENT AGENCY MINUTES OF MAY 23, 2006 (Rescheduled from May 16, 2006)

The regular meetings of the San Gabriel City Council and the San Gabriel Redevelopment Agency convened on May 23, 2006 at 7:30 p.m. with Council/Agencymember Baldwin, Council/Agencymember Sawkins, Council/Agencymember Costanzo, Vice Mayor/Vice Chair Gutierrez, City Attorney/General Counsel Kress, City Manager/Executive Director Paules and City Clerk/Secretary Trujillo present.

Pledge of Allegiance

RECESS AGENCY MEETING UNTIL CONCLUSION OF COUNCIL BUSINESS MEETING

Recess Agency Meeting

At 7:34 p.m., Agencymember Sawkins moved to recess as indicated above; seconded by Agencymember Costanzo. There being no objections, it was so ordered.

PRESENTATIONS:

Presentations

- A. RECOGNITION OF RETIRED FIREFIGHTER JOHN HOSTETTER
- B. ADMINISTRATION OF OATH TO FIRE CAPTAIN DERRICK DOEHLER

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 WITHIN THE SUBJECT MATTER JURISDICTION OF THE SAN GABRIEL CITY COUNCIL

Public Comment

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

PROFESSIONAL SERVICES AGREEMENT WITH NORTH EAST TREES, INC. FOR CITY STREET TREE PROGRAM

City Street Tree Program
Agreement with North East
Trees, Inc.
Approved

The City's General Plan calls for "Planting 10,000 trees by 2010." In an effort to green the community, establishing a partnership with a non-profit organization that specializes in grant writing and tree planting will be helpful and necessary given the City's limited resources. North East Trees, Inc, a non-profit organization, has experience with cities, counties, other agencies and private firms in tree planning and project implementation. The subject agreement is being presented for Council consideration.

The staff report was given after which Councilmember Baldwin moved to approve the professional services agreement with North East Trees, Inc. in the amount not to exceed \$25,000; seconded by Councilmember Costanzo. The motion passed by a vote on the board of four yes.

APPOINTMENT OF CITY COUNCIL MEMBER

Appointment of Councilmember
Albert Y.M. Huang to fill the term
of late Chi Mui, Member of the
City Council

The untimely passing of Mayor Chi Mui created a vacancy on the San Gabriel City Council. At the meeting held on May 9, 2006, the Council determined that the vacancy shall be filled by appointment. The appointment is to complete the term of office held by Mayor Mui which expires March 20, 2007 after the next regular election. Letters of Interest have been received and are being presented for Council consideration.

After discussion, Councilmember Baldwin moved that Albert Y.M. Huang be approved to fill the vacancy created by the passing of Mayor Chi Mui and complete the term that will expire March 20, 2007; seconded by Councilmember Sawkins. The motion passed by a vote on the board of four 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 MAY 9, 2006 (RESCHEDULED FROM MAY 2, 2006) Minutes Approved
- The minutes are a record of the official actions taken at the last Council meeting.
- Recommended Action: Approval
- B. MATERIAL DEMANDS: 64751 – 65019 INCLUSIVE \$1,158,491.03 Material Demands Approved
- This is the presentation of the “Register of Demands and Warrants” for the payment of City expenditures.
- Recommended Action: Approval
- C. CLAIMS: (1) NORMA CALDERA (2) ROGER GUZMAN, JR. Claims Denied
- The City has received two Claims for Damages that require formal Council action.
- Recommended Action: That the City Council deny the claims and refer them to the claims adjuster.
- D. AMENDMENT TO INDEPENDENT AUDITOR AGREEMENT Amendment to Independent Auditory Agreement Approved
- The City of San Gabriel contracts with Conrad & Associates, L.L.P. for independent auditing services. There has been a change in the corporate structure and Conrad & Associates is requesting an amendment changing the name to Mayer Hoffman McCann P.C.
- Recommended Action: That the City Council approve the Amendment to Professional Services Agreement with Conrad & Associates, L.L.P.
- E. PROPOSITION A FUND EXCHANGE Proposition A Fund Exchange with Torrance Approved
- Each year the City receives an allocation of Proposition A funding that is used for ongoing transit services such as senior transportation, recreational bus service, bus fare subsidies and park and ride lot maintenance. Pursuant to the provisions of the Proposition A program, funding must be used exclusively to benefit public transit and expended during the fiscal year. Prop A funds may be traded to other jurisdictions for general or other funds. This funding would become a part of the strategy developed by staff to fund street improvements with an emphasis on San Gabriel Boulevard.
- Recommended Action: That the City Council approve a Proposition A Assignment Agreement arranged with the City of Torrance in which Torrance would purchase \$1,000,000 of Proposition A Local Return Funds and the City of San Gabriel would receive \$690,000 in General Funds.

Councilmember Baldwin moved to approve the consent calendar as presented; seconded by Councilmember Costanzo. The motion passed by a vote on the board of four yes.

Council Comments

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 brief reports on meetings they attended.

League of California Cities Legislative Action Days – May 17-18, 2006
Vice Mayor Gutierrez, Councilmembers Baldwin, Costanzo and Sawkins

ICSC – May 21-23, 2006
Vice Mayor Gutierrez, Councilmember Costanzo

ADJOURN COUNCIL MEETING IN MEMORY OF LATE MAYOR CHI MUI AND
RECONVENE AGENCY MEETING

Adjourn Council Meeting &
Reconvene Agency Meeting

At 8:20 p.m., Councilmember Sawkins moved to adjourn and reconvene as indicated above; seconded by Councilmember Costanzo. There being no objection, it was so ordered.

REDEVELOPMENT AGENCY MEETING:

Agency Meeting

A. MINUTES OF REGULAR AGENCY BOARD MEETING OF MAY 9, 2006
(RESCHEDULED FROM MAY 2, 2006)

Minutes Approved

Agencymember Costanzo moved to approve the minutes as presented; seconded Councilmember Baldwin. There being no objection, it was so ordered.

B. PUBLIC COMMENT

Public Comment

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

C. SGRA CASE 04-02 – FIRST AMENDMENT TO THE DISPOSITION AND
DEVELOPMENT AGREEMENT WITH NEW CENTURY LM, LLC

SGRA Case 04-02
New Century LM, LLC

On April 5, 2005, the San Gabriel Redevelopment Agency entered into a Disposition and Development Agreement (DDA) with New Century LM, LLC for the development of a Lincoln Mercury dealership. At this time, New Century LM, LLC is requesting a site reduction.

The staff report was presented after which Councilmember Sawkins requested and amendment to the Agreement, Section 8, last sentence, as follows:

From: *Discontinuance of the dealership due to the death or disability of Dennis Lin, or termination of the franchise by the franchisor through no fault of Developer as franchisee, shall be deemed an involuntary discontinuance exempt from the payment of such liquidated damages.*

To: *Discontinuance of the dealership due to the death or disability of the manager of the LLC, Dennis Lin, or his successor, or termination of the franchise by the franchisor through no fault of Developer as franchisee, shall be deemed an involuntary discontinuance exempt from the payment of such liquidated damages."*

