

NOTE: CITY HALL IS HANDICAPPED ACCESSIBLE. AUDIO DEVICES FOR THE HEARING IMPAIRED ARE AVAILABLE FROM THE CITY CLERK DURING EACH MEETING

**SAN GABRIEL CITY COUNCIL
ADJOURNED REGULAR MEETING
held in
CONFERENCE ROOM "A" at CITY HALL
425 S. MISSION DR., SAN GABRIEL, CALIFORNIA
on
TUESDAY, NOVEMBER 7, 2006
at
5:30 P.M.
AGENDA**

1. CALL TO ORDER
2. ATTENDANCE: BALDWIN, COSTANZO, GUTIERREZ, HUANG, SAWKINS
3. CAPITAL IMPROVEMENT PROGRAM STUDY SESSION
4. PUBLIC COMMENT: PURSUANT TO PROVISIONS OF THE GOVERNMENT CODE, THIS IS THE TIME PROVIDED FOR MEMBERS OF THE PUBLIC TO ADDRESS THE COUNCIL REGARDING MATTERS UNDER CONSIDERATION ON THIS AGENDA
5. RECESS TO CLOSED SESSION TO HOLD A CONFERENCE WITH REAL PROPERTY NEGOTIATOR, PURSUANT TO GOVERNMENT CODE SECTION 54956.8.
Property: San Gabriel Civic Auditorium Parking Lot
City Negotiators: P. Michael Paules, Steven Preston, Erlinda Romo, Robert Kress and Peter Wallin
Negotiating Parties: The City of San Gabriel and The Ratkovich Company
Under Negotiation: Price and terms of payment
6. ADJOURN

Please note that the regular City Council meeting will be held at the standard 7:30 p.m. in the Council Chamber.

NOTICE: Copies of the staff reports or other written documentation relating to each item of business of the San Gabriel City Council listed above are in file in the Office of the City Clerk located at City Hall, 425 South Mission Drive, San Gabriel, California, and are available for inspection 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.

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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.

**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 7, 2006
at
7:30 P.M.**

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ATTENDANCE: BALDWIN, COSTANZO, GUTIERREZ, HUANG, SAWKINS
4. RECESS AGENCY MEETING
5. PRESENTATIONS:
 - A. ADMINISTRATION OF OATH TO POLICE OFFICER BRIAN KOTT
 - B. RECOGNITION OF THE CITY OF SAN GABRIEL FOR 35 YEARS OF MEMBERSHIP AND DEDICATED SERVICE TO THE NATIONAL LEAGUE OF CITIES
6. PUBLIC HEARING: ORDINANCE 552-C.S. – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN GABRIEL RELATING TO DRIVEWAY ACCESS AND CURB CUTS FOR VACANT PROPERTIES
PLANNING CASE PL-04-236 (ZONE TEXT AMENDMENT)
APPLICANT: CITY OF SAN GABRIEL

On December 21, 2004, the City Council adopted urgency Ordinance 550-C.S imposing a moratorium prohibiting driveway access and curb cuts for vacant property. This ordinance was extended to allow staff ample time to study the matter. Ordinance 552-C.S. has been developed to address concerns regarding driveway access and curb cuts for vacant properties and is being presented for Council consideration.

Recommended Action: That the City Council introduce and place on first reading Ordinance 552-C.S.

7. 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.

8. 2006 STATE HOMELAND SECURITY GRANT PROGRAM – POLICE DEPARTMENT RADIO PURCHASE

Grant funding is available through the 2006 State Homeland Security Grant Program (SHSP) to purchase vehicle and handheld radios for the Police Department.

Recommended Action: That the City Council determine that it is in the public interest to waive compliance with the formal purchasing procedures set forth in the San Gabriel Municipal Code and authorize staff to purchase the radios identified in the staff report using SHSP grant awards.

9. EXCLUSIVE NEGOTIATING AGREEMENT EXTENSION WITH RATKOVICH COMPANY – RFP CASE 04-02

The City Council approved an Exclusive Negotiating Agreement (ENA) with The Ratkovich Company that expires on November 7, 2006, for a proposed mixed-use development of the Civic Auditorium parking lot site and adjacent properties. Ratkovich Company is requesting an extension to continue negotiations.

Recommended Action: That the City Council approve the letter extending the ENA.

10. 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 OCTOBER 17, 2006

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. DEVELOPMENT FEES FUND REPORT

The subject report has been prepared in compliance with Government Code 66006 that 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.

D. MATTERS RELATED TO THE MARCH 6, 2007 GENERAL MUNICIPAL AND LACCD PRIMARY NOMINATING CONSOLIDATED ELECTION

At the October 17, 2006 meeting, the Council adopted resolutions required for the conduct of the March 6, 2007 election. Subsequently, it was found that Resolution 00-26 pertaining to regulations for candidates as it applies to translation requirements and payment thereof needs to be updated. Resolution 06-34 updates the candidates' regulations to address the most recent Department of Justice interpretation of the Voting Rights Act. Additionally, Resolution 06-29 omitted compensation for precinct board members to attend mandatory election training. Resolution 06-36 includes the training compensation and repeals Resolution 06-29.

Recommended Action: That the City Council adopt Resolutions 06-34 and 06-36, respectively.

E. RETIREMENT PLAN AMENDMENT IMPLEMENTATION

Recently, the City amended its contract with CalPERS to provide miscellaneous employees with the 2.7% @ 55 full formula retirement benefit. To meet CalPERS requirements, it is necessary for the Council to adopt a resolution regarding the paying and reporting of employer paid member contributions.

Recommended Action: That the City Council adopt Resolution 06-37.

F. EXECUTIVE LEAVE PAYMENT METHOD FOR CALPERS

To further comply with the recent CalPERS decisions regarding eligible compensation, a request has been submitted to change the manner of payment for executive leave and management incentive pay.

Recommended Action: That the City Council approve the Executive Management Incentive Pay benefit as set forth in the staff report and, further, approve the Sixth Amendment to Employment Agreement with P. Michael Paules.

G. RESOLUTION 06-35 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN GABRIEL, CALIFORNIA, CASTING ITS VOTES FOR ROSEMEAD COUNCILMEMBER MARGARET CLARK TO REPRESENT CITIES WITHOUT PRESCRIPTIVE WATER PUMPING RIGHTS ON THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY

The San Gabriel Basin Water Quality Authority 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 water pumping rights, and one elected City Council person from cities in the San Gabriel Basin without water pumping rights. Rosemead Councilmember Margaret Clark has requested the Council's support for reelection of her to this position. Resolution 06-35 has been prepared and is now being presented for Council action.

Recommended Action: That the City Council adopt Resolution 06-35.

H. SURVEILLANCE VEHICLE PURCHASE FOR POLICE DEPARTMENT

It is necessary to replace the Police Department surveillance vehicle. A report has been prepared that is being presented for Council consideration.

Recommended Action: That the City Council:

- A. Approve the request to purchase a vehicle for use in criminal investigations by the Police Department.
- B. Waive formal compliance with the purchasing procedures and authorize the Chief of Police to purchase and equip a single, multi-use covert surveillance vehicle for the best pricing available from any source the Chief of Police deems reliable.
- C. Appropriate funds from the Police Department Asset Seizure Account in the amount of \$25,000 to cover the acquisition and equipment cost for the vehicle.

11 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

12. ADJOURN COUNCIL MEETING AND RECONVENE AGENCY MEETING

13. REDEVELOPMENT AGENCY MEETING:

- A. APPROVAL OF MINUTES OF OCTOBER 17, 2006
- 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, November 21, 2006 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, November 17, 2006 by calling the Council Agenda Information Line at (626) 308-2800 and selecting option 5 or on the City's website at www.sgch.org.

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