

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

Uploaded Item 7A with
Attachments

Tuesday, March 7, 2023 - 6:30 P.M.

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

Tony Ding
Mayor

John R. Harrington
Vice Mayor

Eric Chan
Council Member

Denise Menchaca
Council Member

John Wu
Council Member



Mark Lazzaretto
City Manager

Keith Lemieux
City Attorney

Julie Nguyen
City Clerk

Kevin B. Sawkins
City Treasurer

In addition to providing public comment in person at the meeting, the following opportunity has been established:

Public Comments

Please email all public comments on items on this agenda to cityclerk@sgch.org and include the following on the subject line of your email: *PUBLIC COMMENT: 03/07/2023 Regular Meeting*. The Clerk will read public comments into the record for up to the three-minute limit. Words that would disrupt the meeting, including profanity, obscenity, and discriminatory language, will not be read. All public comments shall be e-mailed by 5:00 P.M. on meeting day.

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[City Council Meeting Videos](#)

Spectrum cable: Live streaming on Channel 3, Public Access Channel.

City Council Regular Meeting Agenda
Tuesday, March 7, 2023

- **CALL TO ORDER**
- **PLEDGE OF ALLEGIANCE LED BY:** Council Member Menchaca
- **ROLL CALL:** Mayor Ding, Vice Mayor Harrington, Council Members Chan, Menchaca, Wu

1. APPROVAL OF AGENDA ORDER

2. PRESENTATIONS

A. WOMEN'S HISTORY MONTH

3. PUBLIC COMMENT

4. 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. APPROVAL OF MINUTES

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

1. [Minutes of the City Council Special Meeting of February 21, 2023.](#)
2. [Minutes of the City Council Regular Meeting of February 21, 2023.](#)

California Environmental Quality Act (CEQA) Determination: Not a Project as defined in Section 15378 of the State CEQA Guidelines.

Recommended Action: Approval

B. MATERIAL DEMANDS

The most recent Material Demands from the Finance Department are presented to the City Council for review and approval.

California Environmental Quality Act (CEQA) Determination: Not a Project as defined in Section 15378 of the State CEQA Guidelines.

Recommended Action:

Staff recommends that the City Council approve Material Demands as presented.

C. RESOLUTION NO. 23-14 RELATING TO COUNCIL REORGANIZATION TIMING AND REPEALING RESOLUTION NO. 21-50

At its meeting of February 21, 2023, the City Council directed staff to prepare an item changing the timeframe of the City Council's non-election reorganizations from December to March. Proposed Resolution No. 23-14 would effectuate that change. There is no fiscal impact related to this item.

California Environmental Quality Act (CEQA) Determination: Not a Project as defined in Section 15378 of the State CEQA Guidelines.

Recommended Action:

Staff recommends that the City Council adopt Resolution No. 23-14 relating to Council reorganization and repealing Resolution No. 21-50.

D. ORDINANCE NO. 687 AMENDING CHAPTER 153 OF THE SAN GABRIEL MUNICIPAL CODE TO ADDRESS NONCONFORMING USES, STRUCTURES, AND LOTS (ZTA22-001) – SECOND READING AND ADOPTION

Ordinance No. 687 was approved at introduction by a 5-0 vote of the City Council at the February 21, 2023, City Council meeting. Adoption of Ordinance No. 687 would amend Title XV, Chapter 153 (Zoning Code) of the San Gabriel Municipal Code (SGMC) relating to Nonconforming Uses, Structures, and Lots. The Fiscal Year 2022-23 Adopted Budget includes the cost for required legal publication (Account No. 121-702-00-65-000) and codification (Account No. 121-702-00-22-000) of the ordinance.

California Environmental Quality Act (CEQA) Determination: Proposed Amendments would be exempt under Section 15061 of the CEQA Guidelines

Recommended Action:

Staff recommends that the City Council waive reading and adopt Ordinance No. 687 entitled, "An Ordinance of the City Council of the City Council of San Gabriel, California, Approving Planning Case No. ZTA22-001, Amending Title

XV, Chapter 153 (Zoning) relating to the Amortization Period for Nonconforming Uses and Structures.”

E. REVOCABLE LICENSE AGREEMENT WITH YZL INVESTMENT, LLC FOR USE OF PARKING SPACES AT THE MISSION DISTRICT PARK & RIDE LOT (257 SOUTH MISSION DRIVE)

In this proposed action, the City is acting as in its proprietary capacity as the owner of the Mission District Park and Ride Lot located on the westerly side of Mission Drive, adjacent to the former Mission 261 Restaurant. The property and business owner of the former Mission 261 Restaurant – YZL Investment LLC – together with its prospective tenant, obtained a Conditional Use Permit to open a new restaurant. In 2019, they approached the City to request use of the Mission District Park and Ride Lot to satisfy the minimum off-street parking requirement for a limited time. The proposed restaurant would need approximately 50 spaces; the total lot contains approximately 111 parking spaces. On July 16, 2019, the City Council approved an agreement for the joint use of the parking lot. The agreement expired in 2021 and a request for a renewal was not filed by the business owner. The City is expected to receive \$1000-per-month License Fee from YZL Investment, LLC for the License Fee for as long as the restaurant is in operation.

California Environmental Quality Act (CEQA) Determination: Not a Project as defined in Section 15378 of the State CEQA Guidelines.

Recommended Action:

Staff recommends that the City Council approve the License Agreement.

F. LEASE PURCHASE AGREEMENT IN THE AMOUNT OF \$694,845.10 TO REPLACE AND UPGRADE FIRE DEPARTMENT RADIOS

The San Gabriel Fire Department needs to replace its legacy radio system. The mobile and portable radios are over ten, and in instances, nearly twenty years old and in critical need of replacement. Replacement of the radios was previously deferred due to financial constraints. Staff has conducted research into several radio vendors and interoperability systems to determine the best radio communication system for the Department’s current and future needs. The Motorola APX8000 and APX8500 are the products determined to best meet the current needs and will provide for a 15-year service life. The total cost of the project including interest payments is \$694,845.10.

Recommended Action:

Staff recommends that the City Council:

1. Adopt Resolution No. 23-11
2. Approve a Motorola Solutions Equipment Lease-Purchase Agreement to replace and upgrade the Fire Department's radio system in the amount of \$694,845.10 and authorize the City Manager to execute all necessary documents.
3. Waive formal bidding requirements in accordance with the San Gabriel Purchasing Policy and Municipal Code 34.35.

5. PUBLIC HEARING – None.

6. CONTINUED BUSINESS – None.

7. NEW BUSINESS

A. SMALL BUSINESS ASSISTANCE GRANT PROGRAMS: GENERAL AND RELOCATION ASSISTANCE

On January 17, 2023, the City Council directed staff to proceed with developing a third round of the Small Business Assistance Grant Program with two components: general assistance and relocation assistance. Eligible uses of funds for general business assistance are to improve business operations, which could include covering costs of commercial rental or business mortgage payment, utility bills, employee payroll, supplies, and new equipment. Eligible uses of funds for relocation assistance are to reimburse businesses that have moved locations within San Gabriel or from another City to San Gabriel. This staff report outlines the proposed program's requirements, administration, and marketing and outreach plan. Total funds for the proposed program will not exceed \$175,000.

California Environmental Quality Act (CEQA) Determination: Not a Project as defined in Section 15378 of the State CEQA Guidelines.

Recommended Action:

Staff recommends that that City Council authorize the program and adopt Resolution No. 23-10 appropriating \$175,000 of funding in the General Fund.

B. DISCUSSION REGARDING AN ORDINANCE TO ALLOW LOCAL PROSECUTION OF CERTAIN MISDEMEANORS

Over the past several years, crime has been increasing in San Gabriel and throughout the region. Not only has the area experienced an increase in violent crimes, but other less severe, quality-of-life crime has also risen. This has resulted in more graffiti, car break-ins, shoplifting, and other property damage. To address the increase in crime, the City Council has asked staff to collaborate with the City Attorney's Office to investigate ways to locally prosecute crimes that are not being prosecuted by the Los Angeles County District Attorney's Office. The City Attorney's Office has identified several crimes that, if enforced, could prevent larger and more violent crimes from occurring. Staff is seeking direction on a proposed ordinance that will be brought back in the future for consideration of adoption. A quick review of the budgets of cities that prosecute misdemeanor crimes locally indicates that a cost of \$200,000 to \$400,000 annually would likely be required for a city the size of San Gabriel to have the City Attorney's office or an outside attorney locally prosecute misdemeanors.

California Environmental Quality Act (CEQA) Determination: Not a Project as defined in Section 15378 of the State CEQA Guidelines.

Recommended Action:

Staff recommends that the City Council discuss the proposed Ordinance and provide staff with direction on how to proceed with local prosecution.

C. RESOLUTION NO. 23-13 PROCLAIMING THE TERMINATION OF A LOCAL EMERGENCY

The City of San Gabriel has been in a state of local emergency since March 16, 2020, due to the COVID-19 pandemic. Following the State's termination of the state-wide emergency on February 28, 2023, formal City Council action is requested to terminate the state of local emergency. There is no fiscal impact associated with rescinding the emergency order. Any reimbursements for COVID-19 impacts have been recovered through American Rescue Plan Act (ARPA) funds previously issued to the City.

California Environmental Quality Act (CEQA) Determination: Not a Project as defined in Section 15378 of the State CEQA Guidelines.

Recommended Action:

Staff recommends that the City Council adopt Resolution No. 23-13 proclaiming the termination of a local emergency.

8. PUBLIC COMMENT

9. CITY MANAGER'S REPORT

10. 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.

11. CLOSED SESSION – None.

12. ADJOURNMENT

The next regular City Council meeting will be held on Tuesday, March 21, 2023 at 6:30 P.M. 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.

Materials Available for Inspection. You may view agenda items online at www.sangabrielcity.com/agendacenter, or in person at City Hall, 425 South Mission Drive, San Gabriel, CA 91776. Materials related to an item on this Agenda, submitted to the City Council after distribution of the Agenda packet, will be posted on the City website.

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 Department at cityclerk@sgch.org 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 at cityclerk@sgch.org during regular office hours.

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 Department by emailing cityclerk@sgch.org at least 48 hours before the meeting, if possible.