

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

Tuesday, June 6, 2023 - 6:30 P.M.

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

John R. Harrington
Mayor

John Wu
Vice Mayor

Eric Chan
Council Member

Tony Ding
Council Member

Denise Menchaca
Council Member



Mark Lazzaretto
City Manager

Keith Lemieux
City Attorney

Julie Nguyen
City Clerk

Kevin B. Sawkins
City Treasurer

How to Submit Public Comment:

Members of the Public who wish to submit public comment may do so using one of the following methods. Public comment is limited to the time allotted.

In-Person: Complete a Speaker Card, indicating the agenda item number and submit it to the City Clerk prior to the meeting. Speakers shall be limited to three (3) minutes per person per item. At the Mayor’s discretion, the time limit may be shortened to allow all speakers to address the City Council.

Electronic submission of Public Comment is also available via the City’s website as noted below. Public Comment submitted electronically will be read into the record. Words that would disrupt the meeting, including profanity, obscenity, and discriminatory language, will not be read. Your comments must be received by 5:00 P.M. on meeting day.

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City Council Regular Meeting Agenda
Tuesday, June 6, 2023

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

1. APPROVAL OF AGENDA ORDER

2. PRESENTATIONS

A. LGBTQ PRIDE MONTH

B. JUNETEENTH DAY

C. COMMUNITY EMERGENCY RESPONSE PROGRAM (C.E.R.T) PROGRAM COMPLETION RECOGNITION

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 Regular Meeting of May 16, 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. STATEMENT OF INVESTMENT POLICY 2023-2024

California Government Code Section 53646 requires the annual review of the City's Investment Policy at a regular meeting of the City Council. The requirement for an annual policy is also stated in the City's Fiscal Sustainability Policy (adopted April 2019 in the interest of fiscal accountability). The Investment Policy is required to be reviewed and adopted annually by the City Council. 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. 23-36 adopting the 2023-2024 Statement of Investment Policy.

D. AGREEMENT TO LEASE TWO MULTIFUNCTION COPIERS AND PRINTERS FOR CITY HALL AND THE MCGROARTY BUILDING

Staff is seeking the City Council's approval to enter into an agreement to lease two Xerox multifunction copiers and printers for a lease term of 60 months at a monthly lease amount of \$830.02 plus the costs for each print or copy made. The two units will replace the current copier/printers that the City has had for well over five years. Funds are budgeted in the general fund to pay the monthly lease and per-copy fee.

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:

1. Waive formal bidding and authorize cooperative piggy-backing for an agreement to lease two Xerox multifunction copiers and printers, consistent with the sole-source requirements pursuant to Municipal Code Section 34.35.
2. Authorize the City Manager to enter into a lease agreement with Xerox Corporation for the lease of two multifunction copiers and printers.

E. SECOND AMENDMENT TO THE CELL ANTENNA GROUND LEASE AGREEMENT WITH VERIZON WIRELESS AT 1753 S. DEL MAR AVENUE (PARK AND RIDE LOT)

In 1992, the City of San Gabriel entered into an agreement with Verizon Wireless to lease space for a cellular antenna site located at 1753 S. Del Mar Avenue. The original lease was for four five-year terms. In 2016, a first amendment to the lease was executed providing for an additional two five-year terms, which will expire in 2027. Verizon is requesting a second amendment to the lease that includes an increase to the monthly rental, extend the lease with an initial term of five years with the right to extend it for four additional five-year terms, and require Verizon to relocate its facilities if the site is developed. Beginning January 1, 2027, Verizon is proposing to pay a monthly payment of \$2,687.83 per month, which totals \$32,253.96 annually, plus an additional three percent to the Annual Rent amount paid the previous year.

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:

1. Approve the second amendment to the lease agreement; and
2. Authorize the City Manager to execute all necessary documents.

F. ACCEPTANCE OF FINAL TRACT MAP NO. 83338 FOR 223 E. LIVE OAK PLANNING CASE NO. TMAP20-003

The development, located at 223 E. Live Oak Street, is a 12-unit condominium project. The Final Tract Map is for a single lot subdivided into condominiums for development. Staff and the Los Angeles County Department of Public Works have reviewed the final tract map and have determined that it complies with the State Subdivision Map Act, conditions of approval, and the City's ordinances regarding subdivisions. Staff seeks Council's approval of the Final Map. 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 approve Final Tract Map No. 83338 and authorize its filing with the Los Angeles County Recorder.

G. PURCHASE OF A TOWABLE CONCRETE MIXING TRAILER AND MATERIAL LOADING SYSTEM IN THE AMOUNT OF \$55,807.73

Staff is seeking City Council's approval for the purchase of a new Cart-Away Towable Concrete Mixing Trailer and a Cart-Away PortaLoader Material Loading System as a sole source acquisition. There will be no unplanned fiscal impact as this item has been budgeted for. The total cost of the Cart-Away Towable Concrete Mixing Trailer and PortaLoader Material Loading System is \$55,807.73. The adopted Fiscal Year 22-23 Budget Includes \$75,000 in the Gas Tax Account 124-800-41-99-406 for this purchase.

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:

1. Waive formal bidding and authorize a sole-source purchase of a Cart-Away Towable Concrete Mixing Trailer and PortaLoader Loading System, consistent with the sole-source requirements pursuant to Municipal Code Section 34.35; and
2. Authorize the City Manager to approve a Purchase Order with Cart-Away Concrete Systems, Inc. in an amount not to exceed \$55,807.73 from Gas Tax account 124-800-41-99-406.

H. REQUEST FOR ANNUAL RATE REVIEW AND ADJUSTMENTS FOR STREET SWEEPING SERVICES AND WASTE SERVICES WITH ATHENS SERVICES

In accordance with the Sixth Amendment to the contract for services dated July 6, 2021, Athens Services has submitted two requests for City Council's approval to adjust the rates for street sweeping and waste services in accordance with applicable Consumer Price Indices to take effect July 1, 2023. The annual budget for street sweeping services is \$127,541.76 and is included in Fiscal Year 23-24 budget and will be funded by the Gas Tax account.

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 annual rate adjustments proposed by Athens Services for its services not to exceed the attached rate schedules (see exhibit A and B), effective July 1, 2023; and authorize the City Manager to approve a purchase order with Athens Services in an amount not to exceed \$127,541.76 for street sweeping services using the Gas Tax fund.

I. PURCHASE OF AN ADA WHEELCHAIR LIFT FOR MISSION PLAYHOUSE

Staff is recommending approval by the City Council of the purchase of an ADA (Americans with Disabilities Act) approved wheelchair lift that will replace a non-functioning equipment lift that was purchased in 2016. The new lift will provide access and improve safety for wheelchairs and others with mobility needs from stage left dressing rooms to stage level. The total price for an installed lift is \$29,400. Funds are available in the Mission Playhouse Fiscal Year 22-23 budget from the facilities building account 152-712-07-35-000.

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

Recommended Action:

Staff recommends that the City Council authorize the issuance of a purchase order for \$29,400 to Nationwide Lifts for the acquisition and installation of one Savaria V1504 enclosure commercial wheelchair lift and listed accessories including all taxes, freight delivery and ancillary costs to be funded from account 152-712-07-35-000.

J. THEATRE RENTAL FEE WAIVER REQUEST BY ASIAN ARTS TALENTS FOUNDATION

The Asian Arts Talents Foundation (AATF) has requested a waiver of the theatre rental fee for their upcoming free performance on Saturday, June 17, 2023. Staff recommends that the City Council approve AATF's request to waive the San Gabriel Mission Playhouse rental fee of \$3,130 for the performance day and rehearsal of the upcoming community performance. Since the budgeted rental subsidy account is insufficient to cover the requested amount, staff is requesting that Council increase the subsidy to cover this request. The subsidy

would need to be increased by \$3,130 to cover the requested fee waiver of \$3,130.

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:

1. Approve staff's recommendation to grant a partial waiver of the San Gabriel Mission Playhouse rental fee in the amount of \$3,130.00 for the June 17th performance day and rehearsal of AATF's upcoming community performance.
2. Adopt Resolution No. 23-39 amending the Fiscal Year 2022-23 budget to increase account number 152-3532 by \$3,130 to cover the requested fee waiver.

K. APPROVAL OF AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH ALESHIRE & WYNDER TO INCREASE HOURLY BILLING RATES FOR TRANSACTIONAL AND LITIGATION SERVICES

The City currently employs Mr. Keith Lemieux of the law firm of Aleshire and Wynder to serve as the City Attorney. In order to more closely align the billing rates for hourly services charged to the City of San Gabriel with rates that Aleshire and Wynder charge to their other clients, the firm is requesting City Council's approval of an increase to their hourly billing rates. The monthly retainer will not be affected by their amendment and the overall cost for legal services is expected to remain within the amount budgeted for the next fiscal year. There is no fiscal impact to approve this item. Costs for legal services are included in the current fiscal year budget and the hourly rate increases are not expected to cause the budget amount to be exceeded.

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 authorize the City Manager to execute the attached amendment to the professional services agreement with Aleshire and Wynder.

5. PUBLIC HEARING

A. ADOPTION OF PROPOSED OPERATING BUDGET, CAPITAL IMPROVEMENT PROGRAM, FEE SCHEDULE, POSITION CLASSIFICATION AND SALARY SCHEDULE, AND APPROPRIATIONS LIMIT FOR FISCAL YEAR 2023-24

The City Council will hold a public hearing to consider the adoption of the proposed operating budget, Capital Improvement Plan (CIP), fee schedule, position classification and salary schedule, and appropriations limit for fiscal year 2023-24. The fiscal year 2023-24 proposed operating and capital improvement program budgets presents \$94,116,000 in revenues and \$92,636,000 in expenditures. The general fund operating budget is balanced with a surplus of \$655,000. Projected general fund revenue is \$51,585,000 and proposed general fund expenditures are \$50,920,000. Proposed new funding for CIP is \$16,701,000, which would provide resources for 20 projects.

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 conduct a public hearing on the Proposed 2023-24 operating and capital improvement program budgets, master fee schedule, position classification and salary fee schedule, and appropriations limit, and after receiving comments and testimony adopt the following resolutions:

1. Resolution No. 23-31 adopting the 2023-24 operating budget.
2. Resolution No. 23-32 adopting the 2023-24 capital improvement program budget.
3. Resolution No. 23-33 adopting the 2023-24 master fee schedule.
4. Resolution No. 23-34 adopting the 2023-24 authorized position classification and salary schedule.
5. Resolution No. 23-35 establishing the 2023-24 appropriations limit.

6. CONTINUED BUSINESS – None.

7. NEW BUSINESS

A. YOUTH DIVERSION OUTREACH PROGRAM APPROVAL

The Youth Diversion Outreach Program is developed specifically for juvenile offenders who commit crimes in the City of San Gabriel. The goal of the

program is to provide youth offenders with an alternative to incarceration and provide the criminal justice system an alternative to filing cases against these offenders. The Youth Diversion Program is fully funded by the County of Los Angeles Department of Youth Development and has no impact on the police budget. Supervision of the program will be conducted during normal duty hours through the Community Engagement Bureau.

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 authorize the Interim Police Chief to enter into a Partnership Agreement with the Los Angeles County Department of Youth Development, Diversion Program. This program will be made available as a resource for all juvenile offenders in the City of San Gabriel.

B. PURCHASE OF RIDE SG VEHICLES IN THE AMOUNT OF \$303,428.15

The vehicles used by the Ride SG program are in need of replacement. Fiscal Year 2022-23 Budget has available Prop A funding to purchase four vehicles for the program. Staff proposes to purchase the vehicles through a cooperative purchase contract using the CalACT pricing. Creative Bus Sales will provide the vehicles at a cost of \$74,485.04 per vehicle, including graphics and bike racks, for a total of \$297,940.15. Custom tow hitches will also be purchased from New Image Auto Service for a grand total of \$303,428.15. There is no impact to the General Fund.

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:

1. Waive formal bidding procedure and authorize the purchase of new vehicles through a cooperative purchase using the CalACT pricing;
2. Authorize the issuance of a purchase order for \$297,940.15 to Creative Bus Sales for the acquisition of four wheelchair accessible Braun Voyager Minivans including all taxes, delivery, license, fees and custom bike racks to be funded from account #124-850-47-99-767, and appropriate funding from this account for the purchase of custom tow hitches totaling \$5,488.00;

3. Adopt Resolution No. 23-40 amending the Fiscal Year 2022-23 budget to increase account #124-850-47-99-767 by \$303,428.15 to cover the purchase of the vehicles, graphics, and bike racks.

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

12. ADJOURNMENT

The next regular City Council meeting will be held on Tuesday, June 20, 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.

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English

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Chinese (Traditional)

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Chinese (Simplified)

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Vietnamese

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Spanish

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