



**MINUTES OF MARCH 7, 2023
REGULAR MEETING OF THE SAN GABRIEL CITY COUNCIL**

CALL TO ORDER

Mayor Ding called the regular meeting of the San Gabriel City Council to order at 6:32 P.M. on Tuesday, March 7, 2023, in the Council Chamber at City Hall, 425 South Mission Drive, San Gabriel, California, 91776.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Menchaca.

ROLL CALL

Council Members Present: Eric Chan, Denise Menchaca, John Wu, Vice Mayor John R. Harrington, and Mayor Tony Ding.

Council Members Absent: None.

Staff Members Present: City Manager Mark Lazzaretto, City Attorney Keith Lemieux, Community Services Director Rebecca Perez, Chief City Clerk Sharon Clark, Public Works Director/City Engineer Greg de Vinck, Fire Chief Steven Wallace, Human Resources/Risk Management Director Edward Macias, Finance Director William Kaholokula, Community Development Director Aldo Cervantes, Acting Police Chief Rikimaru Nakamura, and Assistant City Clerk Marilyn Bonus.

ANNOUNCEMENTS

Chief City Clerk Clark provided information for the public on how to view the meeting and how to request meeting agendas.

1. APPROVAL OF AGENDA ORDER

Hearing no objection, Mayor Ding announced that the Agenda Order was approved.

2. PRESENTATIONS

A. WOMEN'S HISTORY MONTH

Council Member Menchaca made the presentation.

3. PUBLIC COMMENT

In relation to the discussion held at the City Council and Planning Commission Joint Special Meeting of March 2, 2023, on the subject of an inclusionary housing ordinance and density bonuses:

- Viki Goto, resident and Human Equity, Access and Relations (HEAR) Commissioner, provided comments on affordable housing and in favor of the adoption of an inclusionary housing ordinance.
- Cathie Chavez-Morris, HEAR Commissioner, provided comments on the need for affordable housing in San Gabriel.
- Jackie Borja, resident, provided comments suggesting that the City Council evaluate the 10% and 15% affordable housing options.
- Alejandra Benavides, resident, provided comments advocating for more affordable housing.
- Evelyn Torres-Rangel, resident, provided comments in favor of 15% of both rental and sale properties to low- and moderate-income households.
- Chasity Jennings-Nunez provided comments questioning whose interests the City Council and Planning Commission are looking out for.
- Sylvia Templar, resident, commented that rental prototypes are feasible with density bonuses, and requested that staff speak with developers that have built for-rent developments.
- Senya Lubisich, resident, expressed concern that the City might not do its best to have a representative amount of low-cost affordable housing as part of an inclusionary housing ordinance.
- Erlinda Romo, resident, spoke in favor of including both rental and for-sale developments in an inclusionary housing ordinance, and requested that the study group look at how newer residential projects are basing their rent.

Edith Gonzalez commented that middle schoolers are not included in this year's Pentathlon and requested City Council influence to include them.

4. CONSENT CALENDAR

A motion was made by Council Member Menchaca, seconded by Vice Mayor Harrington, to approve Consent Calendar Items 4A – 4F as presented.

Motion carried by a vote of 5-0 as follows:

AYES: CHAN, MENCHACA, WU, HARRINGTON, DING
 NOES: NONE
 ABSTAIN: NONE
 ABSENT: NONE

A. APPROVAL OF MINUTES

The City Council approved the following:

1. Minutes of the City Council Special Meeting of February 21, 2023.
2. Minutes of the City Council Regular Meeting of February 21, 2023.

B. MATERIAL DEMANDS

The City Council approved February 10, 2023, and February 16, 2023, Registers of Demands and Warrants for the payment of City expenditures.

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

The City Council adopted **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

The City Council waived reading and adopted **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)

The City Council approved the License Agreement.

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

The City Council:

1. Adopted **Resolution No. 23-11**.
2. Approved 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 authorized the City Manager to execute all necessary documents.
3. Waived 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

Economic Development Manager Caroline Velarde made the presentation.

Clarifying discussion included that if insufficient applications are received, applications would continue to be accepted; staff would return to the City Council for direction on surplus funds; staff would put an item on the Consent agenda to fund the first group of grants; outreach to businesses; qualifications for applicants; and if applicants previously received a grant of \$2500, that amount could be subtracted from a subsequent \$10,000 grant.

There was no public comment.

Discussion included consideration of sales tax payment history for applicants; eligibility components; whether businesses which received previous grants are still in business; clarification that relocation is only available for businesses within the City; and the possibility that the proposed amount would be money better spent on the whole community,

A motion was made by Mayor Ding, seconded by Council Member Wu, to authorize the program and adopt **Resolution No. 23-10** appropriating \$175,000 of funding in the General Fund, as amended to reduce the grant amount to individual grantees by the amount of a previously-received Community Development Block Grant.

Motion carried by a vote of 3-2 as follows:

AYES: MENCHACA, WU, DING
NOES: CHAN, HARRINGTON
ABSTAIN: NONE
ABSENT: NONE

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

Assistant City Attorney Koczanowicz made the presentation.

Clarifying discussion included that the City Attorney's office would be the prosecuting arm for the specific misdemeanors detailed in the staff report; the City Attorney's firm has numerous attorneys who specialize in code and criminal prosecution; initial budget allocation would be \$150,000 and costs would only be incurred if prosecution takes place; though the District Attorney (DA) is not prosecuting certain crimes, the San Gabriel Police Department continues to arrest people and doesn't assume they won't be prosecuted; reaffirmation that the five misdemeanors listed in staff report meet criteria, particular to the City of San Gabriel, for the City to prosecute those misdemeanors; cost of crime in the City; misdemeanor and prosecution statistics; double jeopardy definitions and declination to file; the Police Department's discretion on which agency to file with; and average cost per case to prosecute.

The following spoke or provided comments in opposition to local prosecution: Dr. Chasity Jennings-Nunez; Patricia Fulton, resident; and Erlinda Romo, resident.

Andrew, resident, commented on community-based prevention, rescission of the City's Memorandum of Understanding with the Department of Homeland Security, and the value of investment in prosecution if judges are lenient.

Discussion included the Council's responsibility to provide the safest environment it can to residents, businesses, and visitors; changes in crime categories; components of diversion including discretion in consequences; seen and unseen costs and consequences of completed and uncompleted crimes to individuals and the City; various Police Department programs in effect; value of data and cost analysis relative to local prosecution; the City's control of the number of cases prosecuted; and the necessity of consequences to help the offender and the community.

RECESS AND RECONVENE

The meeting was recessed at 9:04 P.M. and reconvened at 9:15 P.M. with all Council Members present.

Discussion continued that the proposed ordinance is insufficient to patch the hole left by Special Directive 20-07; all Council Members support public safety as a priority; calls from business owners every month on broken windows; the purpose is not to punish, but to prevent by having consequences; helping victims by prevention; precedent in Redondo Beach having done its own prosecution for 10 years; the ordinance provides for prosecutorial discretion with a focus to deal with issues through diversion; and reevaluation of local prosecution in one year.

The City Council unanimously directed staff to prepare an ordinance for City Council consideration.

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

City Manager Lazzaretto made the presentation.

There was no public comment.

A motion was made by Council Member Menchaca, seconded by Vice Mayor Harrington, to adopt **Resolution No. 23-13** proclaiming the termination of a local emergency.

Motion carried by a vote of 5-0 as follows:

AYES:	CHAN, MENCHACA, WU, HARRINGTON, DING
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

8. PUBLIC COMMENT – None.

9. CITY MANAGER'S REPORT – None.

10. COUNCIL COMMENTS AND CONFERENCE/MEETING REPORTS

Council Member Chan reported on his attendance at a monthly San Gabriel Chamber of Commerce breakfast.

Council Member Menchaca announced that the San Gabriel Nursery was featured in the LA Times last week for celebrating its 100-year anniversary, Toyo Miyatake Studio is also celebrating 100 years in business, Petrillo's Pizza is celebrating 70 years in business, Claro's Deli is celebrating 75 years in business, and Kiwanis Club is approaching 100 years in three years. She asked City Manager Lazzaretto to comment on recognition of the 100-year businesses.

City Manager Lazzaretto responded that since the two businesses are Asian American-owned, they will be recognized, if they allow, at an upcoming City Council meeting during the recognition of Asian American and Pacific Islander (AAPI) Heritage Month. He suggested having the Historic Preservation and Cultural Resource Commission (HPCRC) come up with guidelines as to which milestones for businesses should be recognized.

Council Member Menchaca reported that the Chair of the HPCRC has requested consideration by the City Council to change HPCRC bylaws to allow the Commission to meet once a month or as-needed instead of quarterly, requested that this item be agendaized for a future meeting, and suggested requesting HPCRC input on defining a legacy business. She announced La Casa's Open House for Preschool on March 30, 2023, at 5:30 P.M.; commented on food drives by La Casa, the San Gabriel Mission, and Asian Youth Center, and encouraged donations. In conclusion, she announced the Ramona Museum of Natural History's high school public-speaking contest and provided details.

Mayor Ding reported he had visited a Black History Art Exhibit at the Blossom Market Hall and a County Exhibit in honor of Black History Month, as well as an exhibit by Christopher Hills of painting on newspaper.

11. CLOSED SESSION – None.

12. ADJOURNMENT

The meeting was adjourned at 9:48 P.M

Respectfully submitted:



JULIE NGUYEN, City Clerk

Approved this 21st day of March, 2023:



JOHN R. HARRINGTON, Mayor