



**MINUTES OF AUGUST 18, 2020
REGULAR MEETING OF THE SAN GABRIEL CITY COUNCIL**

CALL TO ORDER

Mayor Menchaca called the regular meeting of the San Gabriel City Council to order at 6:39 P.M. on Tuesday, August 18, 2020, with all Council Members and staff participating by teleconference.

CLOSED SESSION REPORT

City Attorney Lemieux reported that in the Closed Session Special Meeting earlier this evening, on the matter identified as Conference with Legal Counsel – Anticipated Litigation, the City Council by a unanimous vote agreed to enter into a second Tolling Agreement with BBK Group and directed staff to execute the agreement.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Liao.

ROLL CALL

Council Members Present: Tony Ding, John R. Harrington, Jason Pu, Vice Mayor Chin Ho Liao, and Mayor Denise Menchaca.

Council Members Absent: None.

Staff Members Present: City Manager Mark Lazzaretto, City Attorney Keith Lemieux, Assistant City Manager/Community Development Director Arminé Chaparyan, Community Services/Interim Mission Playhouse Director Rebecca Perez, Police Chief Eugene Harris, Chief City Clerk Sharon Clark, Public Works Director/City Engineer Greg de Vinck, Fire Chief Steven Wallace, Human Resources/Risk Management Director Edward Macias, Interim Finance Director Kenneth Louie, and Assistant City Clerk Marilyn Bonus.

ANNOUNCEMENTS

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

1. APPROVAL OF AGENDA ORDER

City Manager Lazzaretto announced that due to an unfortunate community dissemination of incorrect information which resulted in an outpouring of over 300 comments from the public on New Business Item 6D: Mission Playhouse Discussion, he was suggesting two options to the City Council, given the importance of the item to the community: 1) To postpone the item to a study session at a special meeting to be held on August 25, 2020, with all comments received so far attached to the staff

report and made available online, and with additional information added to the staff report; or 2) Set a time limit for the item, start with reading public comment up until the cut-off time, then resume reading comments again at the special meeting.

Following discussion, a motion was made by Vice Mayor Liao, seconded by Mayor Menchaca, to approve the agenda order as amended to postpone New Business Item 6D to a special meeting to be held on August 25, 2020, at 6:30 P.M.

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

AYES: DING, HARRINGTON, PU, LIAO, MENCHACA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

2. PRESENTATIONS

A. INTRODUCTION OF PLANNING MANAGER SAMANTHA TEWASART

Presentation was made by Assistant City Manager/Community Development Director Arminé Chaparyan.

B. COVID-19 BRIEFING

The presentation was made by City Manager Lazzaretto.

3. PUBLIC COMMENT

Lisa Chen provided comments suggesting features on social media on local restaurants and other businesses which are open in the City.

Camelia Vera, resident, provided comments requesting that speed limits not be increased.

Christine Tureaud provided comments expressing dissatisfaction with various agenda item topics.

Norma provided comments expressing dissatisfaction with the appearance of businesses north of the 10 freeway on San Gabriel Boulevard to Las Tunas Drive; and suggested a Spanish Mission theme, Gateway, and mix of different eateries for the City.

4. CONSENT CALENDAR

Regarding Item 4D, Council Member Pu requested a stipulation that any future payment schedules be subject to the approval of City Council.

A motion was made by Council Member Pu, seconded by Vice Mayor Liao, to approve Consent Calendar Items 4A – 4C and 4E – 4G as presented, and Item 4D as amended to stipulate that any future payment schedules be subject to the approval of City Council.

Motion approved Consent Calendar Items 4A – 4C and 4E - 4G as presented, and Item 4D as amended, by a vote of 5-0 as follows:

AYES: DING, HARRINGTON, PU, LIAO, MENCHACA
NOES: NONE

ABSTAIN: NONE
ABSENT: NONE

A. APPROVAL OF MINUTES

The City Council approved:

1. Minutes of the City Council Special Meeting of August 4, 2020.
2. Minutes of the City Council Regular Meeting of August 4, 2020.

B. MATERIAL DEMANDS

The City Council approved the July 24, 2020, and July 30, 2020, Registers of Demands and Warrants for the payment of City expenditures.

C. CASH AND INVESTMENT REPORT – JULY 2020

The City Council received and filed the Cash and Investment Report for July 2020.

D. VEHICLE LEASE WITH THE HOLMAN CAPITAL CORPORATION

The City Council:

1. Authorized the usage of the Holman Capital Corporation for the vehicle lease purchase project;
2. Authorized the City Manager to execute all related agreements; and
3. Stipulated that future payment schedules will be subject to City Council approval.

E. ADOPTION OF RESOLUTION NUMBERS 20-36 AND 20-37 SETTING THE RATE AND AMOUNT NECESSARY FOR THE 2020-21 FISCAL YEAR RETIREMENT LEVY

The City Council adopted **Resolution No. 20-36**, setting the tax rate at 14 cents per \$100 assessed valuation, and **Resolution No. 20-37**, fixing the amount of property taxes to be generated for the City's employees' retirement cost for Fiscal Year 2020-21.

F. RESOLUTIONS TO EXECUTE CALTRANS AGREEMENTS FOR DEVELOPING A LOCAL ROADWAY SAFETY PLAN

The City Council:

1. Adopted **Resolution No. 20-38** and **Resolution No. 20-39**;
2. Authorized the City Manager to execute the Administering Agency-State Master Agreement No. 00517S and Program Supplement Agreement No. U97 between the City and Caltrans; and
3. Authorized the use of up to \$72,000 in the account of 124-800-57-96-794 to be reimbursed by Caltrans.

G. SAFE, CLEAN WATER PROGRAM (MEASURE W) TRANSFER AGREEMENT

The City Council authorized the City Manager to execute the Transfer Agreement between the City and the Los Angeles Flood Control District.

5. PUBLIC HEARING – None.

6. NEW BUSINESS

A. MONTHLY BUDGET UPDATE

The staff presentation was made by Interim Finance Director Ken Louie.

There was no public comment.

Discussion included the decline in Charges for Service; Fire Department expenditures will likely be less than projected due to salary savings; timing and uses for CARES Act funds; use of Gas Tax and Measure SG funds; and reducing streetlight expenses.

A motion was made by Council Member Pu, seconded by Vice Mayor Liao, to adopt **Resolution No. 20-42** appropriating Gas Tax Funds in the amount of \$330,000 from Fund balance to 136-800-02-40-003 Utilities – Electricity.

Motion approved New Business Item 6A as presented by a vote of 5-0 as follows:

AYES: DING, HARRINGTON, PU, LIAO, MENCHACA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

B. CONSIDERATION BY THE CITY COUNCIL TO ADOPT RESOLUTION NO. 20-41 CONDEMNING AN ATTEMPT BY THE TRUMP ADMINISTRATION TO EXCLUDE UNDOCUMENTED PERSONS FROM THE 2020 CENSUS COUNT APPORTIONMENT BASE

The presentation was made by City Attorney Keith Lemieux.

The following provided comments in opposition to adopting the resolution: Norma; Mary Fischer; Linda Parmenter; and Isela Bowles.

The following provided comments in support of adopting the resolution: Sean McMorris, resident; and Jeanne E. Raya, resident and business owner.

Mayor Menchaca announced that Council Member Harrington had provided a redline version of the resolution with his comments to the City Council for reference during the meeting.

Discussion included Council Member Harrington's requested changes; the resolution was vetted by the City Attorney; Census activities; importance of every person being counted; the resolution is a statement of policy; transparency of public discussion regarding the item; and the importance of using correct legal terminology.

A motion was made by Mayor Menchaca, seconded by Council Member Pu, to adopt **Resolution No. 20-41**, responding to the Trump Administration's attempt to exclude undocumented persons from the 2020 Census Count apportionment base.

Motion approved New Business Item 6B as presented by a vote of 4-1 as follows:

AYES: DING, PU, LIAO, MENCHACA
NOES: HARRINGTON
ABSTAIN: NONE

ABSENT: NONE

C. STATUS REPORT FROM THE COMMUNITY EQUALITY AND ENGAGEMENT AD HOC SUB-COMMITTEE AND RECOMMENDATION TO CREATE A COMMISSION ON HUMAN EQUITY, ACCESS AND RELATIONS (THE "HEAR COMMISSION")

The presentation was made by City Manager Lazzaretto.

Norma provided comments in opposition to the creation of the HEAR Commission.

Charmaine Liccardi provided comments expressing displeasure with Council Member Pu and Mayor Menchaca.

Mary Fischer provided comments stating her opposition to the creation of the Commission if it is an attempt to defund the San Gabriel Police Department.

Alice Wong provided comments requesting transparency in the selection process for commissioners.

Linda Parmenter provided questions and comments about the efficacy of the Commission.

Sean McMorris, resident, and Jeanne E. Raya, resident and business owner, provided comments in support of the ordinance and extending the Subcommittee for four months.

Cheryl Cabot, resident, provided comments in support of the creation of the HEAR Commission and commended the Subcommittee for its work.

Chasity Jennings-Nuñez provided comments in support of the HEAR Commission and made suggestions as to its duties.

Mario Pace, resident, commended City staff for posting the Council Meetings to YouTube; and requested that meeting audio be put into podcasts, that implementation of the HEAR Commission be tabled until the COVID pandemic is over, and that the Subcommittee be extended only if new Council Members are rotated in and current Council Members rotated out.

Isela Bowles provided comments expressing concerns about transparency and fiscal impact relative to the Subcommittee.

Discussion included appreciation to staff for their assistance; recent backlash against Asian residents; an intergenerational divide in the City; openness among stakeholder groups to discuss the issues; examples of past discrimination; desirability of all being able to view and/or participate in Subcommittee meetings; Subcommittee mission creep; legality of extending the length of the Subcommittee's service; discrimination in the City versus by the City; cautions against making appointments to a Commission based on protected-class status; that an advisory board is more appropriate in this case than a commission; fiscal impact accuracy; getting more community input before making the decision to form a commission; benefit of having an independent body to review policies; increased transparency through more community involvement on City commissions; the Commission as a tool to facilitate communication between groups; virtual town hall meetings for more resident participation; and the opportunity for more engagement with a four-month extension for the Subcommittee.

A motion was made by Council Member Pu, seconded by Mayor Menchaca, to:

1. Direct staff to prepare an ordinance that amends the San Gabriel Municipal Code to create a Commission on Human Equity, Access and Relations (HEAR Commission); and
2. Extend the ad hoc sub-committee and continue the appointment of Mayor Menchaca and Councilmember Pu for an additional four months, with a report to the City Council on the actions of the sub-committee due at that time.

Motion approved New Business Item 6C as presented by a vote of 4-1 as follows:

AYES: DING, PU, LIAO, MENCHACA
NOES: HARRINGTON
ABSTAIN: NONE
ABSENT: NONE

D. MISSION PLAYHOUSE DISCUSSION

This item was postponed to a special meeting to be held on August 25, 2020.

7. PUBLIC COMMENT – None.

8. CITY MANAGER’S REPORT – None.

9. COUNCIL COMMENTS AND CONFERENCE/MEETING REPORTS

Vice Mayor Liao reported on his attendance at a Grant Writing Workshop hosted by Los Angeles County Supervisor Kathryn Barger.

Council Member Pu and Mayor Menchaca thanked their colleagues who supported the formation of the HEAR Commission.

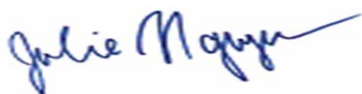
10. CLOSED SESSION – None.

11. ADJOURNMENT

Mayor Menchaca noted that August 18, 2020, marks the 100th anniversary of the passage of the 19th Amendment, which guaranteed and protected women’s constitutional right to vote.

Mayor Menchaca adjourned the meeting at 9:53 P.M.

Respectfully submitted:



JULIE NGUYEN, City Clerk

Approved this 1st day of September, 2020:



DENISE MENCHACA, Mayor