

SAN GABRIEL CITY COUNCIL AND REDEVELOPMENT AGENCY MINUTES OF JULY 19, 2011

The regular meetings of the San Gabriel City Council and the San Gabriel Redevelopment Agency convened on July 19, 2011 at 7:43 p.m.

1. CALL TO ORDER Call to Order
2. PLEDGE OF ALLEGIANCE Pledge of Allegiance
3. ATTENDANCE Attendance

PRESENT: Mayor/Chair Gutierrez, Vice Mayor/Vice Chair Sawkins, Council/Agencymembers Costanzo, De La Torre, Harrington, City Manager/Executive Director Preston, City Attorney/General Counsel Kress, and Deputy City Clerk/Agency Secretary Aguilar.

Recess Agency Meeting
4. RECESS AGENCY MEETING

Agencymember Sawkins moved to recess; seconded by Agencymember De La Torre. There being no objections, it was so ordered

Presentation
5. PRESENTATION
 - A. Proclamation – National Night Out 2011
City Council presented proclamation to Police Chief Lawton.
 - B. Proclamation - Parks Make Life Better Month
City Council presented proclamation to Parks and Recreation Director Perez.
 - C. Community Emergency Response Team (CERT) Graduation
Fire Chief Nestor and Captain Barwick introduced and Council presented each CERT graduate with a certificate.
6. 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 Public Comment

There was no one in the audience who wished to address the Council at this time.
7. CONSENT CALENDAR: ALL ITEMS LISTED UNDER THE CONSENT CALENDAR ARE CONSIDERED ROUTINE AND ENACTED IN ONE MOTION UNLESS A MEMBER OF THE CITY COUNCIL OR AUDIENCE REQUESTS SEPARATE DISCUSSION Consent Calendar

Councilmember Costanzo moved to approve consent calendar items A, B, C; seconded by Councilmember De La Torre and passed by a vote on the board of five yes.

 - A. MINUTES OF REGULAR COUNCIL MEETING OF JULY 5, 2011 Minutes Approved

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

Recommended Action: Approval

B. MATERIAL DEMANDS 88264-88428 INCLUSIVE \$1,713,729.34

Material Demands Approved

This is the presentation of the "Register of Demands and Warrants" for the payment of City expenditures.

Recommended Action: Approval

C. REQUEST FOR TEMPORARY STREET CLOSURES TO HOLD A BLOCK PARTY

Request for Street Closure to Hold Block Party Approved

A request for temporary street closure has been submitted for the purpose of holding a block party for National Night Out on Tuesday, August 2, 2011 as follows:

- 500 block of Coolidge Drive from Milton to the dead end of Coolidge Drive from 6:30 p.m. to 9:30 p.m.

Recommended Action: That the City Council approve the request subject to the following conditions:

- (1) A minimum width of 20 feet of one side of the street shall remain unobstructed for access by public safety vehicles.
- (2) Fire hydrants shall remain unobstructed at all times.
- (3) There shall be no consumption of alcohol within the public right-of-way.
- (4) There shall be no fireworks or other pyrotechnic displays.
- (5) A resident shall be identified as the responsible party for all contacts by City agencies and for installing and removing the street barricades.
- (6) Parties are subject to disturbing the peace laws.
- (7) The street closure shall be between the hours as indicated on the request form.
- (8) Applicant is responsible for moving the barricades when City officials arrive at the event.

D. REQUEST SUBMITTED ON BEHALF OF MARY GARCIA FOR PERMISSION TO SERVE BEER AND MARGARITAS AT HER EVENT ON AUGUST 20, 2011 AT THE SAN GABRIEL GRAPEVINE PARK, 324 S. MISSION DRIVE, SAN GABRIEL

Alcohol Request for Mary Garcia Approved

San Gabriel Municipal Code Section 99.03(g) requires Council approval to serve alcoholic beverage, other than wine and champagne, for events held at the Grapevine Park, Mission Playhouse, and Adult Center.

Recommended Action: That the City Council deny the request.

Vice Mayor Sawkins moved to approve the alcohol request to serve beer and margaritas provided the conditions detailed below are met; seconded by Councilmember De La Torre passed by a vote on the board of five yes.

- **At the requestor's expense, secure the catering services of a caterer, with appropriate business license in the City of San Gabriel and alcohol license**

with the Alcohol & Beverage Control Department, who will be responsible for serving all alcohol beverages to guests;

- **At the requestor's expense, secure the services of one security guard through an appropriate State and City of San Gabriel licensed security company, who will arrive one hour prior and stay one hour after the posted hours of the event to monitor the event for any underage drinking, unruly behavior or property destruction.**

If the requestor is not able to secure a caterer who is licensed and will be responsible for serving alcoholic beverages to guests, then the following condition will apply:

- **At requestor's expense, secure the services of two security guards through an appropriate State and City of San Gabriel licensed security company, who will arrive one hour prior and stay one hour after the posted hours of the event to monitor the event for any underage drinking, unruly behavior or property destruction.**

8. PUBLIC HEARING: MESSAGE ORDINANCE 591-C.S. REZONING – FIRST READING AND MESSAGE FEES FOR OPERATOR PERMITS AND APPEALS-RESOLUTION NO. 11-25

A. MESSAGE ORDINANCE REZONING – FIRST READING

Public Hearing Message Ordinance 591-C.S. Rezoning – First Reading and Message Fees for Operator Permits and Appeals - Resolution No. 11-25 Approved

In 2008 the Legislature adopted SB 731 related to massage services. SB 731 limits local government to regulate massage services if the providers have state certificates issued by the California Massage Therapy Council (CAMTC). In 2009, the City Council adopted a moratorium on new massage businesses to allow time to examine massage regulations. The moratorium will expire October 19, 2011.

The City Attorney's office, along with City staff developed a new ordinance to implement SB 731. The proposed ordinance requires certifications, operator permits, operation certificates, and the City's zoning will be amended. The Planning Commission held a public hearing on the draft Ordinance on June 13, 2011 and recommended that the City Council adopt the proposed Ordinance.

Recommended Action: That the City Council, after conducting a public hearing:

- Introduce Ordinance 591-C.S. on first reading;
- Authorize a budget increase of \$7,000 to the Community Development Account (121-810-14-51-000); and
- Direct that a CEQA Notice of Exemption be filed with the County Recorder's office after adoption of the Ordinance.

Deputy City Attorney Kranitz presented the staff report.

Councilmember Costanzo moved to open the public hearing; seconded by Councilmember De La Torre. There being no objections, it was so ordered.

There was no one in the audience who wished to address the Council at this time.

Councilmember Costanzo moved to close the public hearing; seconded by Councilmember De La Torre. There being no objections, it was so ordered.

Councilmember Harrington moved to approve the recommended action with the following amendment:

Adjust service hours to 8:00 AM - 10:00 PM and carry these service hours to all professional service businesses throughout the city; delete the signage requirement under 122.14B

Motion was seconded by Councilmember De La Torre and passed by a vote on the board of three yes, no votes were cast by Gutierrez and Costanzo.

**B. MESSAGE FEES FOR OPERATOR PERMITS AND APPEALS-
RESOLUTION NO. 11-25**

City Council will be presented Ordinance No. 591-C.S. relating to Massage Establishments and Services. If the Ordinance is adopted, City Departments will be required to provide specific services listed: Certificate of Operation, Operator Permit, Operator Permit Renewal, and extensions of time for people to obtain their State Certificate. In addition, the ordinance provides for an Appeal Process in the event a

Public Hearing Massage Ordinance 591-C.S. Rezoning – First Reading and Massage Fees for Operator Permits and Appeals-Resolution No. 11-25 Approved

permit is revoked, denied, not renewed or an extension of time is not granted.

Recommended Action: That the City Council conduct the public hearing and adopt Resolution No. 11-25.

Police Lieutenant Perrine presented the staff report.

Councilmember Costanzo moved to open the public hearing; seconded by Vice Mayor Sawkins. There being no objections, it was so ordered.

There was no one in the audience who wished to address the Council at this time.

Vice Mayor Sawkins moved to close the public hearing; seconded by Councilmember Costanzo. There being no objections, it was so ordered.

Councilmember Costanzo moved to approve the recommended action; seconded by Councilmember De La Torre and passed by a vote on the board of 5 yes.

9. PUBLIC HEARING: 2010-2011 WEED ABATEMENT CHARGES

The City contracts with Los Angeles County to perform annual weed abatement services. Pursuant to Resolution 11-05, the City Council held a public hearing on February 15, 2011 regarding those properties identified as vacant or unimproved properties in the City that require inspection services. Property owners were duly noticed and abatement services have been rendered as necessary for the

Public Hearing: 2010-11
Weed Clearance Charges
Approved

2010-11 Weed Abatement program. The County is requesting Council approval of the costs to be assessed to property owners.

Recommended Action: After holding the public hearing, that the City Council confirm the charges as presented.

Neighborhood Improvement Services Manager Anderson presented the staff report.

Councilmember Costanzo moved to open the public hearing; seconded by Councilmember De La Torre. There being no objections, it was so ordered.

There was no one in the audience who wished to address the Council at this time.

Councilmember Costanzo moved to close the public hearing; seconded by Councilmember De La Torre. There being no objections, it was so ordered.

Vice Mayor Sawkins moved to approve the recommended action; seconded by Councilmember De La Torre and passed by a vote on the board of five yes.

10. REQUEST SUBMITTED ON BEHALF OF SAN GABRIEL VALLEY MUSIC THEATRE FOR RENEWAL OF LICENSE AGREEMENT

Request submitted on behalf of San Gabriel Valley Music Theatre for renewal of License agreement Approved

The San Gabriel Valley Music Theatre (SGVMT) requests a renewal of their license agreement with the City of San Gabriel for use of property and equipment as well as waivers of the San Gabriel Mission Playhouse rental fees for fundraising events.

Recommended Action: That the City Council approve the Restated and Extended License Agreement with San Gabriel Valley Music Theatre through June 30, 2012 on the basis of 10 paid use dates for the 2011-12 season and waiver of rental fees for 6 fundraising events.

Mission Playhouse Manager Cross presented the staff report.

Vice Mayor Sawkins moved to approve the recommended action; seconded by Mayor Gutierrez and passed by a vote on the board of five yes.

11. PURCHASE OF VIDEO VEHICLE DETECTION FOR BROADWAY & WALNUT GROVE TRAFFIC SIGNAL

In-pavement vehicle detection loops are defective and in need of replacement at the intersection of Broadway and Walnut Grove. Replacing the loops with a video detection system will provide improved signal operations and traffic flow.

Recommended Action: That the City Council waive formal bidding and authorize the cooperative (piggyback) purchases with that of the City of Santa Barbara and authorize the purchase of a complete traffic video detection system from Iteris for the amount of \$17,788.28

Public Works Street Supervisor Lopez presented the staff report.

Councilmember De La Torre moved to approve the recommended action; seconded by Councilmember Costanzo and passed on the board of five yes.

12. CITY MANAGER ITEMS

City Manager Items

City Manager Preston noted a correction to the Adjournment

13. COUNCIL COMMENTS AND CONFERENCE/MEETING REPORTS

Council comment 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.

14. ADJOURN COUNCIL MEETING AND RECONVENE AGENCY MEETING AS FOLLOWS:

Adjourn Council meeting and reconvene Agency meeting

Adjourn Council Meeting, to August 2, 2011 at 5:00 p.m., City Hall, Conference Room "A", 425 S. Mission Drive, San Gabriel for the purpose to discuss the Council Work Program and to consider a late arriving block party request and adjourn to the Mission Playhouse parking lot, 320 South Mission Drive, San Gabriel, at which time the City Council and Officials will participate in the annual National Night Out event.

Vice Mayor/Vice Chair Sawkins moved to adjourn the Council meeting as amended and reconvene the Agency meeting; seconded by Council/Agencymember De La Torre. There being no objections, it was so ordered.

15. REDEVELOPMENT AGENCY MEETING:

Agency Meeting

A. APPROVAL OF MINUTES OF JULY 5, 2011

Minutes Approved

Agencymember De La Torre moved to approve the subject minutes; seconded by Agencymember Costanzo the motion passed by a vote on the board of five yes.

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

Public Comment

There was no one in the audience who wished to address the Agency at this time.

C. SAN GABRIEL BOULEVARD STREETScape PROJECT – PILOT AREA 2 AWARD OF CASH CONTRACT 11-04/CDBG PROJECT NO. 601444-10 (CIP PROJECT #1-09-58)

San Gabriel Boulevard Streetscape project – Pilot Area 2 Award of Cash Contract 11-04/CDBG Project No. 601444-10 (CIP Project #1-9-58) Approved

Three construction bids for the San Gabriel Boulevard streetscape project Pilot Area 2 were received and opened publicly by the Agency Secretary on June 23.

Recommended Action: That the Agency:

1. Approve the finding of the lead agency that the project is categorically exempt under CEQA and NEPA;
2. Approve the San Gabriel Boulevard Streetscape Project Pilot Area 2 plans and specifications;

3. Authorize the Executive Director or his designee to execute the contract documents; and
4. Award Cash Contract 11-04 to Marina Landscape Inc. in the amount of \$758,497.75 in accordance with its bid.

Planning Manager Barrett presented the staff report.

Vice Chair Sawkins moved to approve the recommended action; seconded by Agencymember Costanzo and passed by a vote on the board of four yes; Councilmember Harrington abstained.

D. ADJOURN AGENCY MEETING

Adjourn Agency meeting

At 10:02 p.m., Agencymember Costanzo moved to adjourn; seconded by Vice Chair Sawkins. There being no objections, it was so ordered.

SAN GABRIEL REDEVELOPMENT AGENCY

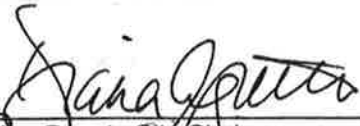


Diana Aguilar, Agency Secretary

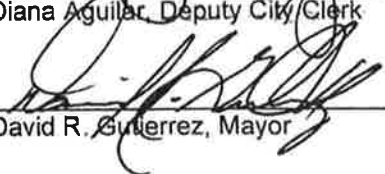


David R. Gutierrez, Chair

SAN GABRIEL CITY COUNCIL



Diana Aguilar, Deputy City Clerk



David R. Gutierrez, Mayor