

**SAN GABRIEL CITY COUNCIL  
SPECIAL MEETING**

**CONFERENCE ROOM "A" at CITY HALL  
425 SOUTH MISSION DRIVE, SAN GABRIEL, CALIFORNIA**

**TUESDAY, FEBRUARY 16, 2010  
at  
5:30 P.M.**

**AGENDA**

1. CALL TO ORDER
2. ATTENDANCE: COSTANZO, DE LA TORRE, GUTIERREZ, HUANG, SAWKINS
3. PUBLIC COMMENT: PURSUANT TO PROVISIONS OF THE GOVERNMENT CODE §54957, THIS IS THE TIME PROVIDED FOR MEMBERS OF THE PUBLIC TO ADDRESS THE CITY COUNCIL REGARDING MATTERS ON THIS AGENDA
4. RECESS COUNCIL MEETING TO CLOSED SESSION

A. CLOSED SESSION

1. PUBLIC EMPLOYEE APPOINTMENT – Contract Labor Negotiator

Pursuant to Government Code §54957, the City Council will convene in a closed Session for the purpose of interviewing a candidate for the above-referenced position.

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

The City Council will convene in a closed session, pursuant to Government Code §54956.9 (a), to discuss Kevin R. Watson, et al. v. City of San Gabriel, United States District Court No. CV10 0797.

5. ADJOURN

Please note that the regular City Council/Redevelopment Agency meeting will be held at the standard 7:30 p.m. in the Council Chamber.

**NOTE: CITY HALL IS HANDICAPPED ACCESSIBLE. AUDIO DEVICES FOR THE HEARING IMPAIRED ARE AVAILABLE FROM THE CITY CLERK DURING EACH MEETING**

*Speaker's Request Cards are provided on the table in the lobby of the Council Chamber. If you wish to address the Council during the meeting, please complete a speaker's card and hand it to the City Clerk before the start of the meeting.*

**SAN GABRIEL CITY COUNCIL REGULAR MEETING  
and  
REDEVELOPMENT AGENCY REGULAR MEETING  
held in the  
COUNCIL CHAMBER  
at  
CITY HALL  
425 SOUTH MISSION DRIVE  
SAN GABRIEL, CALIFORNIA  
on  
TUESDAY, FEBRUARY 16, 2010  
at  
7:30 P.M.**

**AGENDA**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ATTENDANCE: COSTANZO, DE LA TORRE, GUTIERREZ, HUANG, SAWKINS**
4. **RECESS AGENCY MEETING**
5. **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**

Citizens wishing to address the Council on any matter not on the Agenda, which is in the subject matter jurisdiction of the San Gabriel City Council, may do so at this time. Please state your NAME and ADDRESS CLEARLY for the record.

**Please note** that while the City Council values your comments, pursuant to the Brown Act, the City Council cannot take any action until such time as the matter may appear as an item on a forthcoming agenda.

**6. PUBLIC HEARING: LICENSE FEE FOR TOBACCO RETAILER'S LICENSE**

A public hearing has been noticed for the setting of the fee for a Tobacco Retailer's License.

Recommended Action: After conducting the public hearing, that the City Council adopt Resolution No. 10-10 approving the license fees for Tobacco Retailer licenses.

**7. PUBLIC HEARING: ANNUAL WEED ABATEMENT PROGRAM**

Annually the City contracts with Los Angeles County to perform annual weed abatement services. At the February 2, 2010 meeting, the City Council adopted Resolution 10-05 that set a public hearing, for the hearing of any protests, for February 16, 2010.

This year the annual assessment cost for inspection service by the County is \$45.33. NIS Division Manager and a County representative will be present to respond to protests or questions.

Recommended Action: After holding the public hearing and considering all testimony, that the City Council adopt Abatement Order 2010 in accordance with the established Weed Abatement procedures directing the Los Angeles County Agricultural Commissioner/Director of Weights and Measures to abate the nuisance by having the weeds, rubbish and refuse removed.

**8. ORDINANCE NO. 585-C.S. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN GABRIEL AMENDING THE MUNICIPAL CODE BY REQUIRING A CITY LICENSE FOR TOBACCO RETAILERS AND PROHIBITING SMOKING IN CITY PARKS AND RECREATION AREAS**

Per Council's direction at the February 2, 2010 meeting, the suspension and revocation penalties for violation of retailer's license regulations have been made mandatory. The prohibition of smoking in parks and recreation facilities has been extended to parking lots and sidewalks adjacent to such parks and recreation facilities.

Recommended Action: That the City Council waive reading in full and introduce Ordinance No. 585-C.S.

**9. APPLICATION FOR GRANT FUNDS THROUGH THE STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM (PROP 84)**

The City of San Gabriel has the opportunity to apply for grant funds being made available by the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84). This Statewide Park Development and Community Revitalization Program, which was created by Assembly Bill 31 (De Leon), will award a total of \$368 million in two rounds of funding. Grants will be awarded on a competitive basis for the creation of new parks and new recreation opportunities in proximity to the most critically underserved communities across California. The City intends to apply for Statewide Park Program funding for the development of a new park on the Marshall School campus, in conjunction with the Garvey School District.

Recommended Action: That the City Council:

1. Approve the Agreement between City of San Gabriel and Garvey School District for joint use, land tenure, maintenance and operation of school and community park and recreation open space at Marshall School; and,
2. Adopt Resolution 10-06 approving the City's application for grant funds through the Statewide Park Development and Community Revitalization Program of 2008.

**10. REFURBISHMENT OF NEON CITY ENTRY SIGNS AND SAN GABRIEL VILLAGE SIGN**

The City currently has five entry neon signs and one area neon sign (San Gabriel Village) that were designed to be illuminated, but are currently non-operable. The Public Works Department is seeking to contract with Chief Sign Company Inc. (cash contract #10-01) to refurbish and maintain the neon signs and to enter into a one year maintenance agreement. Funds have been earmarked for this project under the Capital Improvement Program account number 122-800-15-97-152, CIP Project 8-09-13.

Recommended Action: That the City Council:

1. Waive the formal bidding process and authorize a "sole source" contract with Chief Neon Signs; and
2. Authorize the City Manager or designee to execute the work contract with Chief Neon Signs; and
3. Authorize the City Manager or designee to execute the one year service contract for maintenance of the six neon signs.

**11. RESOLUTION 10-09 – IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY, AND TRANSPORTATION PROTECTION ACT OF 2010**

A coalition of local government, transportation and transit advocates recently filed a constitutional amendment with the California Attorney General for potential placement on California’s November 2010 statewide ballot. This amendment has been called the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010 and would close loopholes and change the Constitution to further prevent State politicians in Sacramento from seizing, diverting, shifting, borrowing, transferring, suspending or otherwise taking or interfering with tax revenues dedicated to funding local government services, including redevelopment, or dedicated to transportation improvement projects and mass transit.

Recommended Action: That the City Council approve Resolution No. 10-09 in support of the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010 and direct staff to fax a copy of the resolution to campaign offices.

**12. UPDATE ON ALHAMBRA UNIFIED SCHOOL DISTRICT PROPOSED BUS STORAGE FACILITY AT SAN GABRIEL HIGH SCHOOL**

At the previous City Council meeting, the Council adopted a resolution concerning the bus storage facility. That resolution was transmitted to the Alhambra Unified School District and other parties. Attorney Lisa Kranitz will provide a verbal update on what has occurred since the last Council meeting.

Recommended Action: That the City Council receive the update.

**13. CONSENT CALENDAR: ALL ITEMS LISTED UNDER THE CONSENT CALENDAR ARE CONSIDERED ROUTINE AND WILL BE ENACTED BY ONE MOTION UNLESS A MEMBER OF THE CITY COUNCIL OR AUDIENCE REQUESTS SEPARATE DISCUSSION**

**A. MINUTES OF REGULAR COUNCIL MEETING OF JANUARY 19, 2010**

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

Recommended Action: Approval

**B. MATERIAL DEMANDS**

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

Recommended Action: Approval

C. REQUEST SUBMITTED FROM KIDS KLUB CHILD DEVELOPMENT CENTER  
SAN GABRIEL/ROSEMEAD FOR PERMISSION TO PLACE STREET BANNER

The Kids Klub Development Center San Gabriel/Rosemead would like to notify the community about their Open House and Site Tours taking place on March 27, 2010 and requests a street banner to be displayed at the discretion of the City Council.

Recommended Action: That the City Council grant the request subject to review and approval by staff and that the location shall be at the City's discretion.

D. REQUEST SUBMITTED ON BEHALF OF MARIACHI HERITAGE SOCIETY  
FOR PERMISSION TO SELL/SERVE ALCOHOL AT SAN GABRIEL MISSION  
PLAYHOUSE FOR PRE-CONCERT ARRIVALS, DURING INTERMISSION AND  
AT A PRIVATE RECEPTION OF THEIR EVENT ON APRIL 11, 2010

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: Approval subject to the condition that all requirements of the Alcoholic Beverage Control Board are met.

E. CERTIFICATE OF AUTHORITY TO BANKING INSTITUTIONS

The City maintains a number of accounts with various banking institutions in accordance with the adopted investment policy. As certificates of deposit mature and renew, many banks are requesting that the City provide evidence that the account signatories are the authorized representatives of the City.

Recommended Action: That the City Council adopt Resolution No. 10-07, authorizing designated city officials to open, maintain and make transactions in city accounts in various banks and financial institutions.

F. SAN GABRIEL FINE ARTS ASSOCIATION – MISSION PLAYHOUSE GLASS  
ROOM RENTAL AGREEMENT

The San Gabriel Mission Playhouse has been in negotiations with the San Gabriel Fine Arts Association (SGFAA) to rent the playhouse Glass Room to them as an art gallery. Those negotiations have been successfully completed, and an agreement has been prepared.

Recommended Action: That the City Council approve the San Gabriel Fine Arts Association Glass Room License Agreement and approve an increase to the Mission Playhouse Advertising Account #121-712-00-51-000 in the amount of \$3,000.00 for the 09-10 Fiscal Year.

G. JUSTICE ASSISTANCE GRANT (JAG) 09 PROGRAM AWARD

The City of Los Angeles has submitted a Justice Assistance Grant (JAG) 09 application on behalf of the seventy-nine (79) eligible jurisdictions in Los Angeles County. All 79 jurisdictions must enter into one Memorandum of Understanding (MOU) with the City of Los Angeles. This grant program allows states and local governments to support a broad range of activities to prevent and control crime and improve the nation's criminal justice system.

Recommended Action: That the City Council approve the MOU with the City of Los Angeles for the (JAG) 09 Program Award, accepting \$22,521.00 and authorize the Mayor to execute on behalf of the City.

**14. COUNCIL COMMENTS 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.

**15. ADJOURN COUNCIL MEETING AND RECONVENE AGENCY MEETING**

**16. REDEVELOPMENT AGENCY MEETING:**

A. APPROVAL OF MINUTES OF JANUARY 19, 2010

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

Citizens wishing to address the Agency Board on any matter not on the Agenda, which is in the subject matter jurisdiction of the San Gabriel Agency Board, may do so at this time. Please state your NAME and ADDRESS CLEARLY for the record.

**Please note** that while the Agency Board values your comments, pursuant to the Brown Act, the Agency Board cannot take any action until such time as the matter may appear as an item on a forthcoming agenda.

C. ADJOURN AGENCY MEETING

The next regular Council meeting will be held Tuesday, March 2, 2010 at 7:30 p.m. in the Council Chamber at City Hall, 425 South Mission Drive, San Gabriel, California. Immediately following the Council meeting, the Redevelopment Agency will hold their regular meeting. Information regarding matters to be considered at each meeting will be available on Friday, February 26, 2010 by calling the Council Agenda Information Line at (626) 308-2800 and selecting option 5 or on the City's website at [www.sangabrielcity.com](http://www.sangabrielcity.com)

NOTICE: The Office of the City Clerk has on file copies of written documentation relating to each item of business on this Agenda available for public inspection. Materials related to an item on this agenda, submitted to the City Council/Redevelopment Agency after distribution of the Agenda packet, are available for public inspection at the meeting or in the City Clerk's office, located at City Hall, 425 South Mission Drive, San Gabriel, California, during regular office hours, Monday through Friday 8:00 a.m. to 5:00 p.m. except for Tuesdays until 6:30 p.m.

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. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office at 626/308-2816 at least 48 hours before the meeting, if possible.

Should any person have a question concerning any of the above agenda items prior to the meeting, please contact the City Clerk in person or by telephone at (626) 308-2816 during regular office hours.