

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, OCTOBER 7, 2008
at
7:30 P.M.**

AGENDA

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ATTENDANCE: BALDWIN, COSTANZO, GUTIERREZ, HUANG, SAWKINS**
- 4. RECESS AGENCY MEETING**
- 5. PRESENTATION:**

San Gabriel City Council Certificate of Recognition – Alex Acosta
2008 Crime Prevention Practitioner of the Year
United States Air Force Civilian Recruiting Award

**6. PUBLIC HEARING: MEDICAL MARIJUANA DISPENSARY –
ORDINANCE NO. 579-C.S., ZONING TEXT AMENDMENT PL-06-171**

Currently, the City does not have regulations for an explicit prohibition of medical marijuana dispensaries. The City Council, consistent with Government Code Section 65858, has adopted and extended a moratorium on the location of medical marijuana dispensaries. The current moratorium will expire November 20, 2008 and cannot be extended again. The moratoria provided staff with time to research how this issue is being addressed in other jurisdictions. On September 8, 2008, the Planning Commission reviewed a draft ordinance, conducted a public hearing, and adopted a recommendation that the zoning ordinance is amended and a new Section 153.490 be added which provides that medical marijuana dispensaries shall not be a permitted use in any zoning district nor in any specific plan.

Recommended Action: That the City Council introduce Ordinance No. 579 - C.S., Zoning Text Amendment PL-06-171, and place the ordinance on first reading.

7. 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.

8. MAYOR'S APPOINTMENT OF A CIVIL SERVICE COMMISSIONER

The Mayor is responsible for appointing persons to serve on the various City commissions. At this time it is necessary to appoint a Civil Service commissioner.

Recommended Action: That the City Council approve the Mayor's appointment.

9. CASH CONTRACT 07-02 ROSES ROAD STREET REHABILITATION FROM MISSION DRIVE TO DEL MAR (STPL – 5217 (008))

Proposed improvements on Roses Road from Mission Drive to Del Mar Avenue were designed in accordance with City design standards. The project includes pavement rehabilitation, sidewalk and driveway replacement, installation of cross gutters, gutter plate and installation of new handicap ramps with colored truncated dome inserts to comply with the latest American disability Act standards. The project is funded by Proposition 1B, STPL, Traffic Congestion and Waste Management Funds. Bids were received and opened publicly on September 29, 2008.

Recommended Action: That the City Council:

1. Approve the plans and specifications, and
2. Award Cash Contract 07-02 to Sully Miller in the amount of \$487,576.50 in accordance with its bid; and
3. Authorize the execution of the contract documents.

10. 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 SEPTEMBER 16, 2008

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. DEVELOPMENT IMPACT FEES FUND REPORT

The subject report has been prepared in compliance with Government Code 66006 which requires local agencies to make available to the public information regarding Development Impact Fees for the fiscal year.

Recommended Action: That the City Council review the report and make the information available to the public pursuant to Government Code Section 66006.

11. 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.

12. ADJOURN COUNCIL MEETING AND RECONVENE AGENCY MEETING

13. REDEVELOPMENT AGENCY MEETING:

A. APPROVAL OF MINUTES OF SEPTEMBER 16, 2008

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. RECESS TO CLOSED SESSION:

1. Conference with Real Property Negotiators

Property: 2.9 acre site at the southwest corner of San Gabriel Boulevard and Live Oak Avenue

Agency negotiator: Deputy City Manager Steve Preston
Economic Development Manager Jennifer Davis
Planning Manager Carol Barrett
Keyser Marston Associates by Kathleen Head
Agency Attorney Peter Wallin.

Negotiating parties: Frost Chaddock Developers, LLC

Under negotiation: Price and terms of payment

D. PRESENTATION:

Presentation on Site C by Frost Chaddock Development, LLC (SGRA Case No. 03-02)

Recommended Action: That the Redevelopment Agency receive the information into the record and direct staff appropriately.

E. ADJOURN AGENCY MEETING

The next regular Council meeting will be held Tuesday, October 21, 2008 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, October 17, 2008 by calling the Council Agenda Information Line at (626) 308-2800 and selecting option 5 or on the City's website at www.sgch.org.

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.