

SAN GABRIEL CITY COUNCIL AND REDEVELOPMENT AGENCY

MINUTES OF DECEMBER 19, 2006

The regular meetings of the San Gabriel City Council and the San Gabriel Redevelopment Agency convened on December 19, 2006 at 7:30 p.m. with Council/Agencymember Baldwin, Council/Agencymember Costanzo, Mayor/Chair Gutierrez, Council/Agencymember Huang, Vice Mayor/Vice Chair Sawkins, City Attorney/General Counsel Kress, Deputy City Manager Preston, and City Clerk/Secretary Trujillo present.

Pledge of Allegiance

RECESS AGENCY MEETING

Recess Agency Meeting

At 7:33 p.m., Agencymember Costanzo moved to recess; seconded by Vice Mayor Sawkins. There being no objections, it was so ordered.

ADMINISTRATION OF OATH

Administration of Oath

- A. CHRISTOPHER FETNER, FIREFIGHTER/PARAMEDIC
- B. WILLIAM CORTEZ, POLICE OFFICER

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

At the request of Mayor Gutierrez, Councilmember Baldwin moved to amend the order of the agenda and hold the public comment prior to the public hearing; seconded by Vice Mayor Sawkins. There being no objections, it was so ordered.

The following persons, members of Friends of La Laguna, addressed the Council regarding the preservation of "La Laguna" as part of the renovation of Vincent Lugo Park:

Eloy Zarate, 116 North Del Mar Avenue, San Gabriel
Dominic Varona, 1401 South Delta Street, San Gabriel
Anna Dominguez, 38145 Orchard, Cherry Valley
Adam Bray-Ali, 125 South Electric, Alhambra
Monica Hidalgo
Eileen Leiva, 309 West Broadway, San Gabriel
Gideon Brown, 1003 Third Street, Santa Monica
Anthony Vazquez, 975 East Broadway, San Gabriel
Brian Garcia, 1517 Abbott, San Gabriel
Jessica Ramirez, 1026 South Charlotte, San Gabriel

MISSION DISTRICT PARK AND RIDE FACILITY SITE – REQUEST TO ENTER NEGOTIATIONS

Mission District Park & Ride Facility Site – Request to Enter Negotiations with Harvey Ng of Mission 261

The owner of Mission 261 wishes to enter into an agreement with the City for the proposed development of the subject site.

The staff report was given after which Councilmember Baldwin moved to authorize staff to enter negotiations with Harvey P.T. Ng, et al for a potential development proposal on the site of the Mission District Park and Ride Facility and return at the next meeting with a draft exclusive negotiating agreement (ENA) for Council consideration; seconded by Mayor Gutierrez. The motion passed by a vote on the board of five yes.

**PUBLIC HEARING: MORATORIUM ON MEDICAL MARIJUANA DISPENSARIES
ORDINANCE 565-C.S. – AN URGENCY INTERIM ORDINANCE OF THE CITY OF
SAN GABRIEL PROHIBITING THE ISSUANCE OF PERMITS AND SUCH OTHER
ENTITLEMENTS FOR MEDICAL MARIJUANA DISPENSARIES**

Public Hearing
Ordinance 565-C.S.
Moratorium on Medical
Marijuana Dispensaries
Adopted

On November 21, 2006, the City Council adopted Urgency Ordinance 564-C.S. imposing a 45-day moratorium on the issuance of permits and other entitlements for medical marijuana dispensaries. Many other jurisdictions have enacted moratoriums to prohibit such uses from commencing prior to the enactment of regulations or a zoning code prohibition. Ordinance 565-C.S. extends the moratorium to November 20, 2007 or until staff completes a study on the matter.

The staff report was given after which Councilmember Huang moved to open the public hearing; seconded by Councilmember Baldwin. There being no objections, it was so ordered.

There being no one in the audience who wished to address the Council on this matter, Councilmember Baldwin adopt Ordinance 565-C.S.; seconded by Councilmember Costanzo. There being no objections, it was so ordered.

**RESOLUTION 06-41 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN GABRIEL, CALIFORNIA, PROVIDING FOR THEIR APPOINTMENT TO THE
OFFICES OF THIS CITY THAT WERE TO BE ELECTED ON TUESDAY, MARCH 6,
2007**

Resolution 06-41
Appointment of
Councilmembers Costanzo
& Huang to Serve as if
Elected and Cancel the
March 6, 2007 Election
Adopted

The regular general municipal election for the City of San Gabriel was scheduled to be held on Tuesday, March 6, 2007 at which time voters would elect two Members of the City Council. At the close of the nomination period, only the two incumbents had filed for office. In accordance with the California Elections Code, Resolution 06-41 has been prepared to appoint Juli Costanzo and Albert Y.M. Huang to serve as Members of the City Council and, further, cancel the March 6, 2007 election. Councilmembers Costanzo and Huang will serve as if elected.

The report was given after which Vice Mayor Sawkins moved to adopt Resolution 06-41; seconded by Mayor Gutierrez. The motion passed by a vote on the board of five yes.

**RENEWAL OF LICENSE AGREEMENT WITH SAN GABRIEL VALLEY MUSIC
THEATRE**

San Gabriel Valley Music
Theatre – License
Agreement Extention
Approved

San Gabriel Valley Music Theatre (SGVMT) has submitted a request to renew its License Agreement with the City that expires December 31, 2006.

The staff report was given after which Councilmember Costanzo moved to approve the License Agreement between the City of San Gabriel and San Gabriel Valley Music Theatre, Inc.; seconded by Vice Mayor Sawkins. There being no objections, it was so ordered.

**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

A. MINUTES OF REGULAR COUNCIL MEETING OF DECEMBER 5, 2006

Minutes Approved

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

Recommended Action: Approval

B. MATERIAL DEMANDS: 67676 – 67825 INCLUSIVE \$906,197.93

Material Demands
Approved

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

Recommended Action: Approval

C. RESOLUTION 06-40 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN GABRIEL, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING THE AMENDED AND RESTATED FLEXIBLE BENEFIT PLAN FOR CITY EMPLOYEES

Resolution 06-40
Flexible Benefit Plan
Amendment
Approved

Staff has reviewed the City’s Flexible Benefit Plan (CFBP) and prepared an amendment that will provide a two and one-half month grace period as it applies to the Dependent and Medical Reimbursement programs and, further, update the provisions of the CFBP to be consistent with current City practice and regulations.

Recommended Action: Adoption

D. ORDINANCE 562-C.S. - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN GABRIEL, STATE OF CALIFORNIA, ADOPTING A SPECIFIC PLAN FOR THE VALLEY BOULEVARD AREA (PLANNING CASE 04-132) ZONE CHANGE, AND ZONE TEXT AMENDMENTS

Ordinance 562-C.S.
Valley Boulevard Specific
Plan
Adopted

On December 5, 2006, a supplemental public hearing was being held regarding a portion of the proposed Valley Boulevard Specific Plan providing for a change in the land use designation for the properties located at 317 through 425 West Valley Boulevard from multi-family residential to mixed-use commercial. The City Council previously completed public hearings on the remainder of the Valley Boulevard Specific Plan and certified an environmental impact report concerning the plan. After conducting the supplemental public hearing, the Council approved Ordinance No. 562-C.S. on first reading. It is now being presented for adoption on second reading.

Recommended Action: That the City Council adopt Ordinance 562-C.S. on second reading.

Vice Mayor Sawkins moved to approve the consent calendar as presented; seconded by Councilmember Costanzo. The motion passed by a vote on the board of five yes.

COUNCIL COMMENTS AND CONFERENCE/MEETING REPORTS

Council Comments

Each Council Member addressed the Council and public on matters of general information and/or concern. Also, the Council gave reports on meetings they had attended.

ADJOURN COUNCIL MEETING AND RECONVENE AGENCY MEETING

Adjourn Agency Meeting &
Reconvene Council Meeting

At 8:54, Council/Agencymember Costanzo moved to adjourn and reconvene as indicated above; seconded by Vice Mayor/Vice Chair Sawkins. There being no objection, it was so ordered.

AGENCY MEETING

Agency Meeting

A. APPROVAL OF MINUTES OF DECEMBER 5, 2006

Minutes Approved

Agencymember Costanzo moved to approve the minutes as presented; seconded by Vice Chair Sawkins. There being no objection, it was so ordered.

B. PUBLIC COMMENT

Public Comment

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

ADJOURN AGENCY MEETING

Adjourn Agency Meeting

There being no further business to discuss, Agencymember Costanzo moved to adjourn; seconded by Agencymember Baldwin. There being no objections, the meeting adjourned at 8:55 p.m.

SAN GABRIEL REDEVELOPMENT AGENCY

SAN GABRIEL CITY COUNCIL

Cynthia A. Trujillo, Secretary

Cynthia A. Trujillo, C.M.C., City Clerk

David R. Gutierrez, Chair

David R. Gutierrez, Mayor