

**CITY OF SAN GABRIEL**  
**CITY COUNCIL/SUCCESSOR AGENCY TO THE**  
**SAN GABRIEL REDEVELOPMENT AGENCY**  
**REGULAR MEETING AGENDA**

**Tuesday, June 5, 2018 - 6:30 P.M.**

**City Hall Council Chamber**  
**425 South Mission Drive**  
**San Gabriel, California 91776**

John R. Harrington  
Mayor

Jason Pu  
Vice Mayor

Juli Costanzo  
Council Member

Chin Ho Liao  
Council Member

Denise Menchaca  
Council Member



Mark Lazzaretto  
City Manager

Keith Lemieux  
City Attorney

Julie Nguyen  
City Clerk

Kevin B. Sawkins  
City Treasurer

**Materials Available for Inspection.** The City Clerk's Department has on file copies of written documentation relating to each item of business on this Agenda available for public inspection. You may also view agenda items online at [www.sangabrielcity.com/agendacenter](http://www.sangabrielcity.com/agendacenter). Materials related to an item on this Agenda, submitted to the City Council after distribution of the Agenda packet, are available for public inspection at the meeting or in the City Clerk's Department, 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.

**Persons with Disabilities.** 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.

**Persons requesting a Translator.** Any person requesting translation for the meeting must notify the City Clerk's Department at (626) 308-2816 at least 48 hours before the meeting.

**Questions about this Agenda?** 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.

**NOTE: CITY HALL IS AN ACCESSIBLE FACILITY PER THE AMERICANS WITH DISABILITIES ACT.** Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such a request to the City Clerk's Department at (626) 308-2816 at least 48 hours before the meeting, if possible.

**City Council Meeting Agenda**  
**Tuesday, June 5, 2018**

- **CALL TO ORDER**
- **PLEDGE OF ALLEGIANCE LED BY:** Council Member Costanzo
- **ROLL CALL:** Mayor Harrington, Vice Mayor Pu, Council Members Costanzo, Liao, Menchaca

**1. APPROVAL OF AGENDA ORDER**

**2. PRESENTATIONS**

**3. PUBLIC COMMENT**

This is the time set aside for members of the public to address the City Council on items of interest that are not on the Agenda, but are within the subject matter jurisdiction of the San Gabriel City Council. Pursuant to the Brown Act, the City Council cannot answer any questions or take any action until such time as the matter may appear as an item on a future agenda.

In an effort to provide everyone with an opportunity to speak tonight, please be aware that all public comments will be limited to a maximum of three minutes. I will give you a 30 second warning as you approach the end of your time. As a reminder, please be respectful of all speakers regardless of the position they take on any items.

If you wish to address the City Council, please complete a speaker's request card and hand it to me before the start of the meeting. When speaking, please state your NAME for the record.

**4. CONSENT CALENDAR**

All items listed under the Consent Calendar are considered routine and recommendations will be approved in one motion unless a member of the City Council or audience requests separate discussion.

**A. MATERIAL DEMANDS**

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

Recommended Action: Approval

## **B. INVESTMENT REPORT**

This is a presentation of City Investments for the month of April 2018.

Recommended Action: Approval

## **C. ADOPTION OF RESOLUTION NO. 18-24 DELEGATION OF AUTHORITY TO EXECUTE ALL MASTER AND PROGRAM SUPPLEMENT AGREEMENTS WITH CALTRANS**

The City Council approves standard agreements with Caltrans for funding of projects in the City's Capital Improvement Program. Staff recommends Council adopt Resolution No. 18-24 delegating authority to the Mayor, City Manager, City Engineer or Director of Public Works to execute all Master and Program Supplement Agreements with Caltrans for all Federal and/or State funding programs.

Recommended Action:

Staff recommends that the City Council adopt Resolution No. 18-24 delegating authority to the Mayor, City Manager, City Engineer or Director of Public Works to execute all Master and Program Supplement Agreements with Caltrans for all Federal and/or State funding programs.

## **D. APPROVE SETTLEMENT AGREEMENT TO RESOLVE PUBLIC EMPLOYEE RELATIONS BOARD COMPLAINT BROUGHT FORTH BY MELISSA SAUCEDO**

On July 21, 2017, former San Gabriel Police Dispatcher Melissa Saucedo filed a complaint against the City of San Gabriel with the Public Employee Relations Board (PERB). On April 30, 2018, the City reached a Stipulation for Settlement (Stipulation) with Ms. Saucedo. Per the terms of the Stipulation, which are being incorporated to a Separation Agreement and General Release of Claims (Agreement), the City will pay \$115,000.00 to Ms. Saucedo.

To avoid additional costs and potential future litigation on this matter, staff is requesting that the City Council approve the attached Agreement in the amount of \$115,000.00 to resolve the PERB Complaint brought forth by Ms. Saucedo.

Recommended Action:

Staff recommends that the City Council approve the Separation and General

Release of Claims Agreement in the amount of \$115,000.00 to resolve the PERB Complaint brought forth by Ms. Saucedo.

**E. RESOLUTION AUTHORIZING L.A. COUNTY TO MAKE PAYMENT PURSUANT TO HEALTH AND SAFETY CODE SECTION 33607.5(b)**

The City of San Gabriel received a request from Los Angeles County Auditor-Controller for a resolution that authorizes the County to pay the City of San Gabriel its share of the tax increment as described in Health & Safety Code Section 33607.5(b).

Approval of Resolution 18-26 will respond to the County of Los Angeles' request and provided and the authorization for the payments of tax increment to the City of San Gabriel.

Recommended Action:

Staff recommends approval of Resolution No. 18-26 making an election to receive payments pursuant to Health and Safety Code Section 33607.5 (b) for the East San Gabriel Commercial Development Project Area.

**F. POLICE DEPARTMENT PURCHASE OF FRONTLINE VEHICLES (CITY COUNCIL AWARD)**

There are three 2015 Ford Explorers assigned to the San Gabriel Police Department's Patrol Division fleet, as well as two 2007 Ford Crown Victorias and one 2008 Dodge Charger assigned as unmarked units. All of these vehicles have been budgeted for replacement. Two of the 2015 Ford Explorers will be replaced with the purchase of two new Ford Explorer Police Interceptor Utility vehicles to be used as primary units. The three old unmarked units will be replaced by three new Ford Taurus Police Interceptor sedans. A fourth Ford Taurus will be utilized as a Citizen Volunteer vehicle. This staff report is to request that City Council approve the amount of \$138,828.41 to purchase six new Ford Police Interceptor vehicles.

Recommended Action:

Staff recommends that the City Council authorizes the Chief of Police to purchase the vehicles as listed in the attached quotations for an amount not to exceed \$138,828.41 (tax and tire fee included) and should be drawn from Capital and Special Projects account #122-751-37-99-201.

## **G. APPOINTMENTS TO THE CITY'S COMMISSIONS**

The City solicited applications for the vacancies in various commissions. This includes the Civil Service Commission, Community Services Commission, Design Review Commission, Historical Preservation and Cultural Resource Commission, and Planning Commission. The City Council is responsible for appointing Commissioners on various commissions to serve a two-year term beginning June 2018 and ending at the end of May 2020.

### Recommended Action:

Staff recommends that the Council approve the appointments recommended by the Mayor.

## **H. AMENDMENT TO CONTRACT FOR LEGAL SERVICES WITH THE LAW FIRM OF OLIVAREZ, MADRUGA, LEMIEUX AND O'NEILL**

Work performed by the law firm of Olivarez, Madruga, Lemieux and O'Neill, as City Attorney has proven to be more demanding than was anticipated at the time of hiring. Through this resolution, the City seeks to amend this legal services agreement to provide for the correct level of service.

### Recommended Action:

Staff recommends that the City Council approve of Resolution No. 18-27 approving a revised contract for legal services.

## **5. PUBLIC HEARING**

### **A. INTRODUCE ORDINANCE NO. 644-C.S. – ZONE TEXT AMENDMENT (ZTA) FOR THE DEVELOPMENT OF ACCESSORY DWELLING UNITS (ZTA17-002)**

In 2016-2017, Governor Brown signed multiple bills (SB 1069, AB 2299, AB 2406, SB 229, and AB 494) into effect that amended Government Code 65852.2 to help alleviate California's housing crisis by limiting the regulatory barriers cities may impose that prevent the construction of Accessory Dwelling Units (ADUs). Any existing local agency's second residential unit ordinance would become null and void if not in full compliance with the new State law. As a result, the Planning Division recommends the City adopt a new ordinance in order to be consistent with State ADU law.

Recommended Action:

Staff recommends that City Council introduce for first reading by title only Ordinance No. 644-C.S., amending Chapter 153 of the San Gabriel Municipal Code (Zoning Code) in order to modify definitions, allowable residential uses, and establish standards for the development of ADUs in residential zones, consistent with State Law; Waive further reading of Ordinance No. 644-C.S.; and Schedule the second reading and adoption of Ordinance No. 644-C.S. for June 19, 2018.

## **6. NEW BUSINESS**

### **A. POTENTIAL CODE AMENDMENT REGARDING CHARITY "GAMES"**

Charity events including "games" (e.g. poker nights, carnival games, and bingo) are currently addressed in the Municipal Code in ways that may be considered unnecessarily prohibitive, or confusing as a result of provisions that are scattered in different parts of the Code.

The Code currently prohibits casino/poker nights. If the City Council desires to amend the Code to allow non-profit organizations to conduct such game nights, then staff recommends using the Code Amendment to also clarify, elaborate, and consolidate the City's regulation of poker nights with other charity gaming events, such as carnivals and bingo, and ensure that such events comply with State law.

Recommended Action:

The City Attorney's office is prepared to work with other City departments and prepare a Proposed Code Amendment that consolidates the regulations of charity poker nights, carnivals, and bingo.

Among the recommendations:

- Place the Code Amendment in Chapter 116 (Entertainment, Amusements and Games) of TITLE XI (Business Regulations).
- Require Temporary Use Permits for certain events, to be approved administratively by the Community Development Director or designee with input from the City Manager and the departments of Police, Fire, and Finance. Decisions may be appealed to the Planning Commission.
- The Community Development Director shall prescribe the Temporary Use Permit application and submittal checklist and may promulgate

rules and procedures (or revise existing materials). Discuss whether Planning Commission input is needed.

- With respect to Temporary Use Permit application submittal deadlines (prior to event), amend the Code and/or revise written procedures to ensure City staff and decision-makers have adequate time for review.
- Conditions of approval of Temporary Use Permits may address or specify dates and hours, the games allowed, and issues such as traffic and parking, alcohol, conflict with other events in the City, and compliance with State law.
- Compliance with Code § 110.12 (exempt business licenses\_ regarding percentage of gross receipts derived from such event or activity devoted to charitable, philanthropic, educational or religious purposes.
- Ensure compliance with State law.

## **7. SUCCESSOR AGENCY ITEMS**

### **A. RESOLUTION NO. 18-01 A RESOLUTION OF THE SUCCESSOR AGENCY TO THE SAN GABRIEL REDEVELOPMENT AGENCY REQUESTING THE OVERSIGHT BOARD TO APPROVE DISSOLUTION OF THE AGENCY AND APPROVING THE ASSIGNMENT OF A DEED OF TRUST TO EFFECTUATE THE DISSOLUTION**

The Redevelopment Dissolution Law provides for dissolution of the Successor Agency once all recognized obligations have been paid, all real property disposed of and all litigation resolved. The Successor Agency has completed those tasks and Resolution No. 18-01 commences the dissolution process by requesting the Oversight Board to authorize dissolution. The Resolution also makes provision for disposing of the Successor Agency's last remaining asset to complete the dissolution process.

#### Recommendation Action:

Staff recommends that the Successor Agency adopt Resolution No. 18-01 requesting the Oversight Board to approve dissolution of the Successor Agency and authorizing the assignment of the Successor Agency's last remaining asset, a note and deed of trust executed by Lucky Center, LLC.

## **8. PUBLIC COMMENTS**

## **9. CITY MANAGER ITEMS**

## **10. COUNCIL COMMENTS AND CONFERENCE/MEETING REPORTS**

Each Council Member may address the City 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.

## **11. CLOSED SESSION**

None.

## **12. ADJOURN COUNCIL MEETING**

The next Regular City Council meeting will be held on Tuesday, June 19, 2018 at 6:30 p.m. in the Council Chamber at City Hall, 425 South Mission Drive, San Gabriel, California. Information regarding matters to be considered at each meeting will be available on the Friday before the City Council Meeting on the City's website at [www.sangabrielcity.com](http://www.sangabrielcity.com).