

**MINUTES
REGULAR MEETING
OF THE SAN MARINO CITY COUNCIL
JANUARY 13, 2016 - 6:00 P.M.**

CALL TO ORDER Mayor Allan Yung called the meeting to order at 6:04 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL **PRESENT:** Councilman Huang, Councilman Talt, Councilman Ward, Vice Mayor Sun, and Mayor Yung

PUBLIC COMMENTS

There were no public comments at this time.

MOTION TO WAIVE FURTHER READINGS

Councilman Steven Huang moved to waive the reading of the entire text of ordinances and resolutions; seconded by Vice Mayor Richard Sun. The motion carried unanimously by the following vote: AYES: Councilman Steven Huang, Councilman Steve Talt, Councilman Richard Ward, Vice Mayor Richard Sun, and Mayor Allan Yung. NOES: None.

PRESENTATIONS

1. PRESENTATION REGARDING THE LACY PARK PLAYGROUND IMPROVEMENT PROJECT (AKA "PATRICK'S TREE")

Danielle Martin and Colleen Martin McGuiness presented a check for \$104,790 to the City for the Patrick's Tree/Lacy Park Playground Improvement Project.

2. RECOGNITION OF COMMITTEE OF SAN MARINO RESIDENTS FOR MEASURES U AND SA

Mayor Allan Yung presented the certificates of recognition to committee members: Jerry Hawk, Mort Mortimer, Tom Santley, Linda Sun, Lee Baca, Kathryn Barger-Leibrich, Dan Biles, Wayne Carter, Brent Chang, Jennifer Chen, Doris Christensen, Louise Cook, Hilary Dorsey, Sally Fadley, Corinne Hawk, Calvin Lo, Pete Loeffler, Dick Pearson, David Stuteville, Ken Ude, and David Wang.

There being no objection, the Mayor moved to Item 4 on the agenda.

OATH OF OFFICE

4. INTRODUCTION AND OATH OF OFFICE OF MARIO RUEDA, FIRE CHIEF

City Manager John Schaefer Sun introduced new Fire Chief Mario Rueda, who was administered the oath of office by the City Clerk.

3. PRESENTATION ON 710 BY LEE DOLLEY - SPECIAL COUNSEL OF ALHAMBRA

A presentation on the 710 North Study and an evaluation of the draft environmental impact report was given by Special Counsel for the City of Alhambra Lee Dolley, and Traffic Engineer Pat Gibson of Gibson Transportation Consulting.

The following person(s) spoke:

Gene Ruckh, San Marino
Stephanie Johnson

CONSENT CALENDAR

Councilman Steven Huang moved to adopt the Consent Calendar consisting of Items 6, 7, 8, 9, 11, 12, 13, and 14; seconded by Vice Mayor Richard Sun. Following a roll call, the motion carried unanimously by the following vote: AYES: Councilman Steven Huang, Councilman Steve Talt, Councilman Richard Ward, Vice Mayor Richard Sun, and Mayor Allan Yung. NOES: None.

6. NOVEMBER 2015 TREASURER'S REPORT

Accept and file the Treasurer's Report for the period ending November 30, 2015.

7. APPROVAL OF MINUTES

Approve the Minutes of the Regular Meetings of November 12, 2015 and December 9, 2015.

8. AN ORDINANCE OF THE CITY OF SAN MARINO REVISING ZONING STANDARDS FOR MASSAGE THERAPY ESTABLISHMENTS (SECOND READING), AND AMENDING THE SAN MARINO MUNICIPAL CODE, AND AN ORDINANCE OF THE CITY OF SAN MARINO REVISING REGULATIONS APPLICABLE TO MASSAGE SERVICES AND BUSINESSES, AND AMENDING THE SAN MARINO CITY CODE (SECOND READING)

Adopt Ordinance No. O-15-1303 and Ordinance No. O-15-1304 on second reading.

9. CHINESE CLUB DONATION

Authorize the City Manager to transfer the San Marino Chinese Club's \$2,500.00 donation from the city's revenue account to the fire department's #281-34-4376-0000 account for the purchase of additional CERT equipment.

11. **RESOLUTION R-16-01 - DESIGN REVIEW NO. DRC15-09, (2793 GAINSBOROUGH DRIVE)**
Approve Resolution R-16-01.
12. **REPORT ON CHARTER CITIES**
Receive and file.
13. **ORDINANCE O-15-1301 ADDING THE 4TH LEVEL SURVIVOR BENEFIT TO THE MISCELLANEOUS EMPLOYEES CONTRACT (SECOND READING)**
Adopt Ordinance No. O-15-1301.
14. **AWARD OF CONTRACT RELATED TO THE OLD MILL RESTORATION GRANT**
1) Reject the original bid submittal of \$209,800 from Eagle Restoration of Arcadia, CA for the Old Mill Restoration Project; and 2) award contract services to Eagle Restoration of Arcadia, CA in the amount of \$110,000 with an additional \$2,964 for contingencies for the Old Mill Restoration Project.

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION

5. DECEMBER 2015 DISBURSEMENT REPORTS

Councilman Richard Ward moved to ratify and file the Disbursement Reports for the period ending December 31, 2015; seconded by Councilman Steven Huang. Following a roll call, the motion carried unanimously by the following vote: AYES: Councilman Steven Huang, Councilman Steve Talt, Councilman Richard Ward, Vice Mayor Richard Sun, and Mayor Allan Yung. NOES: None.

10. REJECTION OF ALL BIDS FOR THE LACY PARK RESTROOM PROJECT (N-15-27)

Assistant City Manager Lucy Garcia presented the staff report.

The following person(s) spoke:

Gene Ruckh, San Marino

Vice Mayor Richard Sun moved to reject all bids received for the Lacy Park Restroom Project (N-15-27); seconded by Councilman Steve Talt. Following a roll call, the motion carried unanimously by the following vote: AYES: Councilman Steven Huang, Councilman Steve Talt, Councilman Richard Ward, Vice Mayor Richard Sun, and Mayor Allan Yung. NOES: None.

15. ACCEPTANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION FOR THE HUNTINGTON DRIVE TREE IRRIGATION RETROFIT PROJECT

Assistant City Manager Lucy Garcia presented the staff report and provided an explanation of the fiscal impact of the project.

Vice Mayor Richard Sun moved to accept the Huntington Drive Tree Irrigation Retrofit Project as complete and authorize the City Clerk to file the Notice of Completion; seconded by Councilman Richard Ward. Following a roll call, the motion carried unanimously by the following vote: AYES: Councilman Steven Huang, Councilman Steve Talt, Councilman Richard Ward, Vice Mayor Richard Sun, and Mayor Allan Yung. NOES: None.

16. ACCEPTANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION FOR THE LACY PARK LOOP ROAD REHABILITATION PROJECT (PROJECT NO. 3350)

The City Council stated their concerns regarding the appropriations that were made to complete this project.

Assistant City Manager Lucy Garcia presented the staff report and provided an explanation of the unforeseen challenges that impacted the project costs.

The City Council directed staff to keep them informed of such project change orders in the future so they may make any necessary appropriations.

Councilman Steve Talt moved to accept the Lacy Park Loop Road Rehabilitation Project as complete and authorize the City Clerk to file the Notice of Completion; seconded by Councilman Steven Huang. Following a roll call, the motion carried unanimously by the following vote: AYES: Councilman Steven Huang, Councilman Steve Talt, Councilman Richard Ward, Vice Mayor Richard Sun, and Mayor Allan Yung. NOES: None.

NEW BUSINESS

17. REVIEW COUNCIL DELEGATE AND ALTERNATE LIST AND APPOINT COUNCIL LIAISONS TO THE VARIOUS LOCAL AND REGIONAL COMMISSIONS AND COMMITTEES

Vice Mayor Richard Sun moved to approve the Council List of Delegates and Alternates to agency boards, commissions, and City activities for 2016; second by Councilman Richard Ward. The motion carried unanimously by the following vote: AYES: Councilman Steven Huang, Councilman Steve Talt, Councilman Richard Ward, Vice Mayor Richard Sun, and Mayor Allan Yung. NOES: None.

18. AWARD OF CONTRACT – CITYWIDE RECORDS MANAGEMENT PLAN AND RETENTION SCHEDULE

City Clerk Veronica Ruiz presented the staff report.

Vice Mayor Richard Sun moved to award the contract for the Citywide Records Management Plan and Retention Schedule to Kaizen InfoSource and appropriate an additional \$24,000 to Account #101-07-4150-0000 to complete the project; seconded by Councilman Richard Ward. Following a roll call, the motion carried unanimously by the following vote: AYES: Councilman Steven Huang, Councilman Steve Talt, Councilman Richard Ward, Vice Mayor Richard Sun, and Mayor Allan Yung. NOES: None.

PUBLIC HEARINGS

19. ADOPTION OF ORDINANCE NO. O-16-1305-U EXTENDING O-15-1302-U PROHIBITING ALL COMMERCIAL MEDICAL MARIJUANA USES IN THE CITY, INCLUDING DELIVERIES AND CULTIVATION FOR MEDICAL USE BY A QUALIFIED PATIENT OR PRIMARY CAREGIVER, APPROVAL OF A CATEGORICAL EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL ACT AND ADOPTION OF A GOVERNMENT CODE SECTION 65858(d) REPORT

Police Chief John Incontro presented the staff report.

Mayor Allan Yung opened the hearing for public comment.

Hearing no public comment, the Mayor closed the public hearing.

Councilman Steven Huang moved to approve the findings contained in the staff report and Ordinance No. O-16-1305-U, approve the Government Code Section 85858(d) report, find that Ordinance No. O-16-1305-U is categorically exempt from the California Environmental Quality Act as stated in the Ordinance, and adopt Ordinance No. O-16-1305-U extending ordinance No. O-15-1302-U for 22 months and 15 days; seconded by Councilman Steve Talt. Following the reading of the title of the Ordinance into the record by the City Clerk and a roll call, the motion carried unanimously by the following vote: AYES: Councilman Steven Huang, Councilman Steve Talt, Councilman Richard Ward, Vice Mayor Richard Sun, and Mayor Allan Yung. NOES: None.

WRITTEN COMMUNICATIONS

There were no written communications at this time.

COUNCIL REPORTS

Councilman Steven Huang reported working with staff on creating a form and a checklist for applicants of projects requiring DRC, Planning Commission, or City Council approval.

Councilman Steve Talt reported on the joint meeting with the Design Review Committee that took place earlier in the evening, in which staff was directed to work on some procedural changes/code amendments including a requirement that notice of any continued hearing be provided in the same manner notice was provided for the original hearing, and a requirement that a detailed streetscape plan, with a street elevation of the residences immediately next to and behind the subject residence, be submitted for a new residence or addition of a second story to an existing one story residence.

Councilman Steve Talt reported that he and the Mayor attended a meeting with the new Board of the Chinese Club. He also reported that he and the Mayor attended the first meeting of the ad hoc committee to review the Administration and Parks and Public Works Departments.

Councilman Steven Huang reported an interest discussing installing license plate cameras at the major intersections as well as videotaping the City's public meetings.

CITY MANAGER'S REPORT

City Manager John Schaefer reported attending a meeting of the Pasadena/San Marino Woman's Club in which they presented a check to the Library and toward the purchase of a park bench and plaque.

PUBLIC WRITINGS DISTRIBUTED

There were no public writings at this time.

PUBLIC COMMENTS

The following person(s) spoke:

Gene Ruckh, San Marino, commented on records retention, the school bond issue, change orders, establishing an environmental impact fee on the Huntington Library, and public pensions (*submitted documents*).

John Dustin, San Marino, commented on the posting of the Design Review Committee minutes on the City website.

CLOSED SESSION

The City Council recessed to Closed Session at 8:15 p.m. to:

- 20. CONFERENCE WITH LABOR NEGOTIATOR—PURSUANT TO GOVERNMENT CODE SECTION 54957.6:**

Agency Negotiator: City Manager, John Schaefer
Employee Organization: San Marino Fire Fighters' Association

RECONVENE TO OPEN SESSION

Council reconvened to open session at 8:25 p.m.

CLOSED SESSION REPORT

There was no reportable action.

ADJOURNMENT

The San Marino City Council adjourned at 8:27 p.m. to an adjourned regular meeting to be held on **WEDNESDAY, JANUARY 20, 2016, at 6:00 P.M.** in the San Marino Center (Fireside Room), 1800 Huntington Drive, San Marino, California.



VERONICA RUIZ, CMC
CITY CLERK