

**MINUTES
ADJOURNED REGULAR MEETING
OF THE SAN MARINO CITY COUNCIL
MAY 27, 2016 – 8:00 A.M**

CALL TO ORDER Mayor Allan Yung called the meeting to order at 8:00 a.m.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENTS

The following person(s) spoke:

Dominic Peta, San Marino Fire Fighter/Paramedic, commented on staffing in the Fire Department.

Ann Ettinger, San Marino, commented on cell towers located on San Marino Unified School District property.

MOTION TO WAIVE FURTHER READINGS

Vice Mayor Richard Sun moved to waive the reading of the entire text of ordinances and resolutions; seconded by Councilman Steven Huang. 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.

STUDY SESSION

1. FISCAL YEAR 2016-2017 BUDGET REVIEW

City Manager John Schaefer presented the proposed fiscal year 2016-17 budget requests and asked the City Council to provide direction regarding any modifications before staff presents the final version for formal approval at the June 8, 2016 City Council meeting.

It was the consensus of Council to increase the overtime in the Fire Department budget from \$183,000 to \$230,000, with the understanding that sometimes the engine would operate with three fire fighter/paramedics.

It was the consensus of Council to keep the two additional analyst positions in the Administration and Recreation Department budgets as recommended by the City Manager.

It was the consensus of Council to keep the three police vehicles and one park dump truck in the Police and Park Department budgets.

It was the consensus of the Council to remove the \$5,000 for the Police Department bathroom remodel and the \$15,000 in jail remodeling costs from the Police Department budget, but keep the \$45,000 for removal and remodel of the two jail holding cells.

Following discussion by Council, staff was directed to return with the final version of the budget for formal approval at the June 8, 2016 City Council meeting with a slide for each department which would include the allocation for the fiscal year, what is being added in the 2016-17 fiscal year, and a list in red noting the items that did not get approved in the 2016-17 fiscal year.

At this time the Mayor re-opened public comments.

The following person(s) spoke:

Nathan Foth, San Marino Fire Fighter/Paramedic, commented on staffing and overtime in the Fire Department.

Hal Harrigan, La Mirada, commented on pension costs.

Gene Ruckh, San Marino, commented on monetization of the debt, implementing a volunteer stand-by fire department, and zero-based budgeting.

Mayor Yung left the meeting at 10:09 a.m., and returned at 10:12 a.m.

Councilman Huang left the meeting at 10:10 a.m., and returned at 10:15 a.m.

2. DISCUSSION REGARDING WATER EFFICIENCY LANDSCAPE ORDINANCE

Associate Planner Amanda Merlo presented the staff report.

The following person(s) spoke:

Gene Ruckh, San Marino

Vice Mayor Richard Sun moved to direct staff to proceed with the adoption process for the proposed updated Water Efficient Landscape Ordinance that is required by the State and waive the \$100 staff review fee for voluntary landscape upgrades; seconded 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.

CONSENT CALENDAR

Councilman Richard Ward moved to adopt the Consent Calendar consisting of Items 3, 4, 5, and 6; 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.

3. **APRIL 2016 TREASURER'S REPORT**
Accept and file the Treasurer's Report for the period ending April 30, 2016.
4. **ACCEPTANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION FOR THE LACY PARK PLAYGROUND IMPROVEMENTS (PATRICK'S TREE) - PROJECT NO. 6053**
Accept the Lacy Park Playground Project (Patrick's Tree) as complete and authorize the City Clerk to file the Notice of Completion.
5. **AWARD OF BID – STREET RESURFACING PROJECT AT VARIOUS LOCATIONS, NIB # N-16-04 (PROJECT NOS. 9507, 7921, AND 9361)**
1) Award the bid for the Street Resurfacing Project at Various Locations, NIB #N-16-04 for Project Nos. 9507, 7921, and 9361 to E.C. Construction Co. of South El Monte, California in the amount of \$531,411.94, and 2) direct the City Manager to transfer appropriations from account number 394-48-4600-7225 to account number 394-48-4600-9361 in the amount of \$46,123.
6. **SECOND YEAR CONTRACT EXTENSION WITH D.H. MAINTENANCE SERVICES FOR PROFESSIONAL JANITORIAL SERVICES FOR VARIOUS CITY BUILDINGS**
Authorize the City Manager to extend the Agreement with D.H. Maintenance Services of Oceanside, California through June 30, 2017 for Professional Janitorial Services for Various City Buildings for a total budget of \$79,917.76.

At 10:30 a.m., Vice Mayor Richard Sun recused himself from the public hearing item and left the meeting.

City Attorney Peter Thorson stated that Vice Mayor Richard Sun lives within 500 feet of the subject property and is not allowed to participate in the discussion.

PUBLIC HEARING

7. **CONTINUED PUBLIC HEARING ON THE APPEAL OF THE REQUEST TO EXTEND THE EXPIRATION DATE OF BUILDING PERMITS AND PROJECT COMPLETION DATE FOR 1001 ROSALIND ROAD, (ZHONG)**

Planning and Building Director Aldo Cervantes presented the staff report and outlined the revised conditions to extend the expiration dates of the building permits. Mr. Cervantes noted that he would like to add a further condition to require the property owner to have a dedicated project manager at the site. He also suggested expanding condition #9 to require a performance bond of \$1 million from the property owner as an assurance that the project is completed on time.

Councilman Ward left the meeting at 10:43 a.m., and returned at 10:46 a.m.

Mayor Allan Yung opened the hearing for public comment.

Kate Harvey, Landscape Architect for the 1001 Rosalind Road project, gave an overview of the landscape plan.

Attorney John Schroeder, representing the property owners of 1001 Rosalind Road, stated that the recorded property owner is an LLC. Mr. Schroeder stated that he would work with the property owners to comply with all of the proposed conditions and asked the City Council to deny the appeal.

Resident Zehra Sun commented in support of the project.

Resident Quan Yu commented on the project and neighborhood relationships.

Attorney Christopher Norgaard, representing appellants the Jones and Lam families whose properties adjoin 1001 Rosalind Road, spoke in support of the appeal of the decision of the Planning Commission and urged the City Council to uphold the appeal.

Appellant Jeff Jones commented in opposition to the project and asked the City Council to approve the appeal with the stipulations that all entitlements and CUP's be revoked, and that the project be required to go through the proper procedures for 2016 approvals.

Councilman Talt left the meeting at 11:54 a.m., and returned at 11:56 a.m.

John Hicks, representing the Lam family, spoke on the landscaping plan. Mr. Hicks read a written statement from the Lam family requesting that the City Council to uphold the appeal and revoke the existing permits.

Attorney John Schroeder provided a rebuttal to the public comments.

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

Following discussion by Council, Councilman Richard Ward moved to deny the appeal and uphold the Planning Commission's decision to extend both building permits to June 30, 2017, with the revised conditions listed in the staff report and the two additional conditions proposed by the Planning Director to require the property owner to have a dedicated project manager at the site and expand condition #9 to require a performance bond of \$1 million from the property owner as an assurance that the project is completed on time; seconded by Mayor Allan Yung with an amendment to the motion to increase the penalty fees listed in condition #9 to \$20,000 for the 1st month, \$50,000 for the 2nd month, and \$100,000 for the 3rd month, and \$2,000 for each day after the 3rd month. Councilman Ward accepted the amendment to the motion. Following a roll call, the motion passed 3-1 by the following vote: AYES: Councilman Steve Talt, Councilman Richard Ward and Mayor Allan Yung. NOES: Councilman Steven Huang. ABENT: Vice Mayor Richard Sun.

At 12:40 p.m., Vice Mayor Richard Sun returned to the meeting.

CONTINUED BUSINESS

8. REVIEW OF MAKING SAN MARINO BETTER LIST

PUBLIC COMMENTS

The following person(s) spoke:

Gene Ruckh, San Marino, commented on overtime pay, insurance for paramedic service, police bureaucracy, and the Police Department jail remodel.

Mark Phillips, San Marino Fire Deputy Chief, commented on maintaining four Fire Fighters on an engine.

CLOSED SESSION

The City Council recessed to Closed Session at 12:48 p.m. to:

9. CONFERENCE WITH LABOR NEGOTIATOR—PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

Agency Negotiator: Attorney, Steve Filarsky
City Manager, John Schaefer

Employee Organization: San Marino Fire Fighters' Association

10. CONFERENCE WITH LABOR NEGOTIATOR—PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

Agency Negotiator: Attorney, Steve Filarsky
City Manager, John Schaefer

Employee Organization: San Marino Police Officers' Association

11. CONFERENCE WITH LABOR NEGOTIATOR – PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

Agency Negotiator: Attorney, Steve Filarsky
City Manager, John Schaefer

Employee Organization: San Marino City Employees' Association
representing General Employees

RECONVENE TO OPEN SESSION

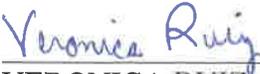
Council reconvened to open session at 1:15 p.m.

CLOSED SESSION REPORT

Regarding Items 9, 10, and 11, the Council provided direction to the agency negotiator and there was no reportable action.

ADJOURNMENT

The San Marino City Council adjourned at 1:16 p.m.



VERONICA RUIZ, CMC
CITY CLERK