

**MINUTES
REGULAR MEETING
OF THE SAN MARINO CITY COUNCIL
JANUARY 11, 2017 - 6:00 P.M.**

CALL TO ORDER: Mayor Richard Sun called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENTS

There were no public comments at this time.

MOTION TO WAIVE FURTHER READINGS

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

CONSENT CALENDAR

Vice Mayor Richard Ward moved to adopt the Consent Calendar consisting of Items 2, 3, 5, 7, and 8; 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 Allan Yung, Vice Mayor Richard Ward, and Mayor Richard Sun. **NOES:** None.

2. **TREASURER'S REPORT FOR THE MONTH OF NOVEMBER, 2016**
Accept and file the Treasurer's Report for the period ending November 30, 2016.

3. **ORDINANCE NO. O-16-1312 (2ND READING) REGARDING UNINHABITATED RESIDENTIAL PROPERTY ORDINANCE**
Approve and adopt on 2nd reading Ordinance No. O-16-1312 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARINO AMENDING THE SAN MARINO CITY CODE TO ESTABLISH REGULATIONS FOR UNINHABITED RESIDENTIAL PROPERTY.

5. **REQUEST FOR THE CITY COUNCIL'S VOTE FOR ROSEMEAD COUNCIL MEMBER MARGARET CLARK TO THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY BOARD OF DIRECTORS**
Vote in favor of Rosemead City Council Member Margaret Clark to the San Gabriel Basin Water Quality Authority and adopt Resolution No. R-17-01, A

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARINO CASTING ITS VOTE FOR COUNCIL MEMBER MARGARET CLARK TO REPRESENT CITIES WITHOUT PRESCRIPTIVE PUMPING RIGHTS ON THE BOARD OF THE SAN GABRIEL WATER QUALITY AUTHORITY.

7. APPROVAL OF NEW CONCESSION AGREEMENT AND RULES GOVERNING THE TENNIS FACILITY WITH THE SAN MARINO TENNIS FOUNDATION

Authorizing the City Manager to execute the Tennis Concession Agreement and the Rules Governing the Use of the Tennis Facility by the San Marino Tennis Foundation through December 2024.

8. SAN MARINO SCHOOLS FOUNDATION BANNER PROPOSAL FOR 2017

Approve the San Marino Schools Foundation's request for banners from March 2017 through May 2017.

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION

1. DISBURSEMENTS REPORT FOR THE MONTH OF DECEMBER 2016

Councilman Steve Talt moved to continue the item to the February 8, 2017 City Council Meeting; 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 Allan Yung, Vice Mayor Richard Ward, and Mayor Richard Sun. NOES: None.

6. CITY MANAGER RECRUITMENT

Interim City Manager Cindy Collins presented the staff report.

Councilman Allan Yung moved to (1) direct staff to release the RFP to solicit responses for a professional recruiting firm to conduct the search for the City Manager position; and (2) approve the Mayor and Vice Mayor to serve as the Ad Hoc Committee to select the recruiting firm and make recommendation for full City Council approval; seconded by Vice Mayor Richard Ward. The motion carried unanimously by the following vote: AYES: Councilman Steven Huang, Councilman Steve Talt, Councilman Allan Yung, Vice Mayor Richard Ward, and Mayor Richard Sun. NOES: None.

4. ISSUANCE OF REPORT PURSUANT TO GOVERNMENT CODE SECTION 65858(d) REGARDING EXTENSION OF INTERIM ORDINANCE O-16-1317-U REGULATING ACCESSORY DWELLING UNITS

The following person(s) spoke:
Dennis Kneier, San Marino

Gene Ruckh, San Marino
Dale Pederson, San Marino
Claire Thoke, San Marino

Councilman Steve Talt moved to issue the Government Code Section 65858(d) report; seconded by Vice Mayor Richard Ward. The motion carried unanimously by the following vote: AYES: Councilman Steven Huang, Councilman Steve Talt, Councilman Allan Yung, Vice Mayor Richard Ward, and Mayor Richard Sun. NOES: None.

NEW BUSINESS

9. AD HOC COMMITTEE EVALUATION AND SUMMARY PRESENTATION

Mayor Richard Sun thanked the citizen advisors for all of their hard work.

The following person(s) spoke:
Susan Jakuboski, San Marino

Councilman Steve Talt moved to accept the evaluation summary and continue the discussion until the City Council has had an opportunity to get the staff's and public's comments; seconded by Councilman Allan Yung. The motion carried unanimously by the following vote: AYES: Councilman Steven Huang, Councilman Steve Talt, Councilman Allan Yung, Vice Mayor Richard Ward, and Mayor Richard Sun. NOES: None.

10. COUNCIL LIST OF DELEGATES AND ALTERNATES TO LOCAL AND REGIONAL COMMISSIONS AND COMMITTEES

Councilman Steve Talt moved to approve the Council List of Delegates and Alternates to agency boards, commissions and City activities for 2017; seconded by Councilman Allan Yung. The motion carried unanimously by the following vote: AYES: Councilman Steven Huang, Councilman Steve Talt, Councilman Allan Yung, Vice Mayor Richard Ward, and Mayor Richard Sun. NOES: None.

11. LA COUNTY FIRE PARAMEDIC AGREEMENT

Fire Chief Mario Rueda presented the staff report.

The following person(s) spoke:
Gene Ruckh, San Marino

Vice Mayor Richard Ward moved to authorize the City Manager to execute the paramedic revenue recovery service agreement between the City of San Marino and Los Angeles County Fire Department; 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 Allan Yung, Vice Mayor Richard Ward, and Mayor Richard Sun. NOES: None.

12. RESOLUTION NO. 17-03 FOR EXCEPTION TO THE 180-DAY PERIOD AND CERTIFYING A CRITICAL NEED FOR AN INTERIM FIRE DEPUTY CHIEF AND AUTHORIZING AN EMPLOYMENT CONTRACT

Interim City Manager Cindy Collins that this item be pulled and suspended until a later date.

Item 12 was pulled.

PUBLIC HEARINGS

13. CONTINUED PUBLIC HEARING: DESIGNATION OF HISTORICAL LANDMARK – 1470 VIRGINIA ROAD, (JAGELS)

Assistant Planner Eva Choi presented the staff report.

Mayor Richard Sun opened the hearing for public comment.

Resident Shirley Jagels spoke in favor of the designation of historical landmark and stated that the City's report confirms that the property is an historic landmark.

Resident Dennis Kneier spoke in opposition to the historic designation and stated that the homeowners should be the ones to request historic designation.

Attorney Richard McDonald, representing the property owner, spoke in opposition to the designation.

Christine Lazzaretto, Historic Resources Group, addressed the City Council and stated that her historic resources assessment was not able to conclude that the house is eligible for designation.

Rob Tyler, Tyler Gonzalez Architects, addressed the City Council regarding the property.

Attorney Richard McDonald, representing the property owner, requested that the petition be denied.

Dan Ryan, Historic Preservation Services, recommended the City Council designate 1470 Virginia Road an historic landmark.

Resident Dale Pederson spoke in favor of the designation of 1470 Virginia Road as an historical landmark.

Resident Laurie Barlow spoke in favor of the designation of 1470 Virginia Road as an historical landmark.

Resident Michele Lumley requested a copy of the documents she gave to Council.

Resident Fran Benuska spoke in favor of the designation of 1470 Virginia Road as an historical landmark.

Resident Shirley Jagels addressed the Council again in support of the designation of 1470 Virginia Road as an historical landmark

Resident Jerry Hawk addressed the Council and stated that he was a member of the General Plan Steering Committee in 2003, and that Section 3.2.24 of the Plan requires that any designation be approved by the property owner.

Resident Donald Dice addressed the Council regarding teardowns.

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

Councilman Steve Talt moved to approve the request to designate 1470 Virginia Road as a local historical landmark based on findings of the property's role during the formation and existence of the City, and direct staff to return with a resolution reflecting Council's action; seconded by Councilman Steven Huang. Following a roll call, the motion failed 2-3 by the following vote: AYES: Councilman Steven Huang, Councilman Steve Talt. NOES: Councilman Allan Yung, Vice Mayor Richard Ward, and Mayor Richard Sun.

Councilman Allan Yung moved to deny the request to designate 1470 Virginia Road as a local historical landmark under City Code Chapter 2, Article 12, and direct staff to return with a resolution reflecting the Council's direction; seconded by Vice Mayor Richard Ward. Following a roll call, the motion carried 3-2 by the following vote: AYES: Councilman Allan Yung, Vice Mayor Richard Ward, and Mayor Richard Sun. NOES: Councilman Steven Huang, and Councilman Steve Talt.

Mayor Sun called for a recess at 7:15 p.m.

Mayor Sun reconvened the meeting at 7:25 p.m.

14. CONTINUED PUBLIC HEARING: APPEAL OF THE PLANNING COMMISSION DECISIONS OF DRC15-99 AND DRC16-23 – 1470 VIRGINIA ROAD, (CHAN/TYLER)

Assistant Planner Eva Choi presented the staff report.

Mayor Richard Sun opened the hearing for public comment.

Project architect Rob Tyler addressed the City Council on behalf of the property owner.

Attorney Richard McDonald, representing the property owner, asked the City Council to deny the appeal.

Appellant Shirley Jagels addressed the Council and stated that she respects their decision regarding the previous item and spoke in support of the appeal.

Resident Joyce Gutzlich addressed the Council and spoke on the urgency of historic preservation in San Marino.

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

Councilman Steve Talt inquired about conditions of approval.

Mayor Richard Sun re-opened the hearing for public comment.

Attorney Richard McDonald, spoke on preserving certain historic artifacts and donating them to other agencies such as Habitat For Humanity.

Rob Tyler, Tyler Gonzalez Architects, spoke on the preservation of certain historic artifacts.

Dan Ryan, Historic Preservation Services, addressed the Council regarding relocation.

Julia Arroyo, Arroyo Resources, addressed the Council regarding conducting an EIR.

Attorney Richard McDonald provided a rebuttal to the previous public comments.

Resident Michele Lumley addressed the Council regarding historic designation.

Appellant Shirley Jagels provided a rebuttal to Mr. McDonald's comments.

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

Councilman Allan Yung moved to uphold the Planning Commission's approval and deny the appeal of Design Review Nos. DRC 15-99 and DRC 16-23, and find the project exempt from CEQA under Public Resources Code Section 15303(A) and Section 15300.2(f); seconded by Vice Mayor Richard Ward. Following a roll call, the motion carried 3-2 by the following vote: AYES: Councilman Allan Yung, Vice Mayor Richard Ward, and Mayor Richard Sun. NOES: Councilman Steven Huang, and Councilman Steve Talt.

**15. APPEAL OF THE PLANNING COMMISSION DECISION OF
CONDITIONAL USE PERMIT NOS. CUP16-14 AND CUP16-19 – 1555
WILSON AVENUE (THOKE/TOM NOTT, AIA)**

Assistant Planner Eva Choi presented the staff report and recommended that Council continue the appeal of Conditional Use Permit Nos. CUP16-14 and CUP16-19 to the February 8, 2017 meeting.

Mayor Richard Sun opened the hearing for public comment.

Property owner Claire Thoke addressed the Council and requested a continuance of the hearing to the meeting of February 8, 2017.

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

Councilman Steve Talt moved to continue the appeal of Conditional Use Permit Nos. CUP16-14 and CUP16-19 to the February 8, 2017 meeting; seconded by Vice Mayor Richard Ward. The motion carried unanimously by the following vote: AYES: Councilman Steven Huang, Councilman Steve Talt, Councilman Allan Yung, Vice Mayor Richard Ward, and Mayor Richard Sun. NOES: None.

16. ORDINANCE NO. O-17-1318-U – EXTENSION AND AMENDMENT OF INTERIM ORDINANCE O-16-1317-U PROHIBITING NEW ACCESSORY DWELLING UNITS (ALSO KNOWN AS SECOND UNITS), EXCEPT THOSE THAT SATISFY SPECIFIED STANDARDS

Associate Planner Amanda Merlo presented the staff report. Ms. Merlo noted that, per Council's direction at its December meeting, the requirement that the property must be the primary residence if the property owner was included in the ordinance to ensure that the owner is onsite and to prevent part-time or vacation rentals of the owner's unit.

Councilman Steve Talt inquired about the stipulation that no off-street parking is required if an accessory dwelling unit (ADU) is within a half a mile of public transit and if staff would be creating a map for this purpose.

Associate Planner Amanda Merlo responded that staff would prepare a map.

Councilman Allan Yung inquired about converting a garage and allowing a smaller ADU on a smaller lot.

Mayor Richard Sun opened the hearing for public comment.

Resident Cordelia Donnelly addressed the Council regarding converting a garage and allowing smaller ADUs on smaller lots. Ms. Donnelly also stated that there were inconsistencies in the interim ordinance.

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

Councilman Allan Yung moved to adopt Ordinance No. O-17-1318-U; An Interim Ordinance of the City of San Marino EXTENDING AND AMENDING INTERIM

ORDINANCE NO. O-16-1317-U PROHIBITING NEW ACCESSORY DWELLING UNITS EXCEPT THOSE THAT SATISFY SPECIFIED STANDARDS, AND DECLARING THE URGENCY THEROF; seconded by Vice Mayor Richard Ward. Following the reading of the title of Ordinance O-16-1318-U into the record by the City Clerk and a roll call, the motion carried 4-1 by the following vote: AYES: Councilman Steven Huang, Councilman Allan Yung, Vice Mayor Richard Ward, and Mayor Richard Sun. NOES: Councilman Steve Talt.

17. RESOLUTION NO. R-17-02 ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS FOR FISCAL YEAR 2017-2018

Administrative Analyst Paddy Taber presented the staff report.

Mayor Richard Sun opened the hearing for public comment.

There were no public speakers.

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

Councilman Allan Yung moved to adopt Resolution No. R-17-02, A RESOLUTION OF THE CITY OF SAN MARINO, CALIFORNIA ADOPTING THE PROJECTED USE OF FUNDS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FISCAL YEAR 2017-2018; seconded by Vice Mayor Richard Ward. Following a roll call, the motion carried unanimously by the following vote: AYES: Councilman Steven Huang, Councilman Steve Talt, Councilman Allan Yung, Vice Mayor Richard Ward, and Mayor Richard Sun. NOES: None.

WRITTEN COMMUNICATIONS

Councilman Allan Yung reported receiving a letter from resident Robert Almanza regarding overgrown shrubbery in the southwest part of the City. Councilman Yung also reported receiving a card from The Republic of San Marino, and requested staff respond with a thank you letter.

COUNCIL REPORTS

There were no Council reports at this time.

CITY MANAGER'S REPORT

Interim City Manager Cindy Collins reminded the Council and the public that the Special Called Meeting of February 2, 2017 has been rescheduled to February 16, 2017.

PUBLIC WRITINGS DISTRIBUTED

There were no public writings at this time.

PUBLIC COMMENTS

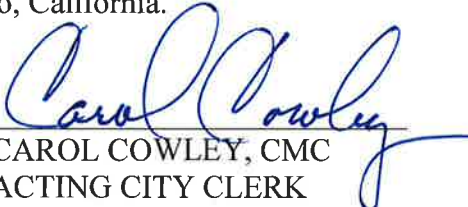
The following person spoke:

John Dustin, San Marino, commented that the City's outdoor irrigation water policies are inconsistent and asked the Council to review the policies and coordinate with the water company.

Gene Ruckh, San Marino, spoke on the following items: historic housing, public pensions, and inspection of the City's storm drains. (*submitted documents*)

ADJOURNMENT

The San Marino City Council adjourned at 10:23 p.m. the next adjourned regular meeting to be held on **FRIDAY, JANUARY 27, 2017, at 8:00 A.M.** in the City Hall Council Chamber, 2200 Huntington Drive, San Marino, California.


CAROL COWLEY, CMC
ACTING CITY CLERK