

**MINUTES
ADJOURNED REGULAR MEETING
OF THE SAN MARINO CITY COUNCIL
MAY 26, 2017 – 8:00 A.M**

CALL TO ORDER: Mayor Richard Sun called the meeting to order at 8:05 a.m.

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

PLEDGE OF ALLEGIANCE

MOTION TO WAIVE FURTHER READINGS

Councilman Allan Yung 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.

PUBLIC COMMENTS

There were no public comments at this time.

CONSENT CALENDAR

Vice Mayor Richard Ward moved to adopt the Consent Calendar consisting of Items 6, 7, 8, and 9; seconded by Councilman Allan Yung. 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.

1. **ADOPTION OF ORDINANCE NO. O-17-1324 REDUCING THE NUMBER OF AT LARGE RECREATION COMMISSIONERS FROM EIGHT TO SEVEN (SECOND READING)**
adopt Ordinance No. O-17-1324 Amending Section 2.13.02 of Article 13, Chapter 2 of the City Code Regarding the Recreation Commission.

3. **SETTLEMENT AGREEMENT AND MUTUAL GENERAL RELEASE – LUZ (LUCY) GARCIA**
approve the Settlement Agreement and General Release between the City and Luz (Lucy) Garcia and appropriate \$45,537 in the FY 2016-17 budget from the unrestricted fund balance.

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION

2. CONTRACT EXTENSION FOR TRANSPORTATION SERVICES WITH STUDENT TRANSPORTATION OF AMERICA

Councilman Steve Talt moved to table this item until the June 14th City Council meeting in order that staff may further clarify the costs in the agreement; 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.

STUDY SESSION

4. RESOLUTION NO. R-17-09 APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE SAN MARINO FIREFIGHTERS' ASSOCIATION FROM JUNE 26, 2016 THROUGH JUNE 22, 2019

Contract Human Resources Consultant Teri Nelson presented the staff report.

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

Councilman Allan Yung moved to 1) Adopt Resolution No. R-17-09 approving the Memorandum of Understanding with the San Marino Firefighters' Association; and 2) Approve an additional appropriation in the amount of \$119,981 in FY 2016-17 spread over the affected full time personnel budget line items as shown in the Fire Department Budget; 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.

5. CONTRACT AMENDMENT – FINANCE SERVICES CONTRACT WITH MV CHENG & ASSOCIATES

Interim City Manager Cindy Collins presented the staff report.

Councilman Steve Talt had questions about the scope of services and whether the \$20,000 overage should have been included in the original cost.

Contract Finance Director Misty Cheng described how the original scope of services differed from the actual assignment which resulted in additional time to complete.

Vice Mayor Richard Ward moved to approve the Amendment to the Professional Services Agreement to increase the amount of the contract by \$70,000, to not exceed a total contract amount of \$349,000 and to extend the termination date to September 30, 2017; seconded by Councilman Allan Yung. Following a roll call, the motion carried 4-0 by the following vote: AYES: Councilman Steven Huang, Councilman Allan Yung, Vice

Mayor Richard Ward, and Mayor Richard Sun. NOES: None. ABSTAIN: Councilman Steve Talt.

6. FOLLOW UP TO THE MAY 12, 2017 BUDGET WORKSHOP

Contract Finance Director Misty Cheng noted that the staff report contained answers to the questions asked at the May 12, 2017 budget workshop.

Thereafter followed Council and staff discussion on the following items: Fire Department overtime, the proposed fire engine, employer PERS rates, the proposed cost of service study, banking service costs, revenue and fund balance changes since 2010, unpaid internships, business license notice of violations, contract inspection services, cost recovery and revenues for the Police Department, employee law conferences for Police managers, and the cost recovery rate for the Recreation Department's aquatics program.

Mayor Richard Sun stated that, since the first City fee study was done by a professional contractor in 2013, he would prefer that the City postpone the new fee study by one year.

The following person(s) spoke:

Gene Ruckh, San Marino
Susan Jakubowski, San Marino

Councilman Steve Talt moved to receive and file the Follow Up to the May 12, 2017 Budget Workshop Report; seconded by Councilman Allan Yung. 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.

CONTINUED BUSINESS

7. REVIEW OF MAKING SAN MARINO BETTER LIST

Councilman Allan Yung inquired about adding the inspection of rental properties before leasing to the Making San Marino Better List.

The City Attorney will research this question and report back to Council at the end of June.

Councilman Steve Talt requested that scheduling of construction be added to the Making San Marino Better List and readdress the previously proposed ordinance.

PUBLIC COMMENTS

The following person(s) spoke:

Gene Ruckh, San Marino, commented on including on the Making San Marino Better List an environmental impact fee and an infrastructure fee for the Huntington Library.

After discussion, it was the consensus of the Council to add the exploration of an environmental impact fee for attendees of the Huntington Library to the Making San Marino Better List, and direct the City Attorney to prepare a legal opinion regarding this item.

Gretchen Shepard, San Marino, commented on the Huntington Middle School Gym construction project and its impact on the community.

CLOSED SESSION

The City Council recessed to Closed Session at 10:22 a.m. to:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR—PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

Property: Parking lot behind 1890 Huntington Drive, San Marino, CA
Negotiating Parties: Cindy Collins for the City of San Marino (“Buyer/Lessee”), Superintendent, San Marino Unified School District (“Seller/Lessor”)
Under Negotiation: Price and Terms

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE § 54956(d)(1):

Name of case: San Marino Heritage, Residents to Support Historic Resources in San Marino, et al. v. City of San Marino; William Chan on behalf of Century Winner, Inc. et al., real parties in interest

3. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE § 54956.9(d)(2):

A point has been reached where, in the opinion of legal counsel based on existing facts and circumstances, there is a significant exposure to litigation against the City. (Two cases.)

4. PUBLIC EMPLOYEE APPOINTMENT (EXTENSION)—PURSUANT TO GOVERNMENT CODE SECTION 54957

Title: Interim City Manager

RECONVENE TO OPEN SESSION

Council reconvened to open session at 12:05 p.m.

CLOSED SESSION REPORT

There was no reportable action.

ADJOURNMENT

The San Marino City Council adjourned at 12:06 p.m.



VERONICA RUIZ, CMC
CITY CLERK