

**MINUTES  
SPECIAL MEETING  
OF THE SAN MARINO CITY COUNCIL  
WEDNESDAY, APRIL 8, 2020 AT 5:00 P.M.  
SAN MARINO CENTER**

**CALL TO ORDER:** Mayor Shepherd Romey called the special meeting to order at 5:06 p.m. in the San Marino Center – 1800 Huntington Drive, San Marino, California 91108.

**PLEDGE OF ALLEGIANCE:** Mayor Shepherd Romey led the Pledge of Allegiance.

**ROLL CALL:**       **PRESENT:** Council Member Huang, Council Member Jakubowski (attending via teleconference), Council Member Talt, Vice Mayor Ude (attending via teleconference), and Mayor Shepherd Romey

**ABSENT:** None

**PUBLIC COMMENTS**

The following person(s) spoke:  
None.

**CLOSED SESSION**

At 5:07 p.m., the City Council recessed to closed session to discuss the following:

**1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION  
Government Code Section 54956.9(d)(4)**

The City Council met to decide whether to initiate litigation.  
Number of cases: One (1) case

**2. CONFERENCE WITH LEGAL COUNSEL—POTENTIAL LITIGATION  
Government Code Section 54956.9(d)(2)**

The City Council met with respect to two (2) matters of potential litigation against the City.  
Number of cases: Two (2) cases

**RECONVENE TO OPEN SESSION**

The City Council reconvened to open session at 5:29 p.m.

**CLOSED SESSION REPORT**

On Agenda Item No. 1: City Council unanimously approved the joining of the litigation consortium against Southern California Edison for under-collection of utility user taxes and authorized the City Manager to enter into the agreement.

On Agenda Item No. 2 - case 1: City Council unanimously approved a workers' compensation settlement agreement.

On Agenda Item No. 2 - case 2: City Council unanimously approved a workers' compensation settlement agreement.

**ADJOURNMENT**

Mayor Shepherd Romey adjourned the meeting at 5:32 p.m.

  
AMANDA MERLO  
ACTING CITY CLERK

**MINUTES  
SPECIAL MEETING  
OF THE SAN MARINO CITY COUNCIL  
WEDNESDAY, APRIL 8, 2020 AT 6:00 P.M.  
SAN MARINO CENTER**

**CALL TO ORDER:** Mayor Shepherd Romey called the special meeting to order at 6:02 p.m. in the San Marino Center, located at 1800 Huntington Drive, San Marino, California 91108.

**PLEDGE OF ALLEGIANCE:** Mayor Shepherd Romey led the Pledge of Allegiance.

**ROLL CALL:**       **PRESENT:** Council Member Huang, Council Member Jakubowski (attending via teleconference), Council Member Talt, Vice Mayor Ude (attending via teleconference), and Mayor Shepherd Romey

**ABSENT:** None

**PUBLIC COMMENTS**

The following person(s) spoke:  
None.

**ADMINISTRATIVE BUSINESS**

**CITY MANAGER'S REPORT**

City Manager Marcella Marlowe shared items of interest with City Council and the community. Dr. Marlowe deferred to Mayor Shepherd Romey, who announced that Lacy Park will be closed on Easter Sunday, April 12, 2020, in an abundance of caution.

**MOTION TO WAIVE FURTHER READINGS**

Council Member Talt moved, seconded by Council Member Huang, to waive the reading of the entire text of the ordinances or resolutions.

Motion passed by the following vote:

**AYES:**           Council Member Huang, Council Member Jakubowski, Council Member Talt, Vice Mayor Ude, and Mayor Shepherd Romey  
**NOES:**           None  
**ABSTAIN:**       None  
**ABSENT:**       None

Prior to consideration of the consent calendar, City Attorney Stephanie Cao announced that Item No. 12 would be removed from consideration as the result of the City Council having taken action in its earlier special meeting to approve the item.

City Attorney Cao also announced a correction to the staff report language of Item No. 6, indicating that on February 12, 2020, the City Council voted to instruct the City Clerk to set a de novo public hearing, which occurred on March 11, 2020. Moreover,

after the public hearing on this application was closed, the City received a letter from Sonja Trauss of Yes in My Backyard regarding the applicability of the Housing Accountability Act to this project. The City Attorney noted that this contention was already considered by the Council and is reflected in Section 2 of the resolution.

### **CONSENT**

Council Member Huang moved, seconded by Council Member Talt, to approve the consent calendar.

Motion passed by the following vote:

AYES: Council Member Huang, Council Member Jakubowski, Council Member Talt, Vice Mayor Ude, and Mayor Shepherd Romey  
NOES: None  
ABSTAIN: None  
ABSENT: None

#### **1. RECEIVE AND FILE THE DISBURSEMENTS REPORT FOR MARCH 2020**

The City Council received and filed the monthly Disbursements Report for the month of March 2020.

#### **2. RECEIVE AND FILE THE CASH AND INVESTMENT REPORT FOR THE MONTH OF FEBRUARY 2020**

The City Council received and filed the Investment Report as of February 2020.

#### **3. APPROVAL OF MINUTES**

The City Council approved the minutes of the special meeting of March 11, 2020, regular meeting of March 11, 2020, special meeting of March 17, 2020, and special meeting of March 27, 2020.

#### **4. SECOND READING AND ADOPTION OF ORDINANCE NO. O-20-1361, AMENDING THE SAN MARINO MUNICIPAL CODE RELATING TO PUBLIC SAFETY COMMISSION MEETINGS**

The City Council read by title only, waived further reading, and adopted Ordinance No. O-20-1361, an Ordinance of the City of San Marino Amending Section 02.14.06 (Meetings) of Article 14 (Public Safety Commission) of Chapter 2 (Administration) of the San Marino Municipal Code by Changing the Public Safety Commission Meeting Day and Location.

#### **5. ADOPTION OF RESOLUTION NO. R-20-11, ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2020-21 FUNDED BY SB 1, THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017**

The City Council adopted Resolution No. R-20-11, adopting a list of Fiscal Year 2020-21 projects to be funded by SB I Road Maintenance and Rehabilitation Account Funds.

**6. ADOPTION OF RESOLUTION R-20-10, DENYING WITHOUT PREJUDICE CONDITIONAL USE PERMIT NO. 19-8 AND DESIGN REVIEW CASE NOS. DRC19-16HP AND DRC19-76 AT 2404 MISSION STREET, AND DIRECTING THE WAIVER OF ADDITIONAL APPLICATION FEES FOR ONE YEAR**

The City Council adopted Resolution No. R-20-10, which denies, without prejudice, Design Review No. DRC19-16HP and DRC19-76, and Conditional Use Permit No. 19-8; and waives new application and conditional use permit fees for one year.

**7. APPROVAL OF NOTICE OF COMPLETION FOR YEAR 2 OF THE MULTI-YEAR SIDEWALK REPLACEMENT PROJECT NO. 18-9272**

The City Council accepted Year 2 of the Multi-Year Sidewalk Replacement Project No. 18-9272 as complete and authorized the City Clerk to file the Notice of Completion for Year 2.

**8. ADOPTION OF THE DISEASE PANDEMIC ANNEX TO THE CITY OF SAN MARINO'S EMERGENCY OPERATIONS PLAN**

The City Council adopted the Disease Pandemic Annex to the City's Emergency Operations Plan.

**9. APPROVAL OF AMENDMENT TO THE CITY EMPLOYEES' ASSOCIATION SALARY SCHEDULE**

The City Council adopted the Amended City Employees' Association Salary Schedule, which will replace 'Attachment B' to the current MOU between the City and the San Marino Employees' Association.

**10. ADOPTION OF RESOLUTION R-20-13, AUTHORIZING THE CITY REPRESENTATIVES TO APPLY FOR AND OBTAIN DISASTER ASSISTANCE FUNDING FROM STATE AND FEDERAL AGENCIES (CITY MANAGER AND FINANCE DIRECTOR)**

The City Council adopted Resolution No. R-20-13, a Resolution of the City Council of the City of San Marino Designating the City Manager and Finance Director to be the City's Representatives to Apply for and Obtain Disaster Assistance Funding from the Federal Emergency Management Agency and the California Governor's Office of Emergency Services for Recovering Costs Associated with Declared Emergencies.

**NEW BUSINESS**

**11. ACCEPTANCE OF DONATION FROM THE SAN MARINO PUBLIC LIBRARY FOUNDATION FOR THE CROWELL PUBLIC LIBRARY PUBLIC-ACCESS COMPUTERS UPGRADE PROJECT**

Finance Director Paul Chung presented the staff report.

The following person(s) spoke:

None.

Council Member Talt moved, seconded by Council Member Huang, to 1) accept the very gracious designation donation of \$36,000 from the Foundation and approve the replacement of public-access computers at the Crowell Library; 2) amend the FY 2019-20 revenue budget to recognize revenue of \$36,000 in the Donations Fund at Account 281-90-3601-0000 (Library Donations Received); and 3) approve a FY 2019-20 expenditure budget amendment by appropriation of \$36,000 to the Donations Fund Account 281-90-4613-0000 (Equipment-Library).

Motion passed by the following vote:

AYES: Council Member Huang, Council Member Jakubowski, Council Member Talt, Vice Mayor Ude, and Mayor Shepherd Romey  
NOES: None  
ABSTAIN: None  
ABSENT: None

**12. APPROVAL TO JOIN THE LITIGATION CONSORTIUM AGAINST SOUTHERN CALIFORNIA EDISON (SCE) FOR UNDER-COLLECTION OF UTILITY USER TAXES**

This item was removed from the agenda.

**13. ADOPTION OF RESOLUTION R-20-12, RENEWING THE PROCLAMATION OF A LOCAL EMERGENCY, AND URGENCY ORDINANCE NO. 20-O-13163-U, EXTENDING CERTAIN PLANNING & BUILDING ENTITLEMENTS AND DECLARING THE URGENCY THEREOF IN RESPONSE TO COVID-19**

Planning & Building Director Aldo Cervantes presented the staff report.

The following person(s) spoke:

None.

Council Member Talt moved, seconded by Council Member Huang, to 1) adopt Resolution No. R-20-12, a Resolution of the City Council of the City of San Marino, Renewing the Proclamation of the Existence of a Local Emergency Concerning the COVID-19 Virus; and 2) read by title only, waive further reading

and adopt Ordinance No. O-20-1363-U, an Urgency Ordinance of the City of San Marino Extending Certain Planning and Building Entitlements for 90 Days and Declaring the Urgency Thereof.

Motion passed by the following vote:

AYES: Council Member Huang, Council Member Jakubowski, Council Member Talt, Vice Mayor Ude, and Mayor Shepherd Romey  
NOES: None  
ABSTAIN: None  
ABSENT: None

**14. ADOPTION OF URGENCY ORDINANCE NO. O-20-1362-U, ADOPTING EMERGENCY REGULATIONS RELATED TO RESIDENTIAL AND COMMERCIAL TENANT EVICTIONS AND DECLARING THE URGENCY THEREOF AND CONSIDERATION OF ACTION TO REDUCE THE IMPACTS ON RESIDENTS AND LOCAL BUSINESSES RELATED TO THE COVID-19 VIRUS**

Planning & Building Director Aldo Cervantes and Senior Counsel Carol Lynch presented the staff report.

The following person(s) spoke:  
None.

Council Member Huang moved, seconded by Vice Mayor Ude, to 1) find that the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to state CEQA Guidelines Section 15061 (b)(3) (Common Sense Exemption); 2) read by title only, waive further reading, and adopt Ordinance No. O-20-1362-U, as amended, an Urgency Ordinance of the City of San Marino Adopting Emergency Regulations Related to Residential and Commercial Tenant Evictions and Declaring the Urgency Thereof; and 3) suspend all late fees and penalties for administrative citations related to business license or permit renewals for businesses that were in good standing prior to the pandemic and excluding the retroactive application of this waiver to past due amounts where penalties have already been assessed.

Motion passed by the following vote:

AYES: Council Member Huang, Council Member Jakubowski, Council Member Talt, Vice Mayor Ude, and Mayor Shepherd Romey  
NOES: None  
ABSTAIN: None  
ABSENT: None

**15. APPROVAL OF AN APPROPRIATION IN THE AMOUNT OF \$4,500 FROM GENERAL FUND RESERVES TO ACCOUNT FOR EMERGENCY EXPENSES RELATED TO THE COVID-19 RESPONSE**

Finance Director Paul Chung presented the staff report.

The following person(s) spoke:  
None.

Council Member Huang moved, seconded by Council Member Talt, to approve a budget amendment to appropriate \$4,500 to Account No. 101-08-4376-0000 (Materials & Supplies-COVID-19) for the purchase of emergency supplies for COVID-19 transmission mitigation.

Motion passed by the following vote:

AYES: Council Member Huang, Council Member Jakubowski, Council Member Talt, Vice Mayor Ude, and Mayor Shepherd Romey  
NOES: None  
ABSTAIN: None  
ABSENT: None

**WRITTEN COMMUNICATIONS OR PUBLIC WRITINGS DISTRIBUTED**

None.

**COUNCIL REPORTS**

Council Member Talt announced that the San Marino Unified School District has closed its building for the school year, but continues to offer distance learning. Council Member Huang commended San Marino fire and police personnel for their first responder efforts. Council Member Jakubowski offered her thanks to San Marino public safety and City Hall personnel for excellent work and visibility during this COVID-19 response time period.

**CITY COUNCIL CALENDAR**

None.

**PUBLIC COMMENTS**

The following person(s) spoke:  
None.

**ADJOURNMENT**



Mayor Shepherd Romey adjourned the meeting at 6:54 PM to **FRIDAY, April 24, 2020, AT 8:30 A.M.** in the San Marino Center, 1800 Huntington Drive, San Marino, California 91108.



AMANDA MERLO  
ACTING CITY CLERK