

**MINUTES  
ALHAMBRA CITY COUNCIL  
ALHAMBRA REDEVELOPMENT AGENCY  
Joint Regular Meeting  
July 14, 2008  
5:30 p.m.**

**ROLL CALL:** At 5:30 p.m., on Monday, July 14, 2008, the Alhambra City Council and the Alhambra Redevelopment Agency (ARA) met in the Council Chambers of the Alhambra City Hall, 111 South First Street, Alhambra, California.

**CITY COUNCIL/ARA BOARD MEMBERS:**

**PRESENT: PLACIDO, MESSINA, AYALA, SHAM  
ABSENT: YAMAUCHI**

**Officials Present:** City Manager/ARA Executive Director Fuentes, Assistant City Manager/Personnel Director Bacio, City Attorney/Agency Counsel Montes, City Clerk/ARA Assistant Secretary Moore, Director of Development Services/ARA Deputy Executive Director Martin, Director of Finance Longballa, Director of Public Works Swink, Director of Community Services Jarvis, Chief of Police Hudson, Fire Chief Kemp, Deputy City Manager Schultz, Assistant to the City Manager Hayashi, Library Director Hernandez, Sergeant-at-Arms Villegas

**FLAG SALUTE:** Led by Chairman Sham.

**RESOLUTIONS BY TITLE ONLY**

On motion of Mr. AYALA, seconded by Dr. PLACIDO, and carried unanimously (PLACIDO, MESSINA, AYALA, SHAM [YAMAUCHI, absent]), absent), the City Attorney/Agency Counsel was instructed to read by title only all resolutions appearing in these minutes which are required by law to be read in their entirety.

**Action Taken:** Hearing no objections, the Mayor & Chairman so ordered.

**PRESENTATIONS**

**1. CIVIC CENTER LIBRARY – F2M8-64**

City Manager **FUENTES** remarked that Council and staff at the last Council meeting had tried to come up with a solution to the rotunda issue. Glass tiles had been located and samples were available for review outside the Director of Public Works office. Mr. Fuentes suggested a recess to review the tiles. City Attorney **MONTES** noted that if the Board wished to recess to review the materials and come back to the Council Chambers

they could do so; provided, however, the Board/Council did not engage in any discussion which was reserved for their meeting in the Council Chambers.

**RECESS:** At 5:31 p.m., ARA Chairman **SHAM** declared a brief recess to allow Councilpersons to individually view the glass tile samples.

**RECONVENE:** At 5:45 p.m., ARA Chairman **SHAM** reconvened the meeting with all members present excepting Councilmember Yamauchi.

**Stephen FINNEY**, CWA ARCHITECTS, presented for Council review a rotunda colored tile pamphlet on file in the City Clerk's Office. At issue was the choice between dark green, ginger, and wheat grass tile colors for the Library's rotunda. He discussed tile lighting, illumination and building integration situations with each of the possible tile selections.

**Citizen Input:** **Lola ARMENDARIZ** requested the tiles be made available at the 7:00 p.m. Council meeting so that members of the public could see the Council's selection. She added that in her opinion the wheat grass tiles would give the building a classier look.

**Discussion:** Vice Mayor **MESSINA** thought the ginger tile color would give the Library a rich finish. Mayor **AYALA** agreed with Mrs. Messina's selection but he also liked the green tiles. Chairman **SHAM** voiced concern over the reflection of glass tiles. Mr. **FINNEY** noted the material was highly reflective and made suggestions as to what might temper the materials' reflectivity, including weathering and grout hazing. Regarding alternative materials, Mr. Finney noted some glass material had very little reflectivity, but gave little character and iridescent quality and would require multi-colored tile pieces laid up in patterns that tended to repeat. Regarding Mr. **SHAM**'s concern for the reflective qualities of the glass tiles at different times during the day, Mr. **FINNEY** responded that he would figure out what type of coating could be applied to take out that quality, possibly an anti-graffiti coating to dull it a little.

In reference to Mayor **AYALA**'s question regarding a vote, City Attorney **MONTES** stated Council had already approved the expenditure for the tile and staff was looking for direction from Council to ensure that the color on the building reflected their wishes. As a cautionary note, Mr. **FINNEY** remarked that the Library's design was an attempt to be respectful of the Civic Center triptych: the Library, City Hall and the Police Facility in terms of the massing, scale and coloration, that the bold use of color might tend to sway. Dr. **PLACIDO** remarked a richer color for the tiles would not be as obvious with landscaping, commenting that green would blend in. He suggested continuing this discussion on the tile selection until Councilmember Yamauchi could voice an opinion.

**Action Taken:** Matter continued to the 7:00 p.m., portion of this evening's Council meeting.

## 2. **ALHAMBRA GATEWAY PLAZA PROJECT: DESIGN CONCEPT – F2M5-37**

Director of Public Works **SWINK** presented the design concept for the Alhambra Gateway Plaza Project for Council review, as more fully discussed in the July 14, 2008

joint report of the Director of Public Works and the Director of Community Services on file in the City Clerk's Office. Highlights from Ms. Swink's presentation included the \$120,000 to \$200,000 cost of a concrete arch representing the City of Alhambra as the Gateway to the San Gabriel Valley, with a grant secured from Caltrans and another grant from Metro for \$150,000, giving the City \$275,000 toward the project. Funding could cover the cost of the arch, the landscaping and irrigation. Ms. Swink displayed a drawing of the proposed arch.

**Discussion:** Councilmember **SHAM** thought the City logos on the proposed arch were too small as was the slogan, "Gateway to the San Gabriel Valley." City Manager **FUENTES** asked if Council was required to give authorization for funding this evening to which Ms. **SWINK** responded staff would "shop" the project and once they had a firm cost estimate, staff would come back to Council for an award and funds allocation. As to a timeframe, she hoped to come back to Council in August, 2008, to award the contract for the arch which would take several months to construct. Landscaping and layout would start in October, 2008, and the arch should arrive in December, 2008. The City would hire a contractor to install the arch. The project should be done by the end of the year. In response to Mayor **AYALA**, Ms. **SWINK** stated the Mountains and Rivers Conservancy was unable to fund the project as the project did not meet their area requirements.

**Action Taken:** City Council received the information and ordered filed.

### **AGENCY/COUNCIL CONSENT AGENDA (Item Nos. 3 – 4)**

With the exception of Item No. 4, all items listed under the Consent Agenda were considered by the Agency Board/City Council to be routine and, therefore, were enacted by one motion.

**YAMAUCHI:** Councilmember Yamauchi entered at 6:45 p.m.

### **3. ACCOUNTS PAYABLE – F2M8-500**

Agency staff submitted for the Agency Board's review and approval Accounts Payable for the period ended June 13, 2008, Warrant Nos. 14723 – 16491, in the total amount of \$151,002.47; for the period ended July 1, 2008, Warrant Nos. 16492 – 16521, in the total amount of \$475,988.47, and for the period ended July 3, 2008, Warrant Nos. 10000 – 10014, in the total amount of \$734,371.83.

**Discussion:** None

**Action Taken:** Agency Board approved as submitted.

**Vote:** Moved: PLACIDO      Seconded: AYALA  
Ayes: PLACIDO, MESSINA, AYALA, YAMAUCHI, SHAM  
Noes: NONE  
Absent: NONE

#### 4. MINUTES

The Minutes of the May 27, 2008 Joint Regular Meeting of the Alhambra Redevelopment Agency and Alhambra City Council and the Regular Meeting of the Alhambra City Council and the June 9, 2008 Adjourned Regular Meeting of the Alhambra Redevelopment Agency and the Alhambra City Council were submitted for review and approval by both the Agency Board and/or the City Council.

**Citizen Input:** **Lola ARMENDARIZ** questioned a statement in the May 27, 2008 Minutes under *Oral Communications* pertaining to Park Usage, stating that it was her recollection this item would be returned at a later, but still undetermined, date for Council discussion. City Clerk **MOORE** stated that she would recheck her notes and the tape for this item and dependent upon what she ascertained would resubmit the May 27 Minutes for approval at future meeting.

**Action Taken:** Agency Board/City Council approved the Minutes of the June 9, 2008 Adjourned Regular Meeting of the Alhambra Redevelopment Agency and the Alhambra City Council as submitted.

**Vote:** Moved: PLACIDO      Seconded: AYALA  
Ayes: PLACIDO, MESSINA, AYALA, YAMAUCHI, SHAM  
Noes: NONE  
Absent: NONE

#### CITY BUSINESS

#### 5. EMPLOYER PAID MEMBER CONTRIBUTION (EPMC) PROGRAM – F2M7-51, R2M8-11, R2M8-20, O2M8-4528, O2M8-4529, O2M8-4530

Assistant City Manager/Personnel Director **BACIO** reported that staff is requesting the City Council to take certain actions with respect to implementing the Public Employees' Retirement System (PERS) Employer and Member Contribution (EPMC) benefit for various employee groups, adding that PERS had requested that the City review and redesign the language for the EPMC benefit granted many years ago. Also, there were three ordinances related to Sworn Non-Department Head Management Employees for both Police and Fire, one for the Chief of Police and Fire Chief, as well as one for City Management staff.

**Discussion:** None

**Action Taken:** By one motion the City Council took the following actions:

- A. Adopted **Resolution No. R2M8-11** entitled: *A Resolution of the Alhambra City Council for paying and reporting the value of Employer Paid Member Contribution (EPMC) Benefit for Alhambra Police Non-sworn Employee Association Members;*
- B. Adopted **Resolution No. R2M8-20** entitled: *A Resolution of the Alhambra City*

*Council for paying and reporting the value of Employer Paid Member Contribution (EPMC) benefit for City of Alhambra Management and Confidential Employees; and,*

- C. Directed the City Attorney to introduce and give first reading by title only to the following three ordinances:

**Ordinance No. O2M8-4528:**

An Ordinance of the Alhambra City Council amending Ordinance No. O2M7-4502 pertaining to salary and benefits for sworn non-department head management employees for fiscal years 2006-2007, 2007-2008 and 2008-2009 as the same relates to the EPMC program.

**Ordinance No. O2M8-4529:**

An Ordinance of the Alhambra City Council amending Ordinance No. O2M2-4430 pertaining to salary and benefits for the Chief of Police and Fire Chief for fiscal years 2001-2002, 2002-2003, 2002-2004 and 2004-2005 as the same relates to the EPMC program.

**Ordinance No. O2M8-4530:**

An Ordinance of the Alhambra City Council amending Ordinance No. O2M8-4418 pertaining to salary and benefits for management and confidential employees for fiscal years 2001-2002, 2002-2003, 2003-2004 and 2004-2005 as the same relates to the EPMC program.

**Vote:** Moved: AYALA                      Seconded: MESSINA  
Ayes: PLACIDO, MESSINA, AYALA, YAMAUCHI, SHAM  
Noes: NONE  
Absent: NONE

**ORAL COMMUNICATIONS:**                      None

**CLOSED SESSION & CITY ATTORNEY ANNOUNCEMENT re SAME - F2M8-14**

City Attorney/Agency Counsel **MONTES** identified those items listed on this evening's agenda which would be discussed in Closed Session as follows:

***Conference with Real Property Negotiator (Govt. Code Section 54956.8):***

- 1) Property: 710 terminus, n/o Valley Boulevard, Negotiating parties: Caltrans and City Manager/ARA Executive Director Julio J. Fuentes & Director of Development Services Michael Martin, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.

- 2) Property: 840 South Seventh Street, Negotiating parties: Dolores Sanchez and City Manager/ARA Executive Director Julio J. Fuentes & Director of Development Services Michael Martin, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.
- 3) Property: 501 South Sixth Street, Negotiating parties: Gary Lorenzini and City Manager/ARA Executive Director Julio J. Fuentes & Director of Development Services Michael Martin, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.
- 4) Property: 1416 Sarazen Drive, Negotiating parties: Dr. David Avirom and City Manager/ARA Executive Director Julio J. Fuentes & Director of Development Services Michael Martin, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.
- 5) Property: 3104 Midvale Place, Negotiating parties: Real Estate Alliance and City Manager/ARA Executive Director Julio J. Fuentes & Director of Development Services Michael Martin, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.
- 6) Property: 1624 Grand View Drive, Negotiating parties: First Diversified Realty and City Manager/ARA Executive Director Julio J. Fuentes & Director of Development Services Michael Martin, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.
- 7) Property: 116 West Main Street, Negotiating parties: Parparget Kehal and City Manager/ARA Executive Director Julio J. Fuentes & Director of Development Services Michael Martin, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.
- 8) Property: 33 West Main Street; Negotiating parties: Angelena's Companies, Inc., and City Manager/ARA Executive Director Julio J. Fuentes & Director of Development Services Michael Martin, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.
- 9) Property: 2500 West Commonwealth Avenue; Negotiating parties: Alhambra Redevelopment Agency/Toys R Us and City Manager/ARA Executive Director Julio J. Fuentes & Director of Development Services Michael Martin, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.

***Conference with Legal Counsel--Existing Litigation (Govt. Code Section 54956.9(a):***

- 1) Shane Benschop, et al., vs. City of Alhambra, et al., Case No. CV08-0579 SJO (AJWx)
- 2) City of South Pasadena vs. Slater, District Court Case No. 98-CV-6996-DDP

**Conference with Legal Counsel - Anticipated Litigation:** Significant exposure to litigation pursuant to Govt. Code Section 54956.9(b): None. Initiation of litigation pursuant to Govt. Code Section 54956.9(c): 1 matter.

**Discussion of Personnel Matters (Govt. Code Section 54957):** None.

**Conference with City's Labor Negotiator (Govt. Code Section 54957.6):** None.

whereupon at 6:23 p.m., the Agency Board and City Council moved into closed session pursuant to applicable law, including the Brown Act (Government Code Sec. 54950, *et seq.*) for the purpose of conferring with the Agency Counsel/City Attorney.

**RECONVENE & ARA RECESS:** At 7:10 p.m., the Agency Board and City Council moved out of closed session with all members present, whereupon the ARA Chairman recessed the Agency's meeting until such time as the City Council had completed the public portion of its agenda.

**MINUTES**  
**ALHAMBRA CITY COUNCIL**  
**Regular Meeting**  
**July 14, 2008**  
**7:00 p.m.**

**RECONVENE & ROLL CALL:** At 7:10 p.m., on Monday, July 14, 2008, the Alhambra City Council met in the Council Chambers of the Alhambra City Hall

**PRESENT: YAMAUCHI, SHAM, MESSINA, PLACIDO, AYALA**  
**ABSENT: NONE**

**Officials Present:** City Manager Fuentes, Assistant City Manager/Personnel Director Bacio, City Attorney Montes, City Clerk Moore, Director of Development Services Martin, Director of Finance Longballa, Director of Public Works Swink, Director of Utilities Montan, Director of Community Services Jarvis, Chief of Police Hudson, Fire Chief Kemp, Deputy City Manager Schultz, Assistant to the City Manager Hayashi, Library Director Hernandez, Code Enforcement Manager Bisogno, Sergeant-at-Arms Villegas

**FLAG SALUTE:** Led by Mayor Ayala

**RESOLUTIONS BY TITLE ONLY**

On motion of Mr. SHAM, seconded by Dr. PLACIDO, and carried unanimously (SHAM, MESSINA, YAMAUCHI, PLACIDO, AYALA) the City Attorney was instructed to read by title only all resolutions appearing in these minutes which are required by law to be read in their entirety.

**INTRODUCTION: FAMILY OF RUBIN MIRAMONTES – F2M8-66**

Councilperson **YAMAUCHI** noted that earlier this year he had brought to the Council's attention Rubin Miramontes, a young man diagnosed with adrenoleukodystrophy (ALD), a rare and incurable nerve disease made famous by the movie, "Lorenzo's Oil." Through two car washing events held June 21, 2008 at the Alhambra Auto Kraft at Sixth and Main Streets and the West San Gabriel Valley YMCA and the sponsorship of the Rotary Club, Chamber of Commerce, Alhambra Fire Firefighters' Association, Alhambra Police Officers' Association and other community organizations, over \$8,000 had been raised to help the young man's family. He stated that Rubin Miramontes' mother had hoped to be present this evening to thank all those involved but she was unable to do so as Rubin was having some difficulties. Mr. Yamauchi noted that a check had already been presented to Valerie Franco, Rubin Miramontes' mother, in the amount of \$6,000, with a second check to be presented tomorrow at Valerie Franco's home for \$3,595, money that was much needed by the family.

## **CEREMONIALS**

### **1. COMMENDATION: ADAM ZALDIVAR – F2M8-3**

The City Council, on behalf of the citizens of Alhambra, recognized **ADAM ZALDIVAR**, a **LIFEGUARD** at the **WEST SAN GABRIEL VALLEY YMCA** who, during a *Watercize* class at the YMCA the morning of Wednesday June 4, 2008, pulled a 84-year-old man out of the pool and performed CPR, heart compressions, then mouth-to-mouth resuscitation in advance of the arrival of Alhambra Firefighters/Paramedics. The man, who had apparently suffered a stroke, was then transported to San Gabriel Hospital where he was reportedly doing well. **Mayor AYALA** presented the **COMMENDATION** to **Mr. Zaldivar**.

### **2. COMMENDATION BY 49<sup>TH</sup> DISTRICT ASSEMBLYMEMBER MIKE ENG TO CITY FOR 2008 FOURTH OF JULY CELEBRATION -- F2M8-3, F2M7-50**

**ASSEMBLYMEMBER MIKE ENG**, 49<sup>th</sup> District, recognized the City of Alhambra for this year's Fourth of July celebration held in Almansor Park, by presenting a **COMMENDATION** to the **CITY OF ALHAMBRA**, which was presented by his Field Representative **JOHN TANG** to **Mayor AYALA**.

### **PRESENTATION: CIVIC CENTER LIBRARY – F2M8-64 (Continued from 5:30 p.m. Joint Meeting)**

Consideration of the selection of the tiles for the Civic Center Library had been continued to the 7:00 p.m. meeting so that Councilmember Yamauchi would have an opportunity to participate.

**Stephen FINNEY** of CWA ARCHITECTS summarized his earlier presentation regarding the glass mosaic tile for the exterior of the new Library to be located on the curvilinear parts on the second floor. Mr. Finney noted the three colors selected for Council review included a light, medium and dark color. Discussed was whether Council wished to make a statement through the use of a bolder color or use a more subtle color so the building presented as one “bookend” to the Civic Center complex, with the Police Facility serving as the other bookend.

**Discussion:** Mr. **SHAM** preferred the light beige or the green, although he also expressed his previous concerns with the reflectivity of the glass tiles and requested there be a back-up plan for glass tiles around the eight-foot tall area. Vice Mayor **MESSINA** liked the salmon-colored (ginger) option, which she thought was not as overbearing as the green. Mayor **AYALA** preferred either the salmon or the green color. Dr. **PLACIDO** liked the green. Mr. **YAMAUCHI** also preferred green.

**Action Taken:** After review of three tile colors, Council selected a green mosaic tile for the second floor rotunda of the new Alhambra Civic Center Library as represented in CWA ARCHITECTS’ PowerPoint presentation given earlier this evening and on file in the City Clerk’s Office.

### **PUBLIC HEARING:**

#### **3. HEARING: EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) – F2M5-41, M2M8-65, N2M8-75**

This was the time and place set by **Notice No. N2M8-75** for the City Council to hold a public hearing to receive community input concerning the use of funds received under the United States Department of Justice Bureau of Justice Assistance *Edward Byrne Memorial Justice Assistance Grant* (JAG) Program. Chief of Police **HUDSON** reported that uses being proposed included, but were not limited to, the partial funding of the Police Department’s ongoing participation in the Foothill Air Support Team (FAST).

**Opened & Closed Public Hearing:** Mayor **AYALA** opened the public hearing, and as there was no one present desiring to speak, he closed the same.

**Action Taken:** Adopted **Minute Order No. M2M8-65** as follows:

RESOLVED by the Alhambra City Council that this Council hereby authorizes the City Manager, or his designee, to apply for United States Department of Justice Bureau of Justice Assistance *Edward Byrne Memorial Justice Assistance Grant* (JAG) Program funds in the amount of \$10,209; and,

BE IT FURTHER RESOLVED by the Alhambra City Council that this Council hereby ratifies the action of the City Manager in designating the Chief of Police as the administrator for said Grant.

**Vote:** Moved: PLACIDO                      Seconded: SHAM  
Ayes: YAMAUCHI, SHAM, MESSINA, PLACIDO, AYALA  
Noes: None  
Absent: None

**CONSENT AGENDA (Item Nos. 4 - 12)**

All items listed under the Consent Agenda were considered by the City Council to be routine and, therefore, were acted upon by one motion.

**4. TRACT MAP NO. 67396 - F2M8-11, M2M8-60**

Tentative Tract Map No. 67396 was originally approved by the Planning Commission on December 4, 2006, for a 41-unit senior condominium complex at 109-117 North Second Street, for a period of two years in accordance with State law, during which time the Map was to be recorded. A one year extension was approved by the Planning Commission on November 6, 2007. All conditions of approval of the Tentative Tract Map have been met including the municipal restrictions, reviewed and approved by the Planning Division staff. The City Engineer has signed the Tract map and recommended recordation of the same. Approval and recordation of this map is now appropriate.

**Discussion:** None

**Action Taken:** Adopted **Minute Order No. M2M8-60** as follows:

RESOLVED by the Alhambra City Council as follows:

SECTION ONE: Based upon the recommendation of the Director of Development Services in his report dated July 14, 2008, this Council hereby finds and determines that the herein below described project will not violate any of the provisions of Sections 66473.5, 66474, 66474.1, and 66474.6 of the Subdivision Map Act of the State of California.

SECTION TWO: This Council hereby approves TRACT MAP NO. 67396, and authorizes the City Clerk to endorse on the face of the map the certificate which embodies the approval of said map and acceptance of dedications

**Vote:** Moved: SHAM                      Seconded: YAMAUCHI  
Ayes: YAMAUCHI, SHAM, MESSINA, PLACIDO, AYALA  
Noes: None  
Absent: None

**5. NIB: ALHAMBRA PARK VETERANS' MEMORIAL PROJECT – F2M6-70, N2M8-83**

Staff requested City Council authorization to distribute a Notice Inviting Bids for the Alhambra Park Veterans' Memorial Project, as more fully discussed in the July 14, 2008 report of the Director of Public Works and Director of Community Services on file in the City Clerk's Office.

**Discussion:** None

**Action Taken:** Authorized the City Clerk to advertise **Notice Inviting Bids No. N2M8-83** for the Alhambra Park Veterans' Memorial Project, with bids to be received on or before 10:30 a.m., on Thursday, August 14, 2008, in the office of the City Clerk, and publicly opened at 11:00 a.m. that same day.

**Vote:** Moved: SHAM                      Seconded: YAMAUCHI  
Ayes: YAMAUCHI, SHAM, MESSINA, PLACIDO, AYALA  
Noes: None  
Absent: None

**6. NIB: ALHAMBRA PARK VETERANS' MEMORIAL PROJECT'S FOUNTAIN CONSTRUCTION/INSTALLATION PROJECT – F2M6-70, N2M8-84**

Staff requested City Council authorization to distribute a Notice Inviting Bids for the Alhambra Park Veterans' Memorial Project – Fountain Construction/Installation, as more fully discussed in the July 14, 2008 report of the Director of Public Works and Director of Community Services on file in the City Clerk's Office.

**Discussion:** None

**Action Taken:** Authorized the City Clerk to advertise **Notice Inviting Bids No. N2M8-84** for the Alhambra Park Veterans' Memorial Project – Fountain Construction/Installation, with bids to be received on or before 10:30 a.m., on Thursday, August 14, 2008, in the office of the City Clerk, and publicly opened at 11:00 a.m. that same day.

**Vote:** Moved: SHAM                      Seconded: YAMAUCHI  
Ayes: YAMAUCHI, SHAM, MESSINA, PLACIDO, AYALA  
Noes: None  
Absent: None

**7. BID AWARD: SEISMIC IMPROVEMENTS PROJECT – F2M8-47, F2M3-33, C2M8-34, N2M8-43, M2M8-61**

On May 22, 2008, 4 bids ranging in price from \$263,666.70 (T.A. Rivard, Inc.) to \$532,416.00 (Doty Brothers Equipment Co.) were received, opened and publicly declared by the City Clerk in response to Notice Inviting Bids No. N2M8-43 for the Seismic Improvements Project. Funds were available for this project in the budget and Capital Improvement Plan FY 2008-09 in the amount of \$164,351.00. The balance of \$99,316.00 would need to be appropriated from the Water Fund Balance.

**Discussion:** None

**Action Taken:** Adopted **Minute Order No. M2M8-61** as follows:

RESOLVED by the Alhambra City Council that this Council hereby

1. Accepts as the lowest responsible bid received, the bid of T. A. RIVARD, INC., in the total amount of \$263,666.70, for the Seismic Improvement Project, hereinafter referred to as the "Project", subject to the terms, conditions, and specifications set forth in Notice Inviting Bids No. N2M8-43;
2. Directs the City Attorney to prepare the necessary PUBLIC WORKS CONTRACT (**Contract No. C2M8-34**) with said successful bidder; and, after such Public Works Contract has been prepared, approved as to content and form by the City Manager and City Attorney, and duly executed by said Contractor, the Mayor is hereby authorized to execute such Public Works Contract for and on behalf of the City of Alhambra and the City Clerk is hereby authorized to attest the same and to affix the Seal of said City thereto; and,
3. Approves the appropriation of \$99,316.00 from the Water Fund Balance, and further directs the Director of Finance to allocate the funds to line item 51-884-9UA to cover the cost of said Project.

**Vote:** Moved: SHAM                      Seconded: YAMAUCHI  
Ayes: YAMAUCHI, SHAM, MESSINA, PLACIDO, AYALA  
Noes: None  
Absent: None

**8. BID AWARD: SEWER MAINLINE REPAIR PROJECT – PHASE I – F2M8-48, F2M6-91, C2M8-35, N2M8-44, M2M8-62**

On May 22, 2008, two bids in the amounts of \$263,560.00 (T.A. Rivard, Inc.) and \$308,000.00 (Doty Brothers Equipment Co.) were received, opened and publicly declared by the City Clerk in response to Notice Inviting Bids No. N2M8-44 for the Sewer Mainline Repair Project – Phase I. Funds for this project would need to be appropriated from the

Sewer Fund Balance, a new expenditure line item created, and funds allocated to the Project.

**Discussion:** None

**Action Taken:** Adopted **Minute Order No. M2M8-62** as follows:

RESOLVED by the Alhambra City Council that this Council hereby

1. Accepts as the lowest responsible bid received, the bid of T. A. RIVARD, INC., in the total amount of \$263,560.00, for the Sewer Mainline Repair Project – Phase I, hereinafter referred to as the “Project”, subject to the terms, conditions, and specifications set forth in Notice Inviting Bids No. N2M8-44;
2. Directs the City Attorney to prepare the necessary PUBLIC WORKS CONTRACT (**Contract No. C2M8-35**) with said successful bidder; and, after such Public Works Contract has been prepared, approved as to content and form by the City Manager and City Attorney, and duly executed by said Contractor, the Mayor is hereby authorized to execute such Public Works Contract for and on behalf of the City of Alhambra and the City Clerk is hereby authorized to attest the same and to affix the Seal of said City thereto; and,
3. Approves the appropriation of \$263,560.00 from the Sewer Fund Balance, and directs the Director of Finance to allocate the funds to a new expenditure line item to cover the cost of said Project.

**Vote:** Moved: SHAM                      Seconded: YAMAUCHI  
Ayes: YAMAUCHI, SHAM, MESSINA, PLACIDO, AYALA  
Noes: None  
Absent: None

**9. SUPPLEMENTAL AGREEMENT NO. C-112569 OF CITY OF LOS ANGELES [FY 2006 URBAN AREA STRATEGIC SECURITY INITIATIVE GRANT] – F2M1-106, C2M7-46, M2M8-63**

Staff requested the City Council approve a Supplemental Agreement (C112569) with the Core City (City of Los Angeles) and accept the supplement to FY 2006 Urban Area Strategic Security Initiative (UASI) Grant, receive approval from the City Council for the “piggyback” purchase of the approved Self-Contained Breathing Apparatus (SCBA) for the Fire Department, and approve the allocation of the reimbursable funds in the amount of \$168,870.00 for the replacement of Departmental Self-Contained Breathing

Apparatus, as more fully discussed in the July 14, 2008 joint report of the Fire Chief and Director of Finance, a copy of which is on file in the City Clerk's Office.

**Discussion:** None

**Action Taken:** Adopted **Minute Order No. M2M8-63** as follows:

RESOLVED by the Alhambra City Council that this Council hereby

1. Approves that certain FIRST SUPPLEMENTAL TO AGREEMENT NUMBER C-112569 OF THE CITY OF LOS ANGELES CONTRACT BETWEEN THE CITY OF LOS ANGELES AND THE CITY OF ALHAMBRA by and between the CITY OF ALHAMBRA and the CITY OF LOS ANGELES accepting the Supplement to FY 2006 Urban Area Security Initiative (UASI) Grant in the amount of \$168,870.00, a copy of which First Supplemental to Agreement is on file in the City Clerk's Office as **Contract No. C2M7-46** and by this reference incorporated herein and made a part hereof as though fully set forth herein; and, the Mayor is hereby authorized to execute said Agreement for and on behalf of the City of Alhambra and the City Clerk is hereby authorized to attest the same and to affix the Seal of said City thereto;
2. Directs the Director of Finance to adjust the funding to FY 06 Urban Area Strategic Security Initiative line accounts for the Fire Department in the amount of \$168,870.00 for equipment purchases; and,
3. Authorizes the Fire Chief to make a "piggyback" purchase on the Los Angeles County Fire Department's existing contract for the purchase of the upgraded Self-Contained Breathing Apparatus (SCBA's) as submitted to the Los Angeles City Urban Area Approval Authority.

**Vote:** Moved: SHAM                      Seconded: YAMAUCHI  
Ayes: YAMAUCHI, SHAM, MESSINA, PLACIDO, AYALA  
Noes: None  
Absent: None

**10. SAN GABRIEL BASIN WATER QUALITY AUTHORITY: AMENDMENT TO FEDERAL FUNDING AGREEMENT – F93-18, C2M3-71, M2M8-64**

Staff requested the City Council authorize an amendment to the City's existing Federal Funding Program Administration Agreement with the San Gabriel Basin Water Quality Authority for Phase II -- Groundwater Treatment Plant Project, accepting the amended

funding amount of \$702,220 (for a total in grant funding of \$2,158,020) for funding this project, as more fully discussed in the Director of Utilities' July 14, 2006 report on file in the City Clerk's office.

**Discussion:** None

**Action Taken:** Adopted **Minute Order No. M2M8-64** as follows:

RESOLVED by the Alhambra City Council that this Council hereby accepts the San Gabriel Basin Water Quality Authority's amended funding amount of \$702,220 (for a total in grant funding of \$2,158,020) for Phase II – Groundwater Treatment Plant Project; and, in connection therewith, hereby authorizes the City Manager to execute for and on behalf of the City of Alhambra that certain Notice of Amended Award letter (Contract No C2M3-71) accepting the terms and conditions of the funding and the City Clerk to attest the same and affix the Seal of said City thereto.

**Vote:** Moved: SHAM                      Seconded: YAMAUCHI  
Ayes: YAMAUCHI, SHAM, MESSINA, PLACIDO, AYALA  
Noes: None  
Absent: None

#### 11. PERSONNEL ACTIONS – F2M8-2

List of Personnel Actions had been prepared showing the various appointments, classifications, salary changes, etc., since the last City Council meeting. It was now appropriate to ratify those actions by the City Manager

**Discussion:** None

**Action Taken:** Ratified the actions of the City Manager set forth in that certain Personnel Actions document dated July 14, 2008.

**Vote:** Moved: SHAM                      Seconded: YAMAUCHI  
Ayes: YAMAUCHI, SHAM, MESSINA, PLACIDO, AYALA  
Noes: None  
Absent: None

#### 12. DEMANDS - F2M8-1

General City Warrants (281221 thru 281335) in the amount of \$1,711,891.58 and Schedule of Wire Transfers in the amount of \$493,105.55 for the week ending June 19, 2008, and General City Warrants (281336 thru 281496) in the amount of \$796,695.84,

for the week ended June 26, 2008, were submitted for Council's approval.

**Discussion:** None

**Action Taken:** Approved as submitted.

**Vote:** Moved: SHAM                      Seconded: YAMAUCHI  
Ayes: YAMAUCHI, SHAM, MESSINA, PLACIDO, AYALA  
Noes: None  
Absent: None

### **ORDINANCE – FIRST READING**

#### **13. SMOKE FREE PARKS – F2M8-42, O2M8-4526**

**FUENTES:** At 7:25 p.m., City Manager Fuentes recused himself and left the room since he lives in close proximity to one of the park areas.

Councilperson **YAMAUCHI** stated that he would abstain from voting on this item due to a conflict of interest in that he is a member of the Asian Youth Center Board.

City Attorney **MONTES** reported that at the April 28, 2008 meeting, the City Council approved the concept of "Smoke Free Parks" and directed the City Attorney to draft such an ordinance for the Council's consideration, which ordinance was to include all City parks with the exception of the Alhambra Municipal Golf Course. Mr. Montes stated that the ordinance was now ready for Council consideration with one modification: At Section 2, on page 2, under 9.18.03OC Council needed to delete in the first line, "for public grounds" and in the second line "and public grounds." He explained that the term "public grounds" was defined in the Code elsewhere to include sidewalks. He also opined that the use of the terms "any public park" and "parks" were comprehensive enough to include all the parks and the parking lots at those parks.

#### **Citizen's Input:**

1. **Lola ARMENDARIZ** asked how this item would be enforced and what kind of signage it would have.

City Attorney **MONTES** responded that the definition of parks in the City's Code included what one would think of as the park, the grass, all of the sidewalks within the parks and all of the parking lots associated with the parks and everything under the control and maintenance of the Community Services Department. Regarding signage and enforcement, Director of Community Services **JARVIS** presented to the Council literature on tobacco-free park

policies which is on file in the City Clerk's Office.

2. **Lillian ANAYA**, representing *Residents for a Better Alhambra*, asked regarding the differentiation of a private residence and a place of employment in the Code and how this would cover the privacy rights of those who work at home, i.e., babysitters, maids, housekeepers, nannies. She also wished to know why the Municipal Golf Course was exempted.

City Attorney **MONTES** stated that with respect to the place of employment, the ordinance was an amendment to the existing nonsmoking ordinance of the City and was addressing parks. With regard to private residences, that was language lifted from the prior ordinance simply indicating that a private residence was not a place of employment for purposes of *this* enforcement. With respect to the Golf Course, it was a pay-to-play facility. Concerns for the public encountering smokers while they played golf did not seem as crucial to the Council given that in order to be on the Golf Course you had to pay. You are not allowed to be there without having paid admission.

3. **Roy ROSELL**, representing the *Asian Youth Center*, thanked the Council for their support of smoke free parks. He requested international nonsmoking signs be posted in Alhambra parks.
4. **Efren MORENO** questioned the Council's vote on this issue at the April 28 meeting during which the concept was approved by a 3-2 vote, asking if the Council would change its mind again.
5. **Steven GALLEGOS**, American Lung Association of California, thanked the Council for revisiting this issue.

**Action Taken:** Directed the City Attorney to introduce and give first reading by title to **Ordinance No. O2M8-4526** entitled:

An Ordinance of the Alhambra City Council of the City of Alhambra, California, amending Sections 9.18.020, 9.18.030, and 14.04.030 of the Alhambra Municipal Code prohibiting smoking in parks

**Vote:** Moved: MESSINA                      Seconded: SHAM  
Ayes: SHAM, MESSINA, PLACIDO, AYALA  
Noes: None  
Abstained: YAMAUCHI  
Absent: None

**FUENTES:** At 7:45 p.m., Mr. Fuentes returned to the dais.

## ORAL COMMUNICATIONS: F2M8-4

1. **Lola ARMENDARIZ** presented copies of a July, 2008 Los Angeles Times' article entitled "Lovely, but loaded with pollutants," to the City Council regarding the toxicity of fireworks displays. She opposed public fireworks displays in the City.
2. **Paul BUNCH**, 2801 West Norwood Place, stated that he was a 9-year resident representing 40 residents in the vicinity of Valley Boulevard and Fremont Avenue and that they were requesting the Council to respond to the ongoing public nuisance and safety problems presented by the Alhambra Motel on Valley Boulevard. Mr. Bunch cited 171 instances requiring a police response at that location over the past four years, covering such incidents as rape, molestation, drug sales, grand theft auto and gun battles.

## COUNCIL COMMUNICATIONS (ANNOUNCEMENTS & FUTURE AGENDA ITEMS) – F2M8-7, F99-42

Councilmember **SHAM** and Vice Mayor **MESSINA** reported on activities at last week's Independent Cities Association (ICA) Conference whose theme was the environment. Mrs. Messina noted the City was on the "cutting edge" on a number of environmental projects. She also reported on a session she attended entitled "Character Counts" and she hoped such a program could be brought to the City through the School District. Dr. **PLACIDO** also noted that at the ICA Conference the City of Alhambra was used as a benchmark in the San Gabriel Valley for environmental and energy issues. He requested the City implement a five member "green team," that would report back to Council with recommendations at the end of the year on efforts to save energy and on what the City might be able to do to "green" Alhambra in the future.

Mayor **AYALA** commented that his favorite session from last weekend's ICA Conference had the Manhattan Beach Chief of Police delivering a presentation on "going green," the idea being that if the City's Police Department was behind the idea, it would be easier for the rest of that city to follow. Mayor Ayala added that developers were also picking up on the financial incentives behind endorsing environmentally friendly projects and how that approach might in the long term add to their portfolios. He supported the Council's efforts toward a more environmentally friendly City and noted possible U.S. House of Representatives appropriations of close to \$2 billion to be distributed to American cities to implement green standards and projects.

Councilmember **YAMAUCHI** reminded citizens that the City's *Summer Jubilee* would begin this coming Saturday, July 19<sup>th</sup> and that, since seating was a little different this year, those attending should be at the *Jubilee* around 6 p.m. At his request, Director of Community Services **JARVIS** detailed the new procedure for processing admission to this year's *Summer Jubilee*. The City would issue wrist bands that correlated to a seat in the bleachers. Formerly, open seating had been difficult to control and ensure seats were filled. This year, by distributing wrist bands, patrons will have to wear the wrist bands for admittance into the bleachers. With 3,600 seats available, staff was hoping to fill the bleachers more adequately than in the past. In the past it was difficult to make sure there was a full crowd in the bleachers. This year, people will be

allowed into the venue at 5:00 p.m. They can line up at two distribution centers. Staff will issue wrist bands that correlate to bleacher seating and patrons will be able to select one of five sections. Once they have their wrist band they were free to sit in the bleachers. City Manger **FUENTES** added the staff would still allow standing below the performing groups at street level. Ms. **JARVIS** noted some preferred to stand rather than go into the bleachers. There would be one small section to accommodate lawn chairs. Mr. **FUENTES** felt this year might produce record attendance; and, as it appeared this might happen the City would reserve a second Jumbotron at considerably less cost.

**ARA RECONVENE & CLOSED SESSION:** At 8:10 p.m., the ARA Chairman reconvened the Agency meeting with all members present; and, as the Agency Board and City Council had not had sufficient time within which to finish the closed session on their 5:30 p.m. agenda, the Agency Board and City Council moved back into closed session to continue conferring on those items heretofore identified by the City Attorney/Agency Counsel.

**ADJOURNMENT:** At 8:40 p.m., the Agency Board and City Council moved out of closed session with all members present; and, as there was no further business for the City Council or the Agency Board to transact, the Mayor and Agency Chairman, with the unanimous consent of the Council and Agency Board, adjourned their respective meetings to 5:30 p.m., on **Monday, July 28, 2008**, in the Council Chambers of the Alhambra City Hall, 111 South First Street, Alhambra, California.

**FRANCES A. MOORE, CMC**  
**CITY CLERK & ARA ASSISTANT SECRETARY**  
**and**  
**CRAIG ROGERS, CMC**  
**ASSISTANT CITY CLERK**