

**MINUTES
ALHAMBRA CITY COUNCIL
ALHAMBRA REDEVELOPMENT AGENCY
Joint Regular Meeting
August 11, 2008
5:30 p.m.**

ROLL CALL: At 5:30 p.m., on Monday, August 11, 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, YAMAUCHI, SHAM
ABSENT: NONE**

Officials Present: 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, Chief of Police Hudson, Assistant to the City Manager Hayashi, Sergeant-at-Arms Johnson

FLAG SALUTE: Led by Chairman Sham.

RESOLUTIONS BY TITLE ONLY

On motion of Mr. YAMAUCHI, seconded by Dr. PLACIDO, and carried unanimously (PLACIDO, MESSINA, AYALA, YAMAUCHI, SHAM), 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.

AGENCY/COUNCIL CONSENT AGENDA (Item Nos. 1 – 6)

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.

- 1. NOTICE OF EXERCISE OF SECOND OPTION: ALHAMBRA MOTORS, INC., (GOUDY HONDA) & CATHOLIC ARCHBISHOP OF LOS ANGELES (ALL SOULS CHURCH) – F96-520, F92-33, F86-159, C96-520, C96-521, C96-522, M2M8-514**

Staff requested Agency Board consent to the Notice of Exercise of Second Option from Alhambra Motors, Inc., (Goudy Honda) to extend an existing Ground Sublease

Agreement by and between the Alhambra Redevelopment Agency (Agency) and Alhambra Motors, Inc., (Goudy Honda) dated March 16, 1992, and to authorize the Alhambra Redevelopment Agency staff to notify the Catholic Archbishop of Los Angeles (Archbishop) of the Agency's election to exercise its second option as described in the Ground Lease between the Agency and Archbishop, also dated March 16, 1992, thereby extending the terms thereof for an additional five-year period to and including May 31, 2017, as more fully discussed in the Director of Development Services' August 11, 2008 report on file in the City Clerk's Office.

Discussion: None

Action Taken: Agency Board adopted **Minute Order No. M2M8-514** as follows:

RESOLVED by the Alhambra Redevelopment Agency Board that this Agency Board hereby consents to the "Notice of Exercise of (Second) Option" from Alhambra Motors, Inc. (Goudy Honda) to extend that certain Ground Sublease by and between the Alhambra Redevelopment Agency and Alhambra Motors, Inc., dated March 16, 1992 (Contract No. C96-522), authorizes the Agency's staff to notify the Roman Catholic Archbishop of Los Angeles (Archbishop) of the Agency's election to exercise its option as described in that certain Ground Lease between the Agency and the Roman Catholic Archbishop of Los Angeles, also dated March 16, 1992 (Contract No. C96-521), and, authorizes the Agency Chairman and/or Executive Director, or his designee, to execute for and on behalf of the Agency any and all documents and to take whatever other actions are necessary in order to effectuate the actions taken hereby.

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

2. ASSIGNMENT & ASSUMPTION AGREEMENT: 1831 WEST MAIN STREET (ALHAMBRA VOLKSWAGEN) – F2M8-513, F95-505, M2M8-513, C96-517

Staff requested Agency Board approval of an Assignment and Assumption of Lease and Sublease Agreement between Edward A. Krall, Mary C. Moraga and Nellie J. Lima ("the Owners"), the Alhambra Redevelopment Agency, Chrysler Realty Company LLC, a Delaware Limited Liability Company ("Subassignor") and Richard A. Wilson, dba Alhambra Volkswagen ("Assignee") for the property at 1831 West Main Street in order to establish a new car Volkswagen dealership.

Discussion: None

Action Taken: Agency Board adopted **Minute Order No. M2M8-513** as follows:

RESOLVED by the Alhambra Redevelopment Agency Board that this Agency Board hereby approves that certain ASSIGNMENT AND ASSUMPTION AGREEMENT OF LEASE AND SUBLEASE

AGREEMENT (the "Assignment"), between Edward A. Krall, Mary C. Moraga and Nellie J. Lima ("the Owners"), the Alhambra Redevelopment Agency, a public body ("Agency" or "Assignor"), Chrysler Realty Company LLC, a Delaware Limited Liability Company ("Subassignor") and Richard A. Wilson, dba Alhambra Volkswagen (Assignee"), for the property at 1831 West Main Street, a copy of which Assignment is on file in the office of the City Clerk as Contract No. C96-517 and by this reference incorporated herein and made a part hereof as though fully set forth herein; and, the Chairman is hereby authorized to execute said Assignment for and on behalf of the Agency, and the Secretary is hereby authorized to attest the same and to affix the Seal of said Agency thereto.

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

3. OPA: FINANCIAL ASSISTANCE – VOLKSWAGEN ALHAMBRA – 1811 & 1831 WEST MAIN STREET - F2M8-513, C2M8-510, M2M8-515

Staff requested that the Agency Board consider entering into an Owner Participation Agreement (OPA) with *Volkswagen Alhambra*, to provide financial assistance as an incentive for the development of a Volkswagen new car auto dealership at 1811 and 1831 West Main Street as more fully discussed in the ARA Deputy Executive Director's August 11, 2008 report on file in the office of the City Clerk.

Discussion: None

Action Taken: Agency Board adopted **Minute Order No. M2M8-515** as follows:

RESOLVED by the Alhambra Redevelopment Agency Board that this Agency Board hereby approves that certain OWNER PARTICIPATION AGREEMENT (OPA), by and between the ALHAMBRA REDEVELOPMENT AGENCY and RICHARD A. WILSON dba ALHAMBRA VOLKSWAGEN, to provide financial assistance for the development of a Volkswagen new car auto dealership at 1811 and 1831 West Main Street and to effectuate the Redevelopment Plan for the Alhambra Industrial Redevelopment Project Area, Added Area A ("Project Area"), a copy of which OPA is on file in the office of the City Clerk as **Contract No. C2M8-510** and by this reference incorporated herein and made a part hereof as though fully set forth herein; and, after said OPA has been duly executed by said property owner, the Chairman is hereby authorized to execute said OPA for and on behalf of the Agency and the Secretary is hereby authorized to attest the same and to affix the Seal of said Agency thereto.

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

4. AGREEMENT FOR CONVEYANCE OF REAL PROPERTY: CITY-OWNED PARKING LOT – 28 NORTH THIRD STREET – F2M8-514, D2M8-511, M2M8-1005

Staff requested Council/Agency approval of the sale of a City-owned surface public parking lot located at 28 North Third Street to the Alhambra Redevelopment Agency as an integral part of the overall redevelopment plan for Site 6 of the West Main Street Corridor Master Plan. The Agency will purchase the subject parcel from the City at the appraised fair market price of \$1,116,550 (\$68.50 per sq. ft) to be paid from the Agency General Fund (Fund 93) and is included in the 2008-2009 City/Agency Budget.

Discussion: None

Action Taken: City Council and Agency Board jointly and severally adopted **Minute Order No. M2M8-1005** as follows:

RESOLVED by the Alhambra City Council and the Alhambra Redevelopment Agency Board that this City Council and Agency Board hereby approves that certain AGREEMENT FOR CONVEYANCE OF REAL PROPERTY (“the Agreement”), dated effective as of August 11, 2008, by and between the CITY OF ALHAMBRA, a California municipal corporation (“City”) and the ALHAMBRA REDEVELOPMENT AGENCY, a public body corporate and politic (“Agency”) for the sale of a City-owned surface public parking lot at 28 North Third Street (Assessor’s Parcel Number 5337-015-901) to the Alhambra Redevelopment Agency, a copy of which Agreement is on file in the office of the City Clerk as **Deed No. D2M8-511** and incorporated herein by reference and made a part hereof as though fully set forth herein; and, the Mayor and ARA Chairman are hereby authorized to execute said Agreement for and on behalf of the City and Agency and the City Clerk/ARA Assistant Secretary is hereby authorized to attest the same and to affix the seals of said City and Agency thereto.

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

5. ACCOUNTS PAYABLE – F2M8-500

Agency staff submitted for the Agency Board’s review and approval Accounts Payable for the period ended July 31, 2008, Warrant Nos. 16535 - 16548, in the total amount of \$139,853.18, and for the period ended August 1, 2008, Check Nos. 10024 – 10041, in the total amount of \$343,483.22.

Discussion: None

Action Taken: Agency Board approved as submitted.

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

6. MINUTES

The Minutes of the July 14, 2008 Joint Regular Meeting of the Alhambra Redevelopment Agency and Alhambra City Council and the Regular Meeting of the Alhambra City Council and the July 28, 2008 Joint Regular Meeting of the Alhambra Redevelopment Agency and Alhambra City Council and the Regular Meeting of the Alhambra City Council were presented for review and approval by both the Agency Board and/or the City Council.

Discussion: None

Action Taken: Agency Board/City Council approved as submitted.

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

ORAL COMMUNICATIONS: None

CLOSED SESSION & ASSISTANT 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):
None.

Conference with Legal Counsel--Existing Litigation (Govt. Code Section 54956.9(a): None.

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.

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

whereupon at 5:35 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 7:00 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
August 11, 2008
7:00 p.m.

RECONVENE & ROLL CALL: At 7:00 p.m., on Monday, August 11, 2008, the Alhambra City Council met in the Council Chambers of the Alhambra City Hall

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

Officials Present: 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, Chief of Police Hudson, Fire Chief Kemp, Assistant to the City Manager Hayashi, Library Director Hernandez, Sergeant-at-Arms Johnson

FLAG SALUTE: Led by Mayor Ayala

RESOLUTIONS BY TITLE ONLY

On motion of Mr. SHAM, seconded by Mr. YAMAUCHI, 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.

CEREMONIAL

1. COMMENDATION: EAST ALHAMBRA LITTLE LEAGUE GIRLS' SOFTBALL TEAMS -F2M8-3

Mayor **AYALA** and Vice Mayor **MESSINA**, on behalf of the Alhambra City Council and the residents of Alhambra, presented **COMMENDATIONS** honoring the following **EAST ALHAMBRA LITTLE LEAGUE MINOR (9-10 YR) GIRLS' SOFTBALL - BRUINS, EAST**

ALHAMBRA ALL STARS MINOR GIRLS' SOFTBALL and EAST ALHAMBRA JUNIOR GIRLS' SOFTBALL – TIGERS PLAYERS and their COACHING STAFFS.

***EAST ALHAMBRA LITTLE LEAGUE
MINOR (9-10 YR) GIRLS' SOFTBALL – BRUINS***

(Undefeated in regular season (14-0) as well as Undefeated/Tournament Champions of the District 18 Tournament of Champions)

Players

**FRANCINE MACIAS
VICTORIA AYALA
NATY LANDEROS
DESIREE SOTELO
SAMANTHA MENDEZ
BIANCA ZAVALA
ERIN RODARTE
JESSIE MEDINA
BRIANNA BRITO
DEZARAE MURRAY
ALYSSA RAYES
STEFANI MEJIA
ELIZABETH JUAREZ**

Manager, Coaches & Team Mom

DANNY MACIAS	MANAGER
LOUIE AYALA	COACH
FRED MENDEZ	COACH
GABRIEL RUIZ	COACH
BLANCA MACIAS	TEAM MOM

EAST ALHAMBRA "ALL STARS" MINOR GIRLS' SOFTBALL

(Undefeated in District 18 Tournament, Undefeated in the Section 3 Tournament and placed 3rd in the California District 24 Softball Division III State Tournament)

Players

**FRANCINE MACIAS
VICTORIA AYALA
DESIREE SOTELO
JESSIE MEDINA
DEZARAE MURRAY
BIANCA ZAVALA
SAMANTHA MENDEZ
ERIN RODARTE
KIANA BILDERRAIN**

CAMERON MARTINEZ
AMBER RUBIO
ASHLEY TOVAR
KATHERINE MCKENZIE

Manager & Coaches

DANNY MACIAS	MANAGER
LOUIE AYALA	COACH
FRED MENDEZ	COACH
GABRIEL RUIZ	COACH

EAST ALHAMBRA JUNIOR GIRLS' SOFTBALL – TIGERS

(Tournament Champions of the District 18 Tournament of Champions, Tigers were also the Junior “All Star” team and placed 2nd in the District 18 Tournament)

Players

JOLEEN MACIAS
DOREEN SOTELO
VANESSA MENDEZ
ROSE SAENZ
ALASHANEE MEDINA
JACKIE GUEVARA
HALLEIN CAMARENA
ALEX SAMANIEGO
KATHLEEN JUAREZ
RACHEAL MCKIERNAN
SAMIRA LUNA
JUSTINE VASQUEZ
YVETTE FOMEZ

Manager & Coaches

MARK JUAREZ	MANAGER
DANNY MACIAS, SR.	COACH
DANNY MACIAS, JR.	COACH

HEARING

- PUBLIC HEARING: AMENDMENTS OF AMC REPEALING DRUG & MEDICINE DISTRIBUTION & ADDING PROHIBITING MEDICAL MARIJUANA DISPENSARIES CITYWIDE -- F2M6-80, O2M8-4531, N2M8-90**

This was the time and place set by **Notice No. N2M8-90** for the City Council to hold a public hearing on that certain Ordinance No. O2M8-4531 repealing Chapter 6.08 (Drug and Medicine Distribution) from Title VI (Health & Sanitation) and amending Title XXIII (Zoning) of the Alhambra Municipal Code by adding Chapter 23.85 prohibiting medical

marijuana dispensaries citywide, hereinafter called "Project."

Director of Development Services **MARTIN** reported that on August 28, 2006 the City Council adopted interim urgency ordinance O2M6-4488 establishing a 45-day moratorium on issuance of use permits, variances, building permits, business licenses or any other entitlement for the establishment or operation of a medical marijuana dispensary. Ordinance O2M6-4488 was adopted due to perceived inconsistencies between State and Federal laws regarding this matter. On October 23, 2006, the City Council voted to extend the moratorium for an additional 22 months and 15 days (two years) expiring on August 7, 2008. Due to the continuing conflict between State and Federal law, cities are left to fend for themselves to determine whether, as a land use, medical marijuana dispensaries should be permitted, regulated or prohibited. Beyond the legal issue, several California cities that have permitted the establishment of medical marijuana dispensaries have found that such dispensaries have resulted in negative and harmful secondary effects, including significant increases in traffic, crime and noise. In light of these findings, staff proposes that medical marijuana dispensaries be prohibited City-wide. The Planning Commission considered the proposed ordinance on August 4, 2008 and recommended approval by a vote of 8-0.

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: Approved the proposed Amendments to the Alhambra Municipal Code by directing the City Attorney to introduce and give first reading by title only to **Ordinance No. O2M8-4531** entitled:

An Ordinance of the City Council of the City of Alhambra, California, repealing Chapter 6.8 of Title VI of the Municipal Code entitled Drug and Medicine distribution and amending Title XXIII to add Chapter 23.85 prohibiting Medical Marijuana Dispensaries Citywide.

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

COUNCIL CONSENT AGENDA (Item Nos. 3 - 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.

3. ACCEPT GIFT: FRIENDS OF THE ALHAMBRA PUBLIC LIBRARY – F2M8-12, M2M8-70

Staff requested that the City Council accept a gift of \$3,200 from the Friends of the Alhambra Public Library to support the purchase of equipment for the Technical Services Department, as more fully discussed in the Library Director's August 11, 2008 report on

file in the City Clerk's Office.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M8-70** as follows:

RESOLVED by the Alhambra City Council that this Council hereby accepts with gratitude the gift of \$3,200 from the Friends of the Alhambra Public Library (101.50.46730) to support the purchase of equipment for the Technical Services Department, and directs the Director of Finance to allocate the funds to the Alhambra Public Library Fund as follows: \$3,200 to Office Equipment (101.50.5010.98130); and,

BE IT FURTHER RESOLVED by the Alhambra City Council that this Council hereby directs the City Clerk to send a certified copy of this Resolution to the Friends of the Alhambra Public Library.

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

4. ACCEPT GIFT: ALHAMBRA PUBLIC LIBRARY FOUNDATION TO THE ALHAMBRA PUBLIC LIBRARY – F2M8-12, M2M8-71

Staff requested that the City Council accept a gift of \$100,000 from the Alhambra Public Library Foundation to support the purchase of library books for the new Alhambra Civic Center Library, as more fully discussed in the Library Director's August 11, 2008 report on file in the City Clerk's Office.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M8-71** as follows:

RESOLVED by the Alhambra City Council that this Council hereby accepts with gratitude the gift of \$100,000 from the Alhambra Public Library Foundation to support the purchase of library books for the new Alhambra Civic Center Library, and directs the Director of Finance to allocate the funds to the Alhambra Public Library Foundation (100.00.46701) as follows: \$100,000 to the Alhambra Public Library Books Account (101.50.5010.98501); and,

BE IT FURTHER RESOLVED by the Alhambra City Council that this Council hereby directs the City Clerk to send a certified copy of this Resolution to the Alhambra Public Library Foundation.

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

5. NIB: WATER METERS & WATER METER BOXES – F2M8-68, N2M8-86, N2M8-87

Staff requested City Council authorization to distribute a Notice Inviting Bids for the purchase of Water Meters and Water Meter Boxes, as more fully discussed in the August 11, 2008 report of the Director of Utilities on file in the City Clerk's Office. Funds were available for this project in the 2008-09 Budget and Capital Improvement Plan.

Discussion: None

Action Taken: Authorized the City Clerk to advertise **Notice Inviting Bids No. N2M8-86** for **Water Meters** and **Notice Inviting Bids No. N2M8-87** for **Water Meter Boxes**, with bids to be received on or before 10:30 a.m., on Thursday, September 11, 2008, in the office of the City Clerk and publicly opened at 11:00 a.m. that same day.

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

6. NIB: WATER METER REPLACEMENT INSTALLATION – F2M8-69, N2M8-89

Staff requested City Council authorization to distribute a Notice Inviting Bids for Water Meter Replacement Installation, as more fully discussed in the August 11, 2008 report of the Director of Utilities on file in the City Clerk's Office. Funds were available for this project in the 2008-09 Budget and Capital Improvement Plan.

Discussion: None

Action Taken: Authorized the City Clerk to advertise **Notice Inviting Bids No. N2M8-89** for Water Meter Replacement Installations, with bids to be received on or before 10:30 a.m., on Thursday, September 11, 2008, in the office of the City Clerk and publicly opened at 11:00 a.m. that same day.

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

7. NIB: WELL 13 REPAIR AND REHABILITATION PROJECT – F2M8-65, N2M8-100

Staff requested City Council authorization to distribute a Notice Inviting Bids for the Well #13 Repair and Rehabilitation Project, as more fully discussed in the Director of Utilities' August 11, 2008 report on file in the City Clerk's Office.

Discussion: None

Action Taken: Authorized the City Clerk to advertise **Notice Inviting Bids No. N2M8-100** for the Well 13 Repair and Rehabilitation Project, with bids to be received on or before 10:30 a.m., on Thursday, August 28, 2008, in the office of the City Clerk, and publicly opened at 11:00 a.m. that same day.

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

8. FUND TRANSFER: STATE GRANT FUNDS INTO POLICE OVERTIME ACCOUNT FOR FY 2007/08 – F2M1-33, M2M8-72

Staff requested Council to authorize the appropriation and transfer of funds from Fund 14 (Supplemental Law Enforcement Services Fund) into the Police Department's regular safety overtime account for overtime expenditures authorized under the grant for Fiscal Year 2007/08 as more fully discussed in the Chief of Police's August 11, 2008 report on file in the office of the City Clerk.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M8-72** as follows:

RESOLVED by the Alhambra City Council that this Council hereby authorizes the Director of Finance to transfer \$24,475.18 (Gang Suppression Detail) and \$16,518.22 (Bicycle Patrol) for a total of \$40,993.40 from Fund 14 (Supplemental Law Enforcement Services Fund) into the Police Department's regular safety overtime account for Fiscal Year 2007/08.

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

9. MOU: SCHOOL RESOURCE OFFICER PROGRAM - F2M-66, C2M1-75, M2M8-73

Staff requested Council authorization to renew the Agreement with the Alhambra Unified School District to accept funding for the assignment of two police officers to the School District to handle law enforcement related issues and provide high visibility on school campuses during school hours for the period from September 1, 2008 to and including June 30, 2009, with the School District to reimburse the City the actual hourly cost of these officers for a sum of not to exceed \$7,400 per month.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M8-73** as follows:

RESOLVED by the Alhambra City Council that this Council hereby approves that certain RENEWAL OF MEMORANDUM OF UNDERSTANDING 2008 – 2009 (MOU) by and between the ALHAMBRA UNIFIED SCHOOL DISTRICT (District) and the CITY OF ALHAMBRA (CITY) to continue the School Resource Officer Program for the 2008-09 school year, a copy of which MOU is on file in the office of the City Clerk as Contract No. C2M1-75 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 such MOU 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.

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

10. SCHOOL RESOURCE OFFICER PROGRAM – ADDITIONAL SCHOOL RESOURCE OFFICER - F2M-66, M2M8-74, C2M8-43

The Alhambra Unified School District (AUSD) had recently received a 4-year Federal grant to enhance their “Gateway to Success” program, entitled “Safe Schools/Healthy Students” that has a strong school safety component. This was an approximate \$1.5 million annual grant for which 10% has been authorized for law enforcement services. The AUSD desires to enhance the Alhambra Police Department’s current partnership and School Resource Officer Program with the addition of one full-time School Resource Officer. The AUSD would fully fund this position for each of the next four years.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M8-74** as follows:

RESOLVED by the Alhambra City Council that this Council hereby approves that certain MEMORANDUM OF UNDERSTANDING (2008-2009) (the "MOU") with the ALHAMBRA UNIFIED SCHOOL DISTRICT for the provision and acceptance of funding for an additional full-time sworn officer in the School Resource Officer Program, a copy of which is on file in the office of the City Clerk as **Contract No. C2M8-43** and by this reference incorporated herein and made a part hereof as though fully set forth herein, and the Chief of Police is hereby authorized to execute said MOU 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.

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

11. **PERSONNEL ACTIONS - F2M8-2, M2M8-75**

A List of Personnel Actions had been prepared showing the various appointments, classifications, salary changes, etc., since the last City Council meeting. It would be appropriate to ratify those actions by the City Manager. In addition, as more fully discussed in the Assistant City Manager/Personnel Director's August 11, 2008 report, the Council was being requested to approve the class specification for the position of *Assistant Fire Chief* as authorized in the FY 2008-09 Budget which position will function in place of the *Deputy Fire Chief* position,

Discussion: None

Action Taken: Ratified the actions of the City Manager set forth in that certain Personnel Actions document dated August 11, 2008, and adopt **Minute Order No. M2M8-75** as follows:

RESOLVED by the Alhambra City Council that this Council hereby approves that certain specification for the employee position classification of *Assistant Fire Chief*, a copy of which specification is on file in the office of the City Clerk as F2M8-2 and incorporated herein by reference and made a part hereof as though fully set forth herein; assigns such position to Salary Range \$8,087 - \$10,077 per month; designates such position classification as a *Management* employee under Section Twelve of the City's Employer-Employee Resolution No. R80-32; which said position classification replaces that certain position classification of *Deputy Fire Chief*, and, amends the City's Employer-Employee Resolution No. R80-32

to reflect the actions taken by this resolution.

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

12. DEMANDS - F2M8-1

General City Warrants (281891 thru 282023) in the amount of \$1,402,541.72 for the week ended July 24, 2008; and General City Warrants (282024 thru 282087) in the amount of \$455,644.53 and Schedule of Wire Transfers in the amount of \$380,383.13 for the week ending July 31, 2008 were submitted for Council's approval.

Discussion: None

Action Taken: Approved as submitted.

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

OLD BUSINESS

13. CONSIDERATION OF FORMING AN ALHAMBRA GREEN TEAM AD HOC COMMITTEE – F2M7-66

Assistant to the City Manager **HAYASHI** reported that last year Councilman Yamauchi suggested the creation of an Environmental Committee which the Council agreed to consider and has subsequently discussed from time to time culminating with the July 28, 2008 meeting at which Dr. Placido requested that the City Council consider the creation of an Environmental or "Green Team" Committee in the City of Alhambra. The purpose of the Committee would be to review the City's actions to date that support and encourage energy and water conservation, transportation effectiveness, City beautification and the over-all quality of life and the environment. The Committee would also formulate recommendations for future actions and submit a report on its findings to the City Council by December 31, 2008. Dr. Placido has suggested that each City Councilmember would appoint one person to the Committee, considering the qualifications or specific environmental expertise that would be desirable.

Citizen Input: Efren **MORENO**, Jr., 172 West Ramona Road, thought the *ad hoc* "Green Team" committee would be a duplication of work, if an environmental committee

was also established. He felt staff could much more quickly produce the information than an *ad hoc* committee. Mr. Moreno preferred a pro-active environmental commission that could come up with a standard that the City would follow regarding future developments in the City.

Discussion: Councilmember **YAMAUCHI** remarked that an Environmental Committee would concentrate on looking at energy savings throughout the City and how the City might be able to assist residents and businesses to save energy in one form or another. There were similarities between the Green Team and an Environmental Committee. Mr. Yamauchi was perfectly willing to combine the two if, after looking at what could be done we could extend that into energy savings.

Vice Mayor **MESSINA** noted it would help to have people serving on these committees who were interested in environmental issues. The Environmental Commission would be working not only with the City but with the public utilities. Mrs. Messina saw the Environmental Commission as an ongoing committee, whereas the "Green Team" committee would be a short-lived committee offering suggestions that perhaps the City had not come up with. Dr. **PLACIDO** remarked that information the "Green Team" collected would probably be used by the Environmental Committee. Mayor **AYALA** noted that Assembly Bill 32, passed several years ago, would require cities to cap their greenhouse gases. He asked if Council wished to include AB 32 as part of the committee requirements.

For clarification, City Attorney **MONTES** summarized the issues being discussed: 1) a gathering of the environmental actions that had been taken by the City to date, to report on those; 2) a discussion regarding coordinating with public utilities to explore energy savings and other conservation measures; 3) a discussion regarding developing a future direction in terms of environmental steps the City might take; and 4) some discussion regarding exploring regulations that have been passed and how they have impacted the City. He suggested that on an ongoing basis the *ad hoc* committee may be one that establishes where the City is currently and reports on that; then identifies areas that the City might wish to explore. The Environmental Commission could pick up from there, if that was how the Council wished to structure it. Certainly, the Council could roll it all into one group, or create two separate groups or wait and do one group now and another group later. It was not atypical to start with an *ad hoc* committee before establishing a commission. These were just ideas for the Council.

Mr. **SHAM** preferred at this point in time the establishment of an *ad hoc* committee to do an assessment rather than two commissions. Mr. **YAMAUCHI** hoped the environmental commission would be addressed before the end of the year. As a point of clarification, City Attorney **MONTES** asked if the assessment by the *ad hoc* committee would include any coordination with the utilities and/or any exploration of current regulation, to which Mayor **AYALA** indicated it would. Additionally, when the resolution was brought back to Council, it should provide that the *ad hoc* committee would be comprised of five individuals, one appointed by each of the five Councilpersons.

Action Taken: Directed the City Attorney to prepare a resolution for the Council's consideration establishing an *Ad Hoc Green Team Committee* charged with the purpose of compiling a report to the City Council outlining the City's efforts to date and recommendations for future actions that support and encourage energy and water conservation, transportation effectiveness, City beautification and the overall quality of life and the environment.

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

ORAL COMMUNICATIONS - F2M8-4, F2M8-66

Diane HERNANDEZ, speaking on behalf of Valerie Franco and her son Rubin Miramontes, a young man diagnosed with adrenoleukodystrophy (ALD), expressed the family's gratitude and appreciation to the City of Alhambra and those individuals who participated in the car wash fund raising event that raised over \$8,000 to help Rubin Miramontes and his family through the difficult time he was having with his illness. Certificates of Appreciation were also presented to Councilmembers Yamauchi and Placido, the Alhambra Police Officers' Association, the Alhambra Fire Firefighters' Association, the Emery Park School girl Scouts, the Tri-High Y Students, and Valerie Gomez of the West San Gabriel Valley YMCA. **Valerie FRANCO** also thanked Councilmembers Yamauchi and Placido and all of those organizations involved in the car wash fund raising for their efforts on behalf of her son.

COUNCIL COMMUNICATIONS (ANNOUNCEMENTS & FUTURE AGENDA ITEMS) – F2M8-7, F2M8-66, F2M8-19

Councilmember **YAMAUCHI** thanked the coaches of the East Alhambra Little League Girls' Softball Teams for all their efforts on the girls' behalf, with a special mention of Veronica Macias as the "Team Mom." He also thanked Valerie Franco for her attendance at this evening's meeting on her son's behalf.

Dr. **PLACIDO** added his thanks to Autocraft and the Alhambra YMCA for their assistance on Rubin Miramontes' car wash event. He complimented the City's Water and Police Department, specifically Sergeant Johnson for answering questions regarding Neighborhood Watch, and Allied Waste for their involvement in the City's August 9, 2008 Recycling Fair held at Granada Park.

Vice Mayor **MESSINA** described last Saturday's *Summer Jubilee* and the appearance of native son, Kenny Loggins. Mr. Loggins was excited to learn his picture would hang in the new Civic Center Library's Hall of Fame. The Council gave Mr. Loggins a key to the City and when he questioned what it might open up for him Mrs. Messina replied "come back and find out." Mrs. Messina announced the reception she was hosting in support of the City's All Marching Band.

that will be participating in the 2009 Tournament of Roses Parade. She hoped citizens would support this event.

Mayor **AYALA** thanked Assemblymember Eng's office for co-hosting the City's foreclosure workshop at the Joslyn Center. Mayor Ayala reported that the median cost of a home in Alhambra had decreased a lot less in the previous year than it had in neighbouring cities in the San Gabriel Valley. The Mayor congratulated the Alhambra Chief of Police and the Police Department for holding a very successful National Night Out last week, signing up a number of Neighborhood Watch groups.

Proposition 7: Pursuant to the Council's policy memorialized by Minute Order No. M2M5-154 for placing items on an agenda, at the July 28, 2008 meeting, Mr. **YAMAUCHI** requested that the matter of support of the proposed renewable Energy Generation Initiative, Proposition 7, appearing on the November 4 ballot, which would require utilities, including government-owned utilities, to generate 20% of their power from renewable energy by 2010, a standard currently applicable only to private electrical corporations, be agendaized this evening so that the Council could vote as to whether or not to place it on an upcoming agenda for consideration.

City Attorney **MONTES** stated that pursuant to the Council's rules on agenda setting, if opposition of Proposition 7 was something the Council wishes to consider on its action agenda, it would be brought back for a formal action by the Council unless there was objection by three Councilpersons.

After discussion, the consensus was reached to bring the item back for Council consideration on a future agenda.

ARA RECONVENE: At 7:50 p.m., the ARA Chairman reconvened the Agency's meeting with all members present.

MOMENT OF SILENCE & ADJOURNMENT – F2M8-3

Moment of Silence: Mr. **YAMAUCHI** requested that this evening's meeting be adjourned in memory of his cousin's youngest son, **JARET "J.T." MINAMI**, a 25-year old scholar/athlete, who was Division II All-American, All-League, All State College Soccer and Most Valuable Player on his soccer team at California State University at Dominguez Hills. Mr. Minami lapsed into a coma ten days ago and subsequently passed away. Mayor **AYALA** also noted the passing on July 20, 2008 of **ZITA ROSE TALBOT**, who was a long-time Alhambra resident and the mother of former Mayor and Councilmember Paul Talbot.

Adjournment: There being no further business for the Agency Board or Council to transact, Mayor **AYALA** declared a **MOMENT OF SILENCE** for both **JARET "J.T." MINAMI** and **ZITA ROSE TALBOT** which was respectfully observed by all in attendance, after which at 7:55 p.m.,

with the unanimous consent of the Agency Board and City Council the **meeting was adjourned in their honor and memory.**

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