

**MINUTES
ALHAMBRA CITY COUNCIL
ALHAMBRA REDEVELOPMENT AGENCY
Joint Regular Meeting
August 10, 2009
5:30 p.m.**

COUNCIL CHAMBERS

ALHAMBRA CITY HALL

ROLL CALL: At 5:30 p.m., on Monday, August 10, 2009, 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: SHAM, MESSINA YAMAUCHI, PLACIDO, AYALA
ABSENT: NONE**

Officials Present: Assistant City Manager/Personnel Director/Risk Manager Bacio, City Attorney/Agency Counsel Montes, Acting City Clerk/ARA Assistant Secretary Myles, Director of Development Services/ARA Deputy Executive Director Martin, Director of Finance Longballa, Assistant to the City Manager Hayashi, Sergeant-at-Arms Elizalde

RESOLUTIONS BY TITLE ONLY

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

AGENCY/COUNCIL CONSENT AGENDA (Item Nos. 1 – 2)

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

1. MINUTES

The Minutes of the April 9, 2009 Special Meeting of the Alhambra Redevelopment Agency and the Alhambra City Council and the July 13, 2009 Joint Regular Meeting of the Alhambra Redevelopment Agency and the Alhambra City Council and the Regular Meeting of the Alhambra City Council were ready 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: PLACIDO Seconded: MESSINA
Ayes: SHAM, MESSINA, YAMAUCHI, PLACIDO, AYALA
Noes: NONE
Absent: NONE

2. ACCOUNTS PAYABLE – F2M9-500

Agency staff submitted for the Agency Board’s review and approval Accounts Payable for the period ending July 20, 2009, Check Nos. 10655-10663, in the total amount of \$28,362.57; for the period ending July 31, 2009 Check Nos. 10664-10667, in the total amount of \$22,625.02 and for the period ending August 3, 2009, Check Nos. 10668-10682, in the total amount of \$104, 625.82.

Discussion: None

Action Taken: Agency Board approved as submitted.

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

ORAL COMMUNICATIONS: None

CLOSED SESSION & CITY ATTORNEY ANNOUNCEMENT re SAME - F2M9-14

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):

- 1) Ken Huat Toh vs. City of Alhambra, Case No. BC391198
- 2) Peter Fong vs. City of Alhambra, Case No. BC397017
- 3) City of Alhambra v. Campano, Case No. GC042503
- 4) City of Alhambra v. County of Los Angeles, Case No. BS 116375

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 5:32 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 7:05 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 10, 2009
7:00 p.m.**

COUNCIL CHAMBERS

ALHAMBRA CITY HALL

RECONVENE & ROLL CALL: At 7:05 p.m., on Monday, August 10, 2009 the Alhambra City Council met in the Council Chambers of the Alhambra City Hall

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

Officials Present: Assistant City Manager/Personnel Director Bacio, City Attorney Montes, Acting City Clerk Myles, Director of Development Services Martin, Deputy City Manager/Director of Utilities Swink, Director of Community Services Jarvis, Police Captain Faulkner, Fire Chief Stedman, Director of Finance Longballa, Library Director Hernandez, Deputy City Manager/Administrative Services Director Schultz, Assistant to the City Manager Hayashi, Assistant to the City Manager Keating, Code Enforcement Manager Bisogno, Sergeant-at-Arms Elizalde

FLAG SALUTE: Led by Mayor Placido

RESOLUTIONS BY TITLE ONLY

On motion of Mr. YAMAUCHI, seconded by Mr. AYALA, and carried unanimously (SHAM, MESSINA, YAMAUCHI, AYALA, PLACIDO), 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: CHINESE CULTURE DEVELOPMENT CENTER – F2M9-3

The City Council, on behalf of the citizens of Alhambra, wished to recognize the **CHINESE CULTURE DEVELOPMENT CENTER** for their efforts to promote East-West cultural exchange through a presentation of “*Culture of China, Dance of L.A.*” on Sunday, August 23, 2009 at the San Gabriel Mission Playhouse. This one-time only event will feature Chinese folk dancing and a professional folk dance presentation by the Beijing Dance Academy, the premiere folk dance education institution in China. The Commendation was to be personally delivered by Vice Mayor **SHAM** when he attended the event.

CONSENT AGENDA (Item Nos. 2 – 9)

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

2. NIB: PALATINE WATERLINE & STREET REHABILITATION PROJECT – F2M9-68, N2M9-96, M2M9-71

Staff requested City Council authorization to distribute a Notice Inviting Bids for the Palatine Waterline and Street Rehabilitation Project, with bids to be received on or before 10:30 a.m. on Thursday, September 3, 2009, in the office of the City Clerk and publicly opened at 11:00 a.m. that same day as more fully discussed in the Director of Utilities’ August 10, 2009 report on file in the City Clerk’s Office. Funding for this project was budgeted in FY 2008-2009; therefore, it was necessary that the funds be carried over into the current fiscal year.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M9-71** as follows:

RESOLVED by the Alhambra City Council that this Council hereby:

- 1) Authorizes the City Clerk to advertise **Notice Inviting Bids No. N2M9-96** for the Palatine Waterline and Street Rehabilitation Project with bids to be received on or before 10:30 a.m., on Thursday, September 3, 2009, in the office of the City Clerk and publicly opened at 11:00 a.m. that same day; and,
- 2) Directs the Director of Finance to carry over into the current fiscal year funding for the project budgeted in FY 2008-2009 in the

amount of \$563,575 from account number 401.80.8884.90836.

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

3. FUND TRANSFER: STATE GRANT FUNDS INTO POLICE OVERTIME ACCOUNT FOR FY 2008/09 – F2M1-33, M2M9-72

Staff requested that the City Council authorize the appropriation and transfer of funds from Fund 201 (Supplemental Law Enforcement Services Fund) into the Police Department's regular overtime account for overtime expenditures authorized under the grant for Fiscal Year 2008/09 as more fully discussed in the Chief of Police's August 10, 2009 report on file in the City Clerk's Office.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M9-72** as follows:

RESOLVED by the Alhambra City Council that this Council hereby authorizes the Director of Finance to transfer \$30,000 (Gang Suppression Detail) and \$16,366.29 (Bicycle Patrol) for a total of \$46,366.29 from Fund 201 (Supplemental Law Enforcement Services Fund) into the Police Department's regular safety overtime account for Fiscal Year 2008/09.

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

4. NOTICE OF COMPLETION: PALATINE BOOSTER PUMP STATION & MOTOR CONTROL CENTER PROJECT – F2M7-104, C2M8-2, N2M7-164, M2M9-73

Staff requested that the City Council accept the work of RC Foster Corporation in the amount of \$1,317,708.53 for construction of the Palatine Booster Pump Station and Motor Control Center Project. The change orders associated with this project total \$63,796.53. The work had been inspected by staff and all work has been completed in accordance with the City requirements and specifications as more fully discussed in the Director of Utilities' August 10, 2009 report on file in the City Clerk's Office.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M9-73** as follows:

RESOLVED by the Alhambra City Council that this Council hereby

- 1) Approves those certain Change Order Nos. 1-5 to said Contract No. C2M8-2 in the total amount of \$63,796.53;
- 2) Accepts as being fully complete, the work of RC Foster Corporation, for the Groundwater Treatment Plant Project (the "Project") under Contract No. C2M8-2;
- 3) Authorizes payment forthwith of the remaining unpaid balance, not to exceed 90 percent of the contract price, to said contractor, or assigns;
- 4) Authorizes the City Manager to sign the Notice of Completion and the City Clerk to record the same with the Los Angeles County Recorder; and,
- 5) Authorizes payment of the balance of the contract price to said contractor, or its assigns, on or about 35 days after recordation of said Notice of Completion; provided there has been no mechanic's lien or stop notices filed against said work which have not been paid, withdrawn or eliminated as a lien against said work.

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

5. MEMORANDUM OF AGREEMENT: LOS ANGELES RIVER METALS TMDL – F2M7-44, C2M9-23, M2M9-63

Staff requested that Council authorize the execution of a Memorandum of Agreement with the San Gabriel Valley Council of Governments (SGVCOG) for administration and cost sharing implementation of the Coordinated Implementation Plan (CIP) for Reach 2 of the Los Angeles River and Tributaries Metals Total Maximum Daily Load (TMDL) as more fully discussed in the Director of Utilities' August 10, 2009 report on file in the City Clerk's Office. The estimated budget for this CIP is \$226,453 and according to the cost allocation formulas, the City of Alhambra's allocation would be approximately \$11,033.68. The cost share estimates are based upon participation of 33 Cities, including Caltrans, using the existing acreage of each agency within the Los Angeles River Watershed. Funds are available in the current year operating budget.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M9-63** as follows:

RESOLVED by the Alhambra City Council that this Council hereby approves that certain MEMORANDUM OF AGREEMENT BETWEEN THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS AND THE CITY OF

ALHAMBRA, subject to final language approval by the City Manager and City Attorney, a copy of which Agreement is on file in the office of the City Clerk as **Contract No. C2M9-23** and by this reference incorporated herein and made a part hereof as though fully set forth herein; and the City Manager is hereby authorized to execute such 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.

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

6. AWARD CONTRACT: GATEWAY PLAZA PROJECT – F2M5-37, N2M9-36, C2M9-22, M2M9-62

On June 11, 2009, the City Clerk received and opened 13 bids ranging from \$139,200 (TMT Development Co. dba TK Engineering Co.) to \$277,757 (Parrague Construction, Inc.) for the Gateway Plaza Project (N2M9-36). Staff requested that Council award a contract to TMT Development Co. dba TK Engineering Co. for the construction of the Gateway Plaza Project located at the corner of Fremont Avenue and Valley Boulevard. The project entails the construction of an arch way in the middle of a park setting that includes seating elements, walking paths, lighting and landscaping featuring drought tolerant and native plant species as more fully discussed in the Director of Utilities' August 10, 2009 report on file in the City Clerk's Office.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M9-62** as follows:

RESOLVED by the Alhambra City Council that this Council hereby:

- 1) Accepts as the lowest responsible bid received, the bid of TMT Development Co. dba TK Engineering Co., in the total amount of \$139,200, for the Gateway Plaza Project, subject to the terms, conditions and specifications set forth in Notice Inviting Bids No. N2M9-36; and,
- 2) Directs staff to prepare the necessary PUBLIC WORKS CONTRACT (**Contract No. C2M9-22**) with said successful bidder for said Project, and after said contract has been prepared, approved as to content and form by both the City Manager and the City Attorney, and duly executed by said successful bidder, the Mayor is hereby authorized to execute said 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) Directs the Director of Finance to carry over into the current fiscal year funding for the project budgeted in FY 2008-2009 in the amount of \$226,981.72 from account number 310.70.7010.90848.

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

7. SUPPORT OF SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS' CLIMATE SHOWCASE COMMUNITIES GRANT PROGRAM – F2M9-37, M2M9-74

In the American Recovery and Reinvestment Act of 2009, federal funding through the Environmental Protection Agency (EPA) Climate Showcase Communities Program is available to assist local governments in developing plans and implementing projects that reduce greenhouse gas emissions while achieving environmental or community benefits. To assist member agencies in addressing AB32, the San Gabriel Valley Council of Governments (COG) has submitted an application for funding to develop a San Gabriel Valley-wide greenhouse gas emissions reduction strategy and implementation plan. If the application is successful, member cities will be able to participate at whatever their level is in addressing greenhouse gas emissions. Depending on the amount of funding received and allocated to member agencies, the City of Alhambra could benefit by having a greenhouse gas inventory taken of City facilities and operations, and possibly a greenhouse gas reduction plan drafted as more fully discussed in the Assistant to the City Manager's August 10, 2009 report on file in the City Clerk's Office. The COG requested letters of support from its member agencies; therefore, staff requested that the Council support the San Gabriel Valley Council of Governments' grant proposal for the Climate Showcase Communities Program.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M9-74** as follows:

RESOLVED by the Alhambra City Council that this Council hereby supports the San Gabriel Valley Council of Governments' application for federal stimulus funding under the EPA Climate Showcase Communities Program.

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

8. PERSONNEL ACTIONS – F2M9-2, M2M9-75

A list of Personnel Actions had been prepared showing the various appointments, classifications, salary changes, etc., since the last City Council meeting. It was appropriate to ratify those actions by the City Manager. In addition, as more fully discussed in the Assistant City Manager/Personnel Director's August 10, 2009 report, the Council was asked to approve the class specifications for the employee position classifications of Deputy Director of Development Services to more accurately reflect the current duties and qualifications of these classifications.

Discussion: None

Action Taken: Ratified the actions of the City Manager set forth in that certain Personnel Actions document dated August 10, 2009 and adopted **Minute Order No. M2M9-75** as follows:

RESOLVED by the Alhambra City Council that this Council hereby approves those certain specifications for the employee position classifications of Deputy Director of Development Services, a copy of which said specifications are on file in the office of the City Clerk as F2M9-2 and by this reference incorporated herein and made a part hereof as though fully set forth herein.

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

9. DEMANDS - F2M9-1

Final Check List (109747 thru 109791) in the amount of \$162,182.02 for the period ending July 22, 2009; Final Check List (109746/109792 thru 109911) in the amount of \$943,779.26 for the period ending July 27, 2009; Final Check List (109912 thru 109970) in the amount of \$73,750 for the period ending July 28, 2009 and Schedule of Wire Transfers in the amount of \$772,639 for the week ending July 23, 2009; Final Check List (109971 thru 110042) in the amount of \$168,744.42 for the period ending July 29, 2009; and, Final Check List (110043 thru 110117) in the amount of \$277,449.05 for the period ending July 30, 2009 and Schedule of Wire Transfers in the amount of \$4,292,553.20 for the week ending July 23, 2009 were submitted for Council's approval.

Discussion: None

Action Taken: Approved as submitted.

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

ORAL COMMUNICATIONS: F2M9-4, F2M8-81, F2M9-9

1. **Lola ARMENDARIZ**, referencing Mr. Yamauchi's comments regarding the Pine Street issue in the Minutes for the July 13, 2009 City Council Meeting, suggested that when the matter returned to the Council that it be placed on an agenda at 7:00 p.m. in the Council Chambers where it can be videotaped. This allows residents to attend the meeting after work and also for those that may not be able to attend the meeting, to watch it on videotape.
2. **Rome GARZA**, 1614 South Curtis Avenue, expressed concerns for the number of vehicles that run the stop signs located at the intersections of Curtis Avenue at Glendon Way and at Norwood Place. He thought that it presented a dangerous situation to the residents in the area and suggested that Police Department may want to patrol the area to issue citations. He submitted a diagram of the area for the Council to review which is on file in the City Clerk's Office. Responding, Mayor **PLACIDO** commented that the Chief of Police would look into this matter.

COUNCIL COMMUNICATIONS (ANNOUNCEMENTS & FUTURE AGENDA ITEMS) – F2M9-7

Mr. **AYALA** announced that Congressman Adam Schiff was holding an informational town hall meeting on Second Street at 7:00 p.m. on Tuesday, August 11, 2009 to discuss Healthcare Reform Bill (HR 3200). Interested residents are welcome to attend.

Mayor **PLACIDO** reported that he was very impressed by the talent at all age levels displayed during the Alhambra *Night Out Against Crime* softball game between members of the Little and Softball Leagues and the Alhambra Police Department. The players involved were amazing and it was nice to see that everyone had a good time.

ARA RECONVENE & ADJOURNMENT: At 7:15 p.m., there being no further business for the Agency Board or Council to transact, the ARA Chairman and Mayor adjourned their respective meetings to 5:30 p.m. on **Monday, August 24, 2009**, in the Council Chambers of the Alhambra City Hall, 111 South First Street, Alhambra, California

LAUREN MYLES
ACTING CITY CLERK & ARA ASSISTANT SECRETARY

STEVEN T. PLACIDO, MAYOR

LUIS AYALA, ARA CHAIRMAN

ATTEST:

**LAUREN MYLES, ACTING CITY CLERK &
ARA ASSISTANT SECRETARY**