

**MINUTES
ALHAMBRA CITY COUNCIL
ALHAMBRA REDEVELOPMENT AGENCY
Joint Regular Meeting
September 14, 2009
5:30 p.m.**

COUNCIL CHAMBERS

ALHAMBRA CITY HALL

ROLL CALL: At 5:30 p.m., on Monday, September 14, 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: City Manager/ARA Executive Director Fuentes, City Attorney/Agency Counsel Montes, Acting City Clerk/ARA Assistant Secretary Myles, Deputy City Manager/Administrative Services Director Schultz, Director of Finance Longballa, Chief of Police Hudson, Deputy Director of Development Services Reynoso, Assistant to the City Manager Keating, Sergeant-at-Arms Elizalde

FLAG SALUTE: Led by Chairman Ayala

AGENCY/COUNCIL CONSENT AGENDA (Item Nos. 1 – 3)

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. PERSONNEL APPOINTMENT & CONSULTING SERVICES – F2M9-73, F2M9-2, C2M9-34, M2M9-87

Due to the impending retirement of the Director of Development Services, the City Manager proposed to appoint the Deputy Director of Development Services as the new Director of Development Services effective October 6, 2009. The City Manager also requested that the City Council authorize him to approve a consulting agreement with the retiring Director of Development Services as more fully discussed in the City Manager's September 14, 2009 staff report (the "Report") on file in the City Clerk's

Office.

Discussion: None

Action Taken: City Council adopted **Minute Order M2M9-87** as follows:

RESOLVED by the Alhambra City Council that this Council hereby ratifies the appointment of the Director of Development Services effective October 6, 2009 and authorizes the City Manager to approve a consulting agreement **Contract No. C2M9-34** with Mr. Martin at an hourly rate of \$100 plus expenses, not to exceed \$50,000 in fiscal year 2009-10 pursuant to the Report of the City Manager, a copy of which is on file in the Office of the City Clerk as F2M9-73 and by this reference incorporated herein and made a part hereof as though fully set forth herein.

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

2. MINUTES

The Minutes of the June 10, 2009 Special Meeting of the Alhambra City Council, the August 10, 2009 Joint Regular Meeting of the Alhambra Redevelopment Agency and the Alhambra City Council and the Regular Meeting of the Alhambra City Council, and the August 24, 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: YAMAUCHI
Ayes: SHAM, MESSINA, YAMAUCHI, PLACIDO, AYALA
Noes: NONE
Absent: NONE

3. ACCOUNTS PAYABLE – F2M9-500

Agency staff had submitted for the Agency Board's review and approval Accounts Payable for the period ending August 14, 2009, Check Nos. 10683-10693, in the total amount of \$26,568.27; for the period ending August 19, 2009, Check Nos. 10694-10701, in the total amount of \$28,714.43 and for the period ending September 3, 2009, Check Nos. 10702-10716, in the total amount of \$95,556.88.

Discussion: None

Action Taken: Agency Board approved as submitted.

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

ORAL COMMUNICATIONS – F2M9-4, F2M3-79, F2M9-36

1. **Robert RING**, 2029 Century Park East #1400, stated that he was representing J&M Towing and commented that although it was the City's right to award an exclusive contract for towing services, he did not believe the City followed its RFP with respect to the number of vehicles that could be stored on the premises and the availability of a heavy duty class C towing truck. The goal of J&M Towing was to continue towing for the City. Due to the fact that he felt the City did not follow the RFP, it was J&M Towing's intent to file a lawsuit for a writ of mandate in the matter unless something could be worked out with the City.

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):

- a) Property: 33 West Main Street, Negotiating parties: Vong and Lee Mekdara, City Manager/ARA Executive Director Julio J. Fuentes & Director of Development Services 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) City of Alhambra vs. D'Ausilio, USDC 09-cv-03235 PA(SSx)
- 2) City of South Pasadena vs. Slater, District Court Case No. 98-CV-6996-DDP
- 3) Ken Huat Toh vs. City of Alhambra, Case No. BC391198

Conference with Legal Counsel - Anticipated Litigation: Significant exposure to litigation pursuant to Govt. Code Section 54956.9(b): 1 matter. 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 5:35 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
September 14, 2009
7:00 p.m.**

COUNCIL CHAMBERS

ALHAMBRA CITY HALL

RECONVENE & ROLL CALL: At 7:00 p.m., on Monday, September 14, 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: City Manager Fuentes, Assistant City Manager/Personnel Director Bacio, City Attorney Montes, Acting City Clerk Myles, Director of Public Works Chavez, Chief of Police Hudson, Fire Chief Stedman, Director of Finance Longballa, Library Director Hernandez, Deputy City Manager/Administrative Services Director Schultz, Deputy Director of Development Services Reynoso, Deputy Director of Utilities Ray, Assistant to the City Manager Hayashi, Assistant to the City Manager Keating, Code Enforcement Manager Bisogno, Deputy Director of Community Services Cardoza, Sergeant-at-Arms Elizalde

FLAG SALUTE: Led by Mayor Placido

RESOLUTIONS BY TITLE ONLY

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

CEREMONIALS

- 1. COMMENDATION: ALHAMBRA SOFTBALL & BASEBALL TEAMS - F2M9-3**

Mayor **PLACIDO**, on behalf of the Alhambra City Council and the residents of Alhambra, was to present **COMMENDATIONS** to honor the **ALHAMBRA AMERICAN LITTLE LEAGUE GIRLS' SOFTBALL ALL-STARS TEAM**, the **EAST ALHAMBRA MINOR DIVISION GIRLS' SOFTBALL TEAM**, the **ALHAMBRA AMERICAN SENIOR BOYS' BASEBALL ALL-STARS TEAM** and their coaching staffs; however, the commendations presentation was postponed to the next City Council meeting on September 28, 2009.

PUBLIC HEARING

2. PUBLIC HEARING: SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND – F2M5-112, N2M9-104, M2M9-78

This was the time and place set by **Notice No. N2M9-104** for the Alhambra City Council to hold a public hearing to consider the proposed use of grant funds made available to the Police Department for FY 2008-09 under California Government Code Section 30061 which governs the Supplemental Law Enforcement Services Fund (SLESF). Uses being proposed include, but are not limited to, the continued participation in the Foothill Air Support Team (FAST) multi-agency patrol helicopter program, overtime for gang suppression team and bicycle patrol, the purchase of a Mobile Digital Camera System, and other front-line law enforcement related equipment.

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

Action Taken: Adopted **Minute Order No. M2M9-78** as follows:

RESOLVED by the Alhambra City Council that this Council hereby approves the use of those certain grant funds made available to the Police Department under California Government Code Section 30061 which governs the Supplemental Law Enforcement Service Fund (SLESF) as proposed and more fully described in that certain September 14, 2009 report of the Chief of Police on file in the office of the City Clerk as F2M5-112 and by this reference incorporated herein and made a part hereof as though fully set forth herein.

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

CONSENT AGENDA (Item Nos. 3 – 14)

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

3. NIB: WELL NO. 15 REPAIR & REHABILITATION PROJECT – F2M9-70, N2M9-108

Staff requested City Council authorization to distribute a Notice Inviting Bids for the Well No. 15 Repair and Rehabilitation Project as more fully discussed in the Director of Utilities' September 14, 2009 report on file in the City Clerk's Office.

Discussion: None

Action Taken: Authorized the City Clerk to advertise **Notice Inviting Bids No. N2M9-108** for the Well No. 15 Repair and Rehabilitation Project with bids to be received on or before 10:30 a.m. on Thursday, October 8, 2009, in the office of the City Clerk and publicly opened at 11:00 a.m. that same day.

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

4. RFP: PROFESSIONAL DESIGN & ENGINEERING SERVICES – SEWER LIFT STATION NO. 3 REPLACEMENT PROJECT – F2M9-71, RFP2M9-8

Staff requested City Council authorization to distribute a Request for Proposals for Professional Design and Engineering Services for the Sewer Lift Station No. 3 Replacement Project, as more fully discussed in the Director of Utilities September 14, 2009 report on file in the City Clerk's Office.

Discussion: None

Action Taken: Authorized staff to distribute **Request for Proposals No. RFP2M9-8** for Professional Design and Engineering Services to prepare plans and specifications for the Sewer Lift Station No. 3 Replacement Project with proposals to be submitted to the Utilities Department by no later than 4:00 p.m., on Thursday, October 15, 2009.

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

5. AWARD CONTRACT: PURCHASE OF WATER METERS – F2M8-68, N2M9-92, C2M9-29, M2M9-79

On July 27, 2009, five bids ranging in price from \$151,419.33 (Inland Water Works Supply Co.) to \$115,791.99 (Performance Meters) were received, opened and publicly declared in response to Notice Inviting Bids No. N2M9-92 for the purchase of water meters. The bid received from Performance Meters did not meet the City's product specifications and therefore staff recommended awarding a contract to Badger Meter,

Inc., the next lowest responsible bidder as more fully discussed in the Director of Utilities' September 14, 2009 report on file in the City Clerk's Office. Funds for this purchase are available in the current Capital Improvement Budget.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M9-79** as follows:

RESOLVED by the Alhambra City Council that this Council hereby:

1. Accepts as the lowest responsible bid received the bid of BADGER METER, INC., in the total amount of \$126,655.81, for the purchase of approximately 960 meters of various sizes, subject to the terms, conditions and specifications set forth in Notice Inviting Bids No. N2M9-92; and,
2. Directs the City Attorney to prepare that certain PURCHASE AGREEMENT (**Contract No. C2M9-29**) with said successful bidder for the purchase of said water meters; and, after said Agreement has been approved as to content and form by the City Manager and City Attorney and been duly executed by said successful bidder, the Mayor 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: SHAM Seconded: AYALA
Ayes: SHAM, MESSINA, YAMAUCHI, AYALA, PLACIDO
Noes: NONE
Absent: NONE

6. NOTICE OF COMPLETION: ALMANSOR PARK LOWER LAKE RENOVATION PROJECT – F2M8-34, N2M8-113, C2M9-5, M2M9-80

Staff requested that the City Council accept the work of United Engineering & Construction, Inc. in the amount of \$441,767.50 for the Almansor Park Lower Lake Renovation Project. The single change order associated with this project totaled \$2,767.50. The work had been inspected by staff and all work was completed in accordance with the City requirements and specifications as more fully discussed in the Director of Community Services' September 14, 2009 report on file in the City Clerk's Office.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M9-80** as follows:

RESOLVED by the Alhambra City Council that this Council hereby:

- 1) Approves that certain Change Order to said Contract No. C2M9-5 in the total amount of \$2,767.50;
- 2) Accepts as being fully complete, the work of United Engineering & Construction, Inc., for the Almansor Park Lower Lake Renovation Project (the "Project") under Contract No. C2M9-5;
- 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: SHAM Seconded: AYALA
 Ayes: SHAM, MESSINA, YAMAUCHI, AYALA, PLACIDO
 Noes: NONE
 Absent: NONE

7. AWARD CONTRACT: STORM DRAIN REPAIR PROJECT – F2M9-72, C2M9-31, M2M9-84

During rain events, the intersection of Ramona Road and Marengo Avenue experiences flooding. This can make vehicular and pedestrian travel through the intersection difficult. In order to rectify the situation, two catch basins need to be installed to capture the run-off from the intersection. Staff prepared plans and specifications and subsequently solicited bids for the installation of the catch basins. The lowest responsible bid was submitted by T.A. Rivard, Inc. in the amount of \$38,600. Staff had checked references for the firm and determined that they possess the necessary experience to complete the work and requested that the City Council authorize the award of contract to T.A. Rivard, Inc. for the storm drain repairs.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M9-84** as follows:

1. RESOLVED by the Alhambra City Council that this Council hereby approves that certain UTILITIES CONTRACT BETWEEN T.A. RIVARD, INC. 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. C2M9-31** 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.

2. Directs the Director of Finance to appropriate \$40,000 from the Sewer/Storm Drain Fund balance to project account number 404.80.8681.90919.

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

8. EXTEND CYCLIC STORAGE AGREEMENT WITH MAIN SAN GABRIEL BASIN WATERMASTER – F2M3-91, C2M3-67, M2M9-81

The Cyclic Storage Agreement (the "Agreement") that was created and approved by Council in November, 2003 had expired. Extension of the Agreement would allow the City to continue to store up to 10,000 acre-feet of water in the basin for another five year term, inclusive of the calendar year 2014. At the end of the term, the Agreement would be renewable at the request of either the City or the Watermaster for an additional multi-year period as necessary. Therefore, staff requested that Council approve an amendment to the Cyclic Storage Agreement with the Main San Gabriel Basin Watermaster to extend the Agreement for an additional five years.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M9-81** follows:

RESOLVED by the Alhambra City Council that this Council hereby approves that certain AMENDATORY AGREEMENT EXTENDING CYCLIC STORAGE AGREEMENT (the "Agreement"), by and between the CITY OF ALHAMBRA and the MAIN SAN GABRIEL BASIN WATERMASTER, a copy of which Agreement is on file in the office of the City Clerk as **Contract No. C2M3-67** 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 affix the Seal of said City thereto.

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

9. MOU: MTA - NATIONAL TRANSIT DATABASE – F2M3-72, C2M9-32, M2M9-85

Staff requested City Council approval of a Memorandum of Understanding (MOU) with the Los Angeles County Metropolitan Transportation Authority (MTA) for collecting and reporting Alhambra Community Transit ridership data for the National Transit Database (NTD) for the reporting year 2007 as more fully discussed in the Director of Public Works' September 14, 2009 report on file in the City Clerk's Office.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M9-85** as follows:

RESOLVED by the Alhambra City Council that this Council hereby approves that certain MEMORANDUM OF UNDERSTANDING (MOU) by and between the CITY OF ALHAMBRA, and the LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (MTA), a copy of which MOU is on file in the office of the City Clerk as **Contract No. C2M9-32** 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; and

BE IT FURTHER RESOLVED by the Alhambra City Council that this Council hereby directs the Director of Finance to invoice the MTA for the amount of \$92,137 for the City's services in collecting and reporting such FY 2006-07 NTD statistics, and upon receipt of such payment to appropriate said amount to the Proposition A fund balance.

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

10. AUTHORIZATION TO ACCEPT TRANSPORTATION FUNDS – F2M9-37, F2M9-63, F2M9-64, R2M9-29

The City of Alhambra has been notified that three projects for Alhambra Road, Poplar Boulevard and New Avenue submitted under the American Recovery and Reinvestment Act of 2009 (ARRA) have been approved in the amount of \$2.6 million. In order to utilize these Transportation Funds, the contract documents require the City Council to adopt a resolution designating an official to execute agreements and supporting documents. Consequently, staff requested City Council authorization for City Manager Julio Fuentes to be the City official authorized to execute agreements and supporting documents for ARRA of 2009 Transportation Funded projects as more fully discussed in the Director of Public Works' September 14, 2009 report on file in the City Clerk's Office.

Discussion: None

Action Taken: Adopted **Resolution No. R2M9-29** entitled: *A Resolution of the Alhambra City Council authorizing the City Manager to act on behalf of the City of Alhambra with respect to the American Recovery and Reinvestment Act (ARRA) of 2009 Transportation Funds administered through the California Department of Transportation and Los Angeles County Metropolitan Transportation Authority (MTA)*

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

11. ACCEPT ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT FUNDS - F2M9-37, C2M9-39, M2M9-86

The City has been allocated and awarded federal stimulus funding in the amount of \$794,700 under the American Recovery and Reinvestment Act of 2009, U.S. Department of Energy (DOE) Energy Efficiency and Conservation Block Grant Program (EECBG). Funds awarded under the EECBG Program are advanced to grantees and must be appropriated by the City Council in order for the City to expend the funds. In addition, an energy audit of each facility must first be conducted to determine what energy conservation measures would be beneficial as more fully discussed in the Assistant to the City Manager's September 14, 2009 report on file in the City Clerk's Office. Staff requested that the City Council accept the \$794,700 awarded to the City under the EECBG Program, appropriate the funds to the Community Services Department and authorize the City Manager to execute a contract for consulting services for conducting energy audits.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M9-86** as follows:

RESOLVED by the Alhambra City Council that this Council hereby:

- 1) Accepts the \$794,700 awarded to the City of Alhambra under the Energy Efficiency and Conservation Block Grant (EECBG) Program;
- 2) Appropriates the \$794,700 in funds and directs the Director of Finance to set up those funds in the Community Services portion of the Capital Outlay Fund; and,
- 3) Authorizes the City Manager to execute a contract with Henrikson Owen (**Contract No. C2M9-39**) in the amount of \$14,000 to conduct energy efficiency audits at the Joslyn Center, Almanson Gym, Granada Gym and the Alhambra Park Pool Office.

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

12. MOU: LOS ANGELES HOMELESS SERVICES AUTHORITY – HOMELESSNESS PREVENTION & RAPID RE-HOUSING (HPRP) PROGRAM SERVICES - F2M9-69, RFP2M9-7, M2M9-88, C2M9-33

At the August 24, 2009 City Council meeting staff was authorized to distribute a Request for Proposals to solicit qualified non-profit agencies to administer the City’s HPRP program. The RFP was posted on the City’s website and emailed to eleven organizations. Although no proposals were received, it was brought to the City’s attention that according to HPRP regulations and HUD approval, the City can contract with the Los Angeles Homeless Services Authority (LAHSA) and the County of Los Angeles through a Memorandum of Understanding with LAHSA. LAHSA will provide support to the City with regard to all aspects of the HPRP, including acting as the financial “pass through” of all grant monies. Accordingly, the agreement with LASHA will be executed for the entire grant amount of \$567,605. Staff requested that the City Council approve a Memorandum of Understanding for Homelessness Prevention and Rapid Re-Housing Program (HPRP) services with LAHSA for a fee not to exceed \$567,605, of which \$28,380.25 will be retained by LAHSA for administrative services as more fully discussed in the Assistant to the City Manager’s September 14, 2009 report on file in the City Clerk’s Office.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M9-88** as follows:

RESOLVED by the Alhambra City Council that this Council hereby approves that certain MEMORANDUM OF UNDERSTANDING (MOU) by and between the CITY OF ALHAMBRA and the LOS ANGELES HOMELESS SERVICES AUTHORITY for a fee not to exceed \$567,605, of which \$28,380.25 will be retained by LAHSA for administrative services, subject to final language approval by the City Manager and City Attorney. A copy of the MOU is on file in the office of the City Clerk as **Contract No. C2M9-33** 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 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: SHAM Seconded: AYALA
 Ayes: SHAM, MESSINA, YAMAUCHI, AYALA, PLACIDO
 Noes: NONE
 Absent: NONE

13. PERSONNEL ACTIONS – F2M9-2

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.

Discussion: None

Action Taken: Ratified the actions of the City Manager set forth in that certain Personnel Actions document dated September 14, 2009.

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

14. DEMANDS - F2M9-1

Final Check List (110249 thru 110337) in the amount of \$129,236.50 for the period ending August 11, 2009; Final Check List (110338 thru 110362) in the amount of \$53,394.02 for the period ending August 12, 2009; Final Check List (110363 thru 110396) in the amount of \$621,867.11 for the period ending August 13, 2009, Final Check List (110397-8/110401 thru 110523) in the amount of \$145,784.07 for the period ending August 13, 2009 and Schedule of Wire Transfers in the amount of \$2,003,946.32 for the week ending August 13, 2009, Final Check List (110524 thru 110562) in the amount of \$178,585.97 for the period ending August 19, 2009; and, Final Check List (110563 thru 110607) in the amount of \$79,357.47 for the period ending August 20, 2009 were submitted for Council's approval.

Discussion: None

Action Taken: Approved as submitted.

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

ORAL COMMUNICATIONS - F2M9-4, F2M3-79, F2M9-36

1. **Julia SYLVA**, 2700 Cherry Avenue, stated that she was speaking on behalf of Henry's Towing and was disappointed that Henry's Towing was not selected to be a part of a rotational contract and that the Council awarded a exclusive contract to one vendor. She believed that a rotational contract between several companies would be best for the other qualified vendors in Alhambra. She thanked the City Attorney for his

responsiveness to her questions and phone calls and explained that it was never Henry's Towing desire to litigate in this matter. Henry's Towing wishes only to remain a viable business in the City and if the Council ever wishes to reconsider the contract, they would be open to discussions.

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

Mr. **YAMAUCHI** wanted to thank all of those individuals including City staff, Alhambra residents and fellow Council members for the numerous cards, letters and phone calls of support he received after the recent death in his family as it was truly helpful during a difficult time.

ARA RECONVENE & ADJOURNMENT – F2M9-3

Mayor **PLACIDO** asked that tonight's meeting be adjourned in honor of Elsie Yamauchi, a devoted mother with a great family that lived a wonderful life. He offered condolences to Mr. Yamauchi on behalf of the Council and the City.

At 7:10 p.m., the ARA Chairman reconvened the Agency meeting with all members present; and, as there was no further business for the Agency Board or Council to transact, with the unanimous consent of the Agency Board and City Council, the ARA Chairman and Mayor adjourned their respective meetings

**IN MEMORY
of
ELSIE YAMAUCHI**

to 5:30 p.m. on **Monday, September 28, 2009**, in the Council Chambers of the Alhambra City Hall, 111 South First Street, Alhambra, California.

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