

**MINUTES  
ALHAMBRA CITY COUNCIL  
ALHAMBRA REDEVELOPMENT AGENCY  
Joint Regular Meeting  
November 23, 2009  
5:30 p.m.**

**COUNCIL CHAMBERS**

**ALHAMBRA CITY HALL**

**ROLL CALL:** At 5:30 p.m., on Monday, November 23, 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: MESSINA YAMAUCHI, PLACIDO, AYALA  
ABSENT: SHAM**

**Officials Present:** Assistant City Manager/Personnel Director Bacio, City Attorney/Agency Counsel Montes, City Clerk/ARA Assistant Secretary Myles, Deputy City Manager/Administrative Services Director Schultz, Chief of Police Hudson, Director of Finance Longballa, Director of Development Services Reynoso, Assistant to the City Manager Keating, Assistant to the City Manager Hayashi, Sergeant at Arms Quinones

**FLAG SALUTE:** Led by Chairman Ayala

**PUBLIC HEARING**

**1. CONTINUE PUBLIC HEARING TO CONSIDER ADOPTION OF A NEW AGENCY FIVE-YEAR IMPLEMENTATION PLAN (2009-2014) – F2M9-512, N2M9-129**

This was the time and place set by **Notice No. N2M9-129** for the Alhambra Redevelopment Agency to hold a public hearing pursuant to California Health and Safety Code Section 33490 to consider adoption of a new Five-Year Implementation Plan regarding the Alhambra Industrial Redevelopment Project Area, the Alhambra Industrial Redevelopment Project Added Area "A" and the Alhambra Redevelopment Central Business District Project Area.

**Hearing Opened:** Chairman **AYALA** opened the public hearing, with no testimony given.

**Action Taken:** City Council continued this hearing to 5:30 p.m. on Monday, December 14, 2009, in the City Hall Council Chambers.

**Vote:** Moved: PLACIDO Seconded: MESSINA

Ayes: MESSINA, YAMAUCHI, PLACIDO, AYALA  
Noes: None  
Absent: SHAM

**AGENCY/COUNCIL CONSENT AGENDA (Item Nos. 2 – 5)**

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.

**2. APPROVE CHANGE ORDER: AFFORDABLE HOUSING PROJECT AT 501 SOUTH SIXTH STREET – F2M9-510, C2M9-506, M2M9-515**

Staff requested that the Agency Board approve a change order for additional construction work required at 501 South Sixth Street due to the need to replace the existing deteriorated concrete footings of the home. An independent engineer has concluded that due to the age of the concrete footings, which were originally poured in 1924, the concrete has begun to lose its chemical bond and the proposed change order will correct the problem as more fully discussed in the Director of Development Services' November 23, 2009 report on file in the City Clerk's Office.

**Discussion:** None

**Action Taken:** Agency Board adopted **Minute Order No. M2M9-515** as follows:

RESOLVED by the Alhambra Redevelopment Agency Board that this Board hereby approves Change Order No. 2 to contract (C2M9-506) with Ark Contractor Company for replacement of the existing deteriorated concrete footings at 501 South Sixth Street to be paid from the Low/Mod Housing Fund in the amount of \$56,600.

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

**3. SECOND AMENDMENT TO OPA: ALHAMBRA VOLKSWAGEN – 1811 & 1831 WEST MAIN STREET - F2M8-513, C2M8-510, M2M9-516**

Staff requested that the Agency Board consider approval of a second amendment to an Owner Participation Agreement (OPA) with *Alhambra Volkswagen*, to provide financial assistance for the development of a new Volkswagen automobile dealership at 1811 and 1831 West Main Street and to effectuate the Redevelopment Plan for the Alhambra Industrial Redevelopment Project Area as more fully discussed in the ARA Deputy Executive Director's November 23, 2009 report on file in the City Clerk's Office.

**Discussion:** None

**Action Taken:** Agency Board adopted **Minute Order No. M2M9-516** as follows:

RESOLVED by the Alhambra Redevelopment Agency Board that this Agency Board hereby approves that certain SECOND AMENDMENT TO 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 new Volkswagen automobile dealership at 1811 and 1831 West Main Street and to effectuate the Redevelopment Plan for the Alhambra Industrial Redevelopment 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: YAMAUCHI Seconded: PLACIDO  
Ayes: MESSINA, YAMAUCHI, PLACIDO, AYALA  
Noes: None  
Absent: SHAM

#### 4. MINUTES

The Minutes of the October 26, 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 November 9, 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: YAMAUCHI Seconded: PLACIDO  
Ayes: MESSINA, YAMAUCHI, PLACIDO, AYALA  
Noes: None  
Absent: SHAM

#### 5. ACCOUNTS PAYABLE – F2M9-500

Agency staff had submitted for the Agency Board's review and approval Accounts Payable for the period ending October 16, 2009, Check Nos. 10757-10777, in the total amount of \$40,651.82; for the period ending November 3, 2009; Check Nos. 10778-10802, in the amount of \$534,509.74; and, for the period ending November 13, 2009, Check Nos. 10803-10815 in the total amount of \$77,388.94.

**Discussion:** None

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

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

**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):*** 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.

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

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

whereupon at 5:33 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  
November 23, 2009  
7:00 p.m.**

**COUNCIL CHAMBERS**

**ALHAMBRA CITY HALL**

**RECONVENE & ROLL CALL:** At 7:10 p.m., on Monday, November 9, 2009, the Alhambra City Council met in the Council Chambers of the Alhambra City Hall

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

**Officials Present:** Assistant City Manager/Personnel Director Bacio, City Attorney Montes, City Clerk Myles, Director of Public Works Chavez, Chief of Police Hudson, Fire Chief Stedman, Director of Finance Longballa, Library Director Hernandez, Director of Development Services Reynoso, Deputy City Manager/Director of Utilities Swink, Deputy City Manager/Director of Administrative Services Schultz, Director of Community Services Jarvis, Assistant to the City Manager Hayashi, Assistant to the City Manager Keating, Code Enforcement Manager Bisogno, Sergeant at Arms Quinones

**FLAG SALUTE:** Led by Mayor Placido

### **RESOLUTIONS BY TITLE ONLY**

On motion of Mr. YAMAUCHI, seconded by Mr. AYALA, and carried unanimously (MESSINA, YAMAUCHI, AYALA, PLACIDO [SHAM, absent]), 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: JUDY JOHNSON – F2M9-3, F2M9-41**

The City Council, on behalf of the citizens of Alhambra, wished to recognize **JUDY JOHNSON** for her 2 years of faithful and loyal service as a **CITY ARTS & CULTURAL EVENTS COMMITTEE Member**. Mrs. **MESSINA** noted that Ms. Johnson was a long-time resident of Alhambra and unfortunately had to tender her resignation due to the fact that she was moving to West Covina. The **CERTIFICATE OF SERVICE** was mailed to Ms. Johnson.

**2. COMMENDATION: VIRGINIA IÑIGUEZ – F2M9-3, F2M9-41**

The City Council, on behalf of the citizens of Alhambra, wishes to recognize **VIRGINIA IÑIGUEZ** for her faithful and loyal service as a **CITY ARTS & CULTURAL EVENTS COMMITTEE Member**. Mr. **AYALA** noted that Ms. Iñiguez was also a long-time resident of Alhambra and unfortunately, due to an illness, she was unable to continue to serve. He thanked her for her time and dedication to the Committee. The **CERTIFICATE OF SERVICE** was mailed to Ms. Iñiguez.

**CONSENT AGENDA (Item Nos. 3 – 10)**

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

**3. AWARD CONTRACT: WELL NO. 15 REPAIR & REHABILITATION PROJECT – F2M9-70, N2M9-125, C2M9-48, M2M9-99**

On November 12, 2009, the City Clerk received and opened 4 bids ranging from \$80,085 (General Pump Company, Inc.) to \$246,695 (Palm Springs Pump) for the Well No. 15 Repair and Rehabilitation Project (N2M9-125). Staff requested that Council award a contract to General Pump Company, Inc. as more fully discussed in the Director of Utilities' November 23, 2009 report on file in the City Clerk's Office. Funding is available in the Capital Improvement Plan budget.

**Discussion:** None

**Action Taken:** Adopted **Minute Order No. M2M9-99** as follows:

RESOLVED by the Alhambra City Council that this Council hereby:

- 1) Accepts as the lowest responsible bid received, the bid of General Pump Company, Inc. in the amount not to exceed \$80,085, for the Well No. 15 Repair and Rehabilitation Project (the "Project"), subject to the terms, conditions and specifications set forth in Notice Inviting Bids No. N2M9-125; and,
- 2) Directs staff to prepare the necessary Agreement (**Contract No. C2M9-48**) 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,

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

**4. APPROPRIATION OF FUNDS: SAN GABRIEL BASIN WATER QUALITY AUTHORITY GRANT FOR THE GROUNDWATER TREATMENT FACILITY – F2M9-61, C2M9-17, M2M9-121**

Staff requested that the City Council authorize staff to request reimbursement from the San Gabriel Basin Water Quality Authority in the amount of \$702,220 and appropriate the funds to the Utilities Department Operating Budget for the operation and

maintenance of the Groundwater Treatment Facility as more fully discussed in the Director of Utilities' November 23, 2009 report on file in the City Clerk's Office.

**Discussion:** None

**Action Taken:** Adopted **Minute Order No. M2M9-121** as follows:

RESOLVED by the Alhambra City Council that this Council hereby authorizes staff to request reimbursement of the \$702,220 from the grant issued by the San Gabriel Basin Water Quality Authority, appropriates the \$702,220 to the Utilities Department Operating Budget and directs the Director of Finance to set up those funds in account number 401.80.8888.61202.

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

**5. AWARD CONTRACT: FOAM DESIGN CENTER - GATEWAY PLAZA PROJECT – F2M5-37, C2M9-55, M2M9-123**

Staff requested that the City Council award a contract to Foam Design Center in the amount of \$51,506.23 to provide and install *StoneKote* light weight moldings on the arch monument at the Gateway Plaza Project. Foam Design Center will make the molding trim elements out of foam and cover them with a light weight concrete for protection from outside elements. These trim pieces will cover the arch in its entirety, making the arch more durable and vandal resistant. Foam Design Center is the only company that can provide the *StoneKote* product and therefore is considered a sole source vendor as more fully discussed in the Director of Utilities' November 23, 2009 report on file in the City Clerk's Office.

**Discussion:** None

**Action Taken:** Adopted **Minute Order No. M2M9-123** as follows:

RESOLVED by the Alhambra City Council as follows:

SECTION ONE: Based upon those certain findings set forth in the Director of Utilities' November 23, 2009 report on file in the office of the City Clerk as F2M5-37 and by this reference incorporated herein and made a part hereof, this Council hereby finds, determines and declares that Foam Design Center is the sole source of supply for the *StoneKote* product and, therefore, the formal bidding procedure set forth in Alhambra Municipal Code Chapter 3.36 may be dispensed with for such product.

SECTION TWO: Based upon the aforesaid findings, this Council hereby

directs staff to prepare the necessary Agreement (**Contract No. C2M9-55**) with Foam Design Center, and, after such Agreement has been prepared and approved as to content and form by both the City Manager and the City Attorney and duly executed by Foam Design Center, the Mayor is hereby authorized to execute said Agreement for and on behalf of the City of Alhambra and the City Clerk to attest the same and to affix the seal of said City thereto.

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

**6. NIB: ECONOMIC WELL NO. 9 REHABILITATION & ELECTRICAL UPGRADES PROJECTS – F2M9-94, N2M9-146, N2M9-147**

Well No. 9 has experienced complete failure and must be rehabilitated in order to return to service. The electrical transformer and electrical panel are also in need of an upgrade. As part of the replacement of the transformer, the electrical panel and conduit must be replaced and this portion of work will need to be contracted out to a qualified electrical company. Therefore, staff requested that the City Council approve the distribution of two Notice Inviting Bids for the Well No. 9 Rehabilitation and Electrical Upgrade Projects.

**Discussion:** None

**Action Taken:** Authorized the City Clerk to advertise **Notice Inviting Bids No. N2M9-146** for the Well No. 9 Rehabilitation Project and **Notice Inviting Bids No. N2M9-147** for the Well No. 9 Electrical Upgrades Project with a bid opening date to be determined by staff.

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

**7. TREASURER’S REPORT - F2M9-1**

The Director of Finance had prepared the Treasurer's Report for the month of October, 2009, listing all of the City's and the Alhambra Redevelopment Agency's investments as of October 31, 2009, a copy of which is on file in the office of the City Clerk as File No. F2M9-1.

**Discussion:** None

**Action Taken:** Approved as submitted.

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

**8. AWARD CONTRACT: PURCHASE OF CARBON FILTER MEDIA FOR GROUNDWATER TREATMENT FACILITY – F2M9-61, C2M9-54, M2M9-122**

The Groundwater Treatment Facility has fourteen carbon filters. As a part of the treatment processes, approximately ten to eleven filter media change-outs must be done annually. The Calgon *Filtrisorb 300*, manufactured by Calgon Carbon Corporation, is the only filter media that has been approved for use in the facility by the State Department of Public Health Services. Therefore, staff requested that the City Council award a contract to Calgon Carbon Corporation for the purchase of carbon filter media for the Groundwater Treatment Facility as more fully discussed in the Director of Utilities' November 23, 2009 report on file in the City Clerk's Office.

**Discussion:** None

**Action Taken:** Adopted **Minute Order No. M2M9-122** as follows:

RESOLVED by the Alhambra City Council that this Council hereby authorizes the purchase of carbon filter media from CALGON CARBON CORPORATION in an amount not to exceed \$300,000; and, in connection therewith, hereby directs staff to prepare the necessary PURCHASE AGREEMENT (**Contract No. C2M9-54**) with Calgon Carbon Corporation, and, after such Agreement has been prepared and approved as to content and form by both the City Manager and the City Attorney and duly executed by Calgon Carbon Corporation, the Mayor is hereby authorized to execute said Agreement for and on behalf of the City of Alhambra and the City Clerk to attest the same and to affix the seal of said City thereto.

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

**9. 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 November 23, 2009.

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

**10. DEMANDS - F2M9-1**

Final Check List (112144/112233 thru 112398) in the amount of \$464,658.47 for the period ending October 23, 2009; Final Check List (112399 thru 112498) in the amount of \$561,106.83 for the period ending October 29, 2009; Final Check List (112499 thru 112628) in the amount of \$460,081.62 for the period ending October 30, 2009, Final Check List (112629 thru 112662) in the amount of \$91,965.80 for the period ending November 5, 2009 and Schedule of Wire Transfers in the amount of \$1,614,049.33 for the week ending November 5, 2009; and, Final Check List (112929 thru 112961) in the amount of \$322,373.41 for the period ending November 19, 2009 were submitted for Council's approval.

**Discussion:** None

**Action Taken:** Approved as submitted.

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

**ORDINANCE – SECOND READING**

**11. WATER EFFICIENT LANDSCAPE – F2M9-93, O2M9-4552**

**Discussion:** None

**Action Taken:** By motion unanimously adopted, directed the City Attorney to give second reading by title only to **Ordinance No. O2M9-4552** entitled:

An Ordinance of the Alhambra City Council adding Chapter 15.26 entitled "Water Efficient Landscapes" to the Alhambra Municipal Code to establish water efficient landscape regulations

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

#### **ORAL COMMUNICATIONS – F2M9-4**

**Robert SMITH**, 514 East Pine Street, expressed his concern with the construction at 501 Cynthia Street as it had been some time that the house has remained wrapped in tarp paper. He stated that the building is an eyesore that affects the quality of the neighborhood. He expressed his desire to see the house finished as it appears that the only work left to do is to plaster. His various attempts over the last year to get answers from City staff on the situation were not successful. Responding, Director of Development Services **REYNOSO** explained that she was familiar with the case and it was investigative in nature. She would continue to follow up and work with the City Attorney to insure compliance from the property owner.

Mayor **PLACIDO** asked if staff could provide Mr. Smith with dates or targeted benchmarks so that he can be aware of the progress that is being made. Ms. **REYNOSO** answered that she would be happy to provide him with such information or to meet with him to continue to address his concerns. Responding to Mrs. **MESSINA'S** question regarding the stance of the property owner, Ms. **REYNOSO** indicated that the property owner was non-responsive. City Attorney **MONTES** added that in an effort to get things done the property owner was given an opportunity to meet certain milestones some of which were met and others were not. The case has been referred to his office and he would update Mr. Smith with either an updated timeframe for progress or when the City would be in court on the matter.

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

Mr. **AYALA** wished all Alhambra residents along with City staff a happy and safe Thanksgiving holiday and hoped everyone would enjoy the time with their families, friends and neighbors.

Mr. **YAMAUCHI**, Mrs. **MESSINA** and Mayor **PLACIDO** also wished everyone a Happy Thanksgiving.

**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, December 14, 2009**, in the Council Chambers of the Alhambra City Hall, 111 South First Street, Alhambra, California.

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