

MINUTES
Joint Regular Meeting
ALHAMBRA CITY COUNCIL
ALHAMBRA REDEVELOPMENT AGENCY
June 13, 2011
5:30 p.m.

ROLL CALL: At 5:32 p.m., on Monday, June 13, 2011, the Alhambra City Council and the Alhambra Redevelopment Agency (ARA) met in the Council Chambers of Alhambra City Hall, 111 South First Street, Alhambra, California.

CITY COUNCIL/ARA BOARD MEMBERS:

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

Officials Present: City Manager/ARA Executive Director Fuentes, Assistant City Manager/Personnel Director Bacio, City Attorney Montes, ARA Assistant Secretary/City Clerk Myles, Deputy City Manager/Administrative Services Director Schultz, Deputy City Manager/Director of Utilities Swink, Interim Director of Finance Wong, Director of Public Works Chavez, Interim Director of Development Services Funk, Assistant to the City Manager Hayashi, Sergeant-at-Arms Kim

FLAG SALUTE: Led by Chairman Placido

READING OF ORDINANCE TITLES

Government Code Section 36934 requires that all ordinances be read in full prior to Agency Board/City Council taking action on the ordinance. By listing the ordinance title on the Agency Board/Council agenda, Agency Board/Council may determine that the title has been read.

Action Taken: On motion of Mr. YAMAUCHI, seconded by Mr. SHAM, the Agency Board/City Council determined that the titles to all ordinances which appear on this public agenda have been read, and waived further reading. Hearing no objections, the Chairman so ordered.

AGENCY/COUNCIL CONSENT AGENDA (Item Nos. 1 - 8)

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.

SHAM: After the Motion by Mr. Yamauchi to approve the Agency/Council Consent Agenda and the Second by Mr. Ayala, Mr. Sham announced that he would abstain from voting on Item No. 1 and Item No. 3 due to a potential conflict of interest with his source of income.

1. EIGHTH AMENDMENT TO LEASE AGREEMENT: PARKING LOTS A & B – 16-18 NORTH SECOND STREET – F98-510, C98-504, M2M11-1004

Staff requested that the Agency Board/City Council approve an Eighth Amendment to an existing Agreement with Ray C. Saehung and Jing Wang, owners of the real property located at 16-18 North Second Street, for the right to use Parking Lot “A” and Parking Lot “B”. These lots will continue to be utilized by the City to provide additional public parking in the Downtown.

Discussion: Mr. **SHAM** announced that he would abstain from voting on this item.

Action Taken: City Council and Agency Board jointly and severally adopted **Minute Order No. M2M11-1004** 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 Eighth Amendment to Lease Agreement, subject to final language approval by the City Manager/ARA Executive Director and City Attorney/Agency Counsel, by and between the City of Alhambra, the Alhambra Redevelopment Agency and Ray C. Saehung and Jing Wang, the owners of the real property know as 16-18 North Second Street, a copy of which Amendment is on file in the City Clerk’s Office as **Contract No. C98-504** and by this reference incorporated herein and made a part hereof as though fully set forth herein; and, directs staff to undertake the steps necessary to finalize the Council’s and Agency Board’s action.

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

2. CONTRACT AMENDMENT: DOWNTOWN VALET PARKING SERVICES – F2M-524, C2M-518, M2M11-510

Staff requested Agency Board approval of a Seventh Amendment to extend the existing contract with Parking Company of America on a month-to-month basis for the management and operation of valet parking services in the Downtown. Parking Company of America provides management and operation of valet services on First Street north of Main Street next to Charlie’s Trio Restaurant to serve the businesses in the Downtown.

Action Taken: Agency Board approved that certain Seventh Amendment to Agreement for Valet Parking Services dated effective as of July 1, 2011 and extending the existing contract on a month-to-month basis, by and between the Alhambra Redevelopment Agency and Parking Company of America, a copy of which Amendment is on file in the City Clerk's Office as **Contract No. C2M-518** and by this reference incorporated herein and made a part hereof as though fully set forth herein; and, directed staff to undertake the steps necessary to finalize Agency Board's action. **(M2M11-510)**

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

3. CONTRACT APPROVAL: ALHAMBRA CHAMBER OF COMMERCE - F2M1-51, C2M11-22, C2M11-507, M2M11-1005

Staff requested that the City Council and Agency Board approve agreements with the Alhambra Chamber of Commerce for promotional activities on behalf of the City and the Redevelopment Agency for fiscal year 2011-2012. The City has contracted with the Chamber of Commerce for many years to conduct promotional activities and staff believes the services are essential to maintaining active communication lines with the Alhambra business community and encouraging partnerships with the City.

Discussion: Mr. **SHAM** announced that he would abstain from voting on this item. Mr. **YAMAUCHI** asked whether the undetermined status of the Rose Parade Float would have any impact on the approval of the contracts with the Chamber of Commerce this evening. Staff indicated that it would not.

Action Taken: The City Council and Agency Board jointly and severally adopted **Minute Order No. M2M11-1005** as follows:

RESOLVED by the Alhambra City Council and the Alhambra Redevelopment Agency Board as follows:

SECTION ONE: The City Council hereby approves that certain Agreement, dated effective July 1, 2011, by and between the City of Alhambra and the Alhambra Chamber of Commerce, for certain promotional activities, for fiscal year 2011-2012 in the total amount of \$111,925, a copy of which Agreement is on file in the office of the City Clerk as **Contract No. C2M11-22** and by this reference incorporated herein and made a part hereof as though fully set forth herein; and,

SECTION TWO: This Agency Board hereby approves that certain Agreement, dated effective July 1, 2011, by and between the Alhambra Redevelopment Agency and the Alhambra Chamber of Commerce, for certain promotional activities; i.e., business outreach, for fiscal year 2011-2012, in the total amount of \$26,523, a copy of which Agreement is on file in the office of the City Clerk as **Contract No. C2M11-507** and by this reference incorporated herein and made a part hereof as though fully set

forth herein.

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

4. RESOLUTION: USE OF TAXES FROM INDUSTRIAL & CENTRAL BUSINESS DISTRICT REDEVELOPMENT PROJECT AREAS FOR COMMUNITY'S LOW & MODERATE HOUSING OUTSIDE PROJECT AREAS (FY 2010-2011) – F2M10-505, R2M11-1000

Staff requested that the City Council and Redevelopment Agency Board adopt a resolution finding that the use of Low/Mod Housing funds from the Industrial and Central Business District Redevelopment Project Areas outside of the project areas is a benefit to each of the Project Areas.

Action Taken: City Council and Agency Board jointly and severally adopted **Resolution No. R2M11-1000** entitled: *A Joint Resolution of the City Council of the City of Alhambra and the Alhambra Redevelopment Agency finding that the use of taxes allocated from the Industrial Redevelopment Project Area and Central Business District Project Area (Project Areas) for the purpose of improving, increasing and preserving the community's supply of Low and Moderate Income Housing outside the Project Areas will be of benefit to each Project Area*

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

5. ALLOCATION OF ADMINISTRATIVE COSTS ASSOCIATED WITH LOW/MOD HOUSING FUND – FY 2010-2011 – F2M10-505, M2M11-511

Staff requested that the Agency Board allocate the administrative costs associated with the Redevelopment Low/Mod Housing Fund for Fiscal Year 2010-2011. The Redevelopment Agency must make an annual determination as to the administrative costs it has incurred in association with its Low/Mod Housing activities. Staff had estimated such costs to equal \$397,780 for FY 2010-2011.

Action Taken: Agency Board adopted **Minute Order No. M2M11-511** as follows:

RESOLVED by the Alhambra Redevelopment Agency that this Agency Board hereby determines that the estimated administrative costs associated with Low/Mod Housing Fund activities for Fiscal Year 2010-2011 equals \$397,780.

Vote: Moved: YAMAUCHI Seconded: AYALA
Ayes: SHAM, MESSINA, YAMAUCHI, AYALA, PLACIDO

Noes: NONE
Absent: NONE

6. ASSIGNMENT & ASSUMPTION OF LEASE BETWEEN THE REDEVELOPMENT AGENCY AND CITY - 2500 WEST COMMONWEALTH AVENUE #C – F2M11-25, M2M11-512

Staff requested Agency Board approval of an Assignment and Assumption of Lease between the Alhambra Redevelopment Agency (“Assignor”) and the City of Alhambra (“Assignee”) for 2500 West Commonwealth Avenue #C.

Action Taken: Agency Board adopted **Minute Order No. M2M11-512** as follows:

RESOLVED by the Alhambra Redevelopment Agency that this Agency Board hereby approves an Assignment and Assumption of Lease between the Alhambra Redevelopment Agency, a public body (“Assignor”), and the City of Alhambra, a municipal corporation (“Assignee”), for 2500 West Commonwealth Avenue #C.

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

7. MINUTES

Discussion: None

Action Taken: Agency Board and/or the City Council reviewed and approved as submitted the Minutes of the May 9, 2011 Joint Regular Meeting of the Alhambra Redevelopment Agency and the Alhambra City Council and the Regular Meeting of the Alhambra City Council.

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

8. ACCOUNTS PAYABLE – F2M11-500

Discussion: None

Action Taken: Agency Board approved as submitted the Accounts Payable for the period ending May 3, 2011, Check Nos. 11482-11498, in the total amount of \$336,344.60; and, for the period ending May 18, 2011, Check Nos. 11499-11508, in the total amount of \$881,122.47.

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

Absent: NONE

ORDINANCE – URGENCY

9. AMENDMENT TO THE ALHAMBRA MUNICIPAL CODE REGULATING THE PERMITTING OF FIREWORKS – F2M8-26, O2M11-4582

Staff requested that the City Council consider adoption of an urgency ordinance that would amend the Alhambra Municipal Code pertaining to the regulation of the permitting of fireworks. Deputy City Manager/Director of Administrative Service **SCHULTZ** reported that at a previous City Council Study Session, it was requested that changes be made to the fireworks stand permitting process and the ordinance before the Council this evening incorporated those changes requested. The ordinance would extend the deadline for this year only to June 17 as well as give the City Manager the discretion to award up to 18 permits once it is determined how many are remaining unissued from the lottery process.

Discussion: Ms. **SCHULTZ** affirmed Councilmember **MESSINA**'s clarification that the extension of the deadline was only applicable to this year's permitting process, but noted that the change to the section regarding the City Manager's discretionary award of unissued permits was a permanent change.

Action Taken: City Council directed the City Attorney to introduce and give reading by title only, waiving further reading to the following urgency ordinance entitled:

Ordinance No. O2M11-4582: An Urgency Ordinance of the Alhambra City Council amending subsections 3310.1 and 3310.2 of Section 19.02.020 to the Alhambra Municipal Code regulating the permitting of fireworks.

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

ORAL COMMUNICATIONS – F2M11-4, F2M10-47

1. **Jose GARCIA**, 2931 West Valley Boulevard, stated that he was the business owner of Southern California Ambulance and he expressed concern over the recently installed median islands along Valley Boulevard. He noted that the median island is located in front of his business was a hindrance because his ambulance service was based on time and the his vehicles could no longer cut directly across Valley Boulevard to save time. He also stated that he could not recall being informed about the median project before construction was underway. He asked if it was possible for a break to be made in the median. Mrs. **MESSINA** responded by stating that the installation of the medians on Valley Boulevard was one of her campaign platforms when she ran for City Council in 1986. At that time, Valley Boulevard was an "asphalt jungle" that needed to be fixed up. She noted that the City began phases of the project in the late 1990's but was not able to see the entire project completed for such a long period of time due to bureaucratic

“red tape” associated with receiving funding from multiple sources including federal funds, Prop C funds, and Metropolitan Transit Authority “Call for Projects” funds. She apologized for the fact that it inconvenienced Mr. Garcia’s business and she referred him to Director of Public Works Chavez to explore options. City Manager **FUENTES** noted that breaking up the median would be a monumental task. He understood Mr. Garcia’s frustration but noted that in 2007 community meetings on how the project would lay out were held as part of the funding process. He pointed out that it has taken years since those meetings in 2007 to get all of the funding cleared to get the permit to move forward with the work that is currently being done. He noted that it was possible that Mr. Garcia did not own his business during 2007 when the community meetings were held and apologized to him if that was the case; however, breaking up the already installed median was a difficult task and unlikely to occur.

2. **Christina ANDERSON**, Royal Termite Control, 2874 West Valley Boulevard, stated that she was also a business owner being affected by the Valley Boulevard Improvement Project. She noted that a portion of the curb near her business had been painted red which limited parking for her customers. She noted that being able to provide convenient parking to customers was extremely important to the success of her business. She also thought that a lack of sufficient street parking on Valley Boulevard would prompt customers to park in the residential streets nearby. Responding, Director of Public Works **CHAVEZ** explained that the red curb located near Ms. Anderson’s business will be removed as the left turn pocket with U-turn capability will also be removed thus making the red curb unnecessary.

CLOSED SESSION & CITY ATTORNEY ANNOUNCEMENT re SAME - F2M11-14

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: 2500 West Commonwealth Avenue, Negotiating parties: Shin Yen Management and City Manager/ARA Executive Director Julio J. Fuentes & Interim Director of Development Services Funk, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.
- b) Property: 410 East Main Street, Negotiating parties: Hillcrest Main Street Associates, City Manager/ARA Executive Director Julio J. Fuentes & Interim Director of Development Services Funk, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.
- c) Property: 1-25 East Main Street, Negotiating parties: Hillcrest Main Street Associates, City Manager/ARA Executive Director Julio J. Fuentes & Interim Director of Development Services Funk, 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):

Southern California Gas Company v. City of Alhambra, USDC Case No. CV10-8635PA (JCx)

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): None.

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

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

whereupon at 5:48 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
Regular Meeting
ALHAMBRA CITY COUNCIL
June 13, 2011
7:00 p.m.

RECONVENE & ROLL CALL: At 7:00 p.m., on Monday, May 9, 2011, the Alhambra City Council met in the Council Chambers of the Alhambra City Hall.

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

Officials Present: City Manager Fuentes, Deputy City Manager/Director of Utilities Swink, City Attorney Montes, City Clerk Myles, Deputy City Manager/Administrative Services Director Schultz, Director of Public Works Chavez, Interim Chief of Police Anthony, Interim Fire Chief Kemp, Interim Director of Finance Wong, , Interim Director of Development Services Funk, Library Director Hernandez, Director of Community Services Jarvis, Assistant to the City Manager Hayashi, Assistant to the City Manager Keating, Sergeant-at-Arms Kim

FLAG SALUTE: Our Nation's **colors** were **presented** by **Officers** of the Alhambra Police Department.

Honor Guard
Sergeant Sean Heckers

Corporal Jose Quinones
Corporal Joseph Mallette
Corporal Robert Torrance
Officer Jose Duran

CEREMONIAL

1. SWEARING-IN CEREMONY: CHIEF OF POLICE MARK YOKOYAMA & FIRE CHIEF BILL WALKER – F2M-71

Chief of Police Mark Yokoyama and Fire Chief Bill Walker were introduced by City Manager Fuentes and sworn-in to their respective offices by the administration of the Oath of Office by the City Clerk.

READING OF ORDINANCE TITLES

Government Code Section 36934 requires that all ordinances be read in full prior to City Council taking action on the ordinance. By listing the ordinance title on the Council agenda, Council may determine that the title has been read.

Action Taken: On motion of Mr. SHAM, seconded by Dr. PLACIDO, the City Council determined that the titles to all ordinances which appear on this public agenda have been read, and waived further reading. Hearing no objections, the Mayor so ordered.

PUBLIC HEARINGS

2. AMENDMENT TO TITLE 23 (ZONING) ZTA-11-1: RECYCLING FACILITIES – F2M11-39, N2M11-59, O2M11-4583

This was the time and place set by **Notice No. N2M11-59** for the City Council to hold a public hearing on those certain amendments to Title 23 (Zoning) of the Alhambra Municipal Code relating to standards, review procedures and regulations for recycling facilities. Staff requested that the City Council consider first reading of an Ordinance relating to the same. City Attorney **MONTES** reported that the Ordinance would adjust some of the requirements related to recycling facilities in the community and increase the City's control to ensure cleanliness of the sites and also address National Pollutant Discharge Elimination System (NPDES) and drainage issues associated with the facilities.

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

Discussion: Councilmember **MESSINA** asked whether staff had identified the locations allowable for recycling facilities. Responding, Interim Director of Development Services **FUNK** explained that recycling facilities were permitted in the zones that are included in the amendment and there are standards in those zones for adhering to in

order to be placed at a particular location. Councilmember **PLACIDO** asked about limitations the Ordinance places on the hours of operation for the recycling facilities. Mr. **FUNK** answered that there are limitations on the hours of operation. The hours of operation shall be consistent with the business hours of the principal use, but in no event shall be allowed only between 8:00 a.m. to 7:00 p.m., Monday through Saturday, and 10:00 a.m. to 6:00 p.m., Sunday. Dr. **PLACIDO** asked whether this meant that if the principal business was closed on Sunday, then the recycling facility would also be closed on Sunday. Mr. **FUNK** confirmed that Dr. Placido was correct.

Mayor **YAMAUCHI** asked whether acceptable noise/decibel levels were included in the Ordinance or whether this issue would be addressed in the upcoming Noise Ordinance. Mr. **FUNK** responded that sound was considered and noise levels were included in the Ordinance this evening. One provision of the Ordinance requires that recycling facilities be at least 150 feet away from any residentially designated zone or residential use. Dr. **PLACIDO** asked what would happen if a recycling facility was mistaken for a dump-site and inappropriate materials such as a sofa were left at the site. Mr. **FUNK** stated that it would be a premise maintenance violation and the owner is responsible for cleaning up the premises around their particular business. Dr. **PLACIDO** followed up by asking if it would be the responsibility of the recycling facility operator or the associated business owner to clean up. Mr. **FUNK** responded that it would ultimately fall to the property owner but that the property owner could make it a condition of the premises lease that the recycling facility operator be responsible for any clean up necessary due to the dumping of inappropriate materials. Finally, Dr. **PLACIDO** asked how the Ordinance addressed problematic facilities. Mr. **FUNK** explained that there are provisions for revocation and for making sure that the existing facilities are conforming to the new standards set forth in this evening Ordinance. The Ordinance also addresses some cases in which an existing recycling facility may have such a detrimental impact on nearby residential uses that it will be amortized out of existence within six months of the adoption of the Ordinance.

Mayor **YAMAUCHI**, noting that often times recycling facilities could be rather unclean, asked whether the Los Angeles County Health Department had any applicable regulations in place for recycling facilities that they enforced. Mr. **FUNK** stated that he was not aware of any such regulations and that he had never seen the County Health Department called in to inspect a recycling facility. Mrs. **MESSINA** asked whether the property owners where the recycling centers are located would bear any of the responsibility for the violations committed by the facilities. Mr. **FUNK** stated that the property owners were notified of recycling facility violations. He also stated that if the Ordinance was adopted, the location and type of recycling facility on the site would be subject to the approval of a Conditional Use Permit to ensure that it was appropriate for the area.

Action Taken: City Council adopted the findings and directed the City Attorney to introduce and give first reading by title only to the following ordinance entitled:

Ordinance No. O2M11-4583: An Ordinance of the Alhambra City Council amending Section 23.47 of the Municipal Code pertaining to recycling facilities.

which ordinance would return for a second reading and adoption at the next Council meeting.

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

3. AMENDMENT TO TITLE 23 (ZONING) ZTA-11-2: EMERGENCY SHELTERS – F2M7-87, N2M11-58, O2M11-4584, O2M11-4585

This was the time and place set by **Notice No. N2M11-58** for the City Council to hold a public hearing on those certain amendments to Title 23 (Zoning) of the Alhambra Municipal Code to consider adding Sections 23.04.277 and 23.86 regulating emergency shelters and designating potential sites relating to extremely low income and special needs housing. Staff requested that the City Council consider adoption of an urgency Ordinance and a first reading of an Ordinance relating to the same.

Opened Public Hearing: Mayor **YAMAUCHI** opened the public hearing.

Citizen Input: **Dr. John KRAFT**, representing *Vanguardians*, Glendale, stated that he was for the item. He then stated that the economy needed all the help it could get and that he would like to see as much money as possible go to the Chamber of Commerce because they did a great job. He felt that if the City “held them to fire” it would help the City of Alhambra get out the current economic troubles. He felt the Chamber of Commerce did a great job but they could do an even greater job with more funds.

Closed Public Hearing: As there was no one further that wished to speak, Mayor **YAMAUCHI** closed the public hearing.

Discussion: None

Action Taken: City Council 1) Directed the City Attorney to introduce and give reading by title only, waiving further reading to the following urgency ordinance entitled:

Ordinance No. O2M11-4584: An Urgency Ordinance of the City Council of the City of Alhambra, California, adding Sections 23.04.277 and 23.86 to the Municipal Code pertaining to designation of sites and development standards for extremely low income and special needs housing.

after which such ordinance went into effect immediately upon its adoption by a 4/5th vote of the City Council; and, 2) directed the City Attorney to introduce and give first reading by title only to the following ordinance entitled:

Ordinance No. O2M11-4585: An Ordinance of the City Council of the City of Alhambra, California, adding Sections 23.04.277 and 23.86 to the Municipal Code pertaining to designation of sites and development

standards for extremely low income and special needs housing.

which ordinance would return for a second reading and adoption at the next Council meeting.

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

4. PUBLIC WORKS MAINTENANCE & IMPROVEMENT DISTRICT & POLICE FACILITY ASSESSMENT DISTRICT – 2011-2012 RENEWALS - N2M11-65, F2M11-38, R2M11-8, R2M11-9

Director of Public Works **CHAVEZ** reported that this was the time and place set by **Notice No. N2M11-65** for the City Council to hold a public hearing to consider the following:

- A. The Public Works Maintenance and Improvement District No. 1 - Zone A assessment will be used to pay for the cost of maintaining, operating, and improving street lights, decorative sidewalk planters, landscaping and other public improvements in the vicinity of Main Street and Garfield Avenue (Downtown). This assessment is proposed to be unchanged from the 2010-11 level; and,
- B. The Public Works Maintenance and Improvement District No. 1 - Zone B assessment will be used to pay for the cost of maintaining, operating and improving street lighting systems, curbs, gutters, sidewalks and municipal parking lots and structures; the maintenance of median landscaping and street trees; and street sweeping, weed and graffiti abatement. This assessment is proposed to be unchanged from the 2010-11 level; and,
- C. The Public Works Maintenance and Improvement District No. 1 - Zone C assessment will be used to pay for the cost of maintaining and operating decorative lights, landscaping and other public improvements on Main Street between Atlantic and Palm Avenue, and Palm Avenue between Main Street and Commonwealth Avenue (Auto Row). This assessment is proposed to be unchanged from the 2010-11 level; and,
- D. The Alhambra Police Facilities Assessment District (PFAD) assessment will be continued at the 1996-97 level to fund the debt service on the bonds that were sold in 1991 to finance the facility, and any proceeds in excess of those needed to fund such debt service will be used to retire some of the bonds early. This assessment is proposed to be unchanged from the 2010-11 level.

Discussion: None

Action Taken: City Council, by one motion, adopted the following:

- 1) **Resolution No. R2M11-8** entitled: A Resolution of the Alhambra City Council ordering the renewal of the City of Alhambra Police Facilities Assessment District No. 91-1 for Fiscal Year 2011-2012, confirming the Assessment Diagram and Assessment therefor and providing for the Assessment Levy in connection therewith; and,
- 2) **Resolution No. R2M11-9** entitled: *A Resolution of the Alhambra City Council ordering the renewal of the City of Alhambra Public Works Maintenance and Improvement District No. 1 for Fiscal Year 2011-2012, confirming the Assessment Diagram and Assessment therefor and providing for the Assessment Levy in connection therewith*

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

CONSENT AGENDA (Item Nos. 5 – 16)

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

5. AWARD CONTRACT: PURCHASE OF CARBON FILTER MEDIA FOR THE GROUND WATER TREATMENT FACILITY - F2M9-61, C2M11-23, M2M11-42

The Groundwater Treatment Facility has fourteen carbon filters. As a part of the treatment process, filter media change-outs must be completed as media is exhausted. 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.

Discussion: None

Action Taken: Authorized the purchase of carbon filter media from Calgon Carbon Corporation for the Ground Water Treatment Facility in an amount not to exceed \$400,000; and, directed staff to undertake the steps necessary to finalize Council's action. (M2M11-42)

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

6. AGREEMENT TO LEASE WATER RIGHTS TO SAN GABRIEL VALLEY

WATER COMPANY & PURCHASE REPLACEMENT WATER – F2M9-62, M2M11-35

For fiscal year 2010-11 the City has 7,579.89 acre feet of water rights in the Main San Gabriel Basin. The City has the option to lease these rights to interested parties for a fee. The San Gabriel Valley Water Company has offered to lease 6,000 acre feet of our water rights for \$460.80 per acre foot for a total of \$2,764,800. The City of Arcadia has offered to lease 1,579.89 acre feet also at \$460.80 per acre foot. The City has the ability to purchase replacement water rights for the 7,579.89 acre feet leased through the San Gabriel Valley Municipal Water District at a cost of \$130 per acre foot. The Utilities Department would receive a net profit of \$2,507,427.61 on the transactions. Therefore, staff requested that the City Council authorize staff to enter into a lease agreement with the San Gabriel Valley Water Company.

Discussion: None

Action Taken: City Council authorized the City Manager to enter into lease agreements with the San Gabriel Valley Water Company for 6,000 acre feet of water in the amount of \$2,764,800 and the City of Arcadia for 1,579.89 acre feet of water in the amount of \$728,013.31; and, authorized the purchase of replacement water from the San Gabriel Valley Municipal Water District for \$985,385.70. **(M2M11-35)**

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

7. CONTRACT EXTENSION: WATER QUALITY TESTING LABORATORY SERVICES – F2M10-42, C2M10-15, M2M11-43

As the operator of a community water system, the City of Alhambra is required by the Department of Public Health (CDPH) to conduct a variety of sampling and analytical analyses for drinking water. In May, 2010 the Council awarded a one-year contract to Weck Laboratories and the contract included language indicating that if the services provided were satisfactory to the City, the contract may be extended for an additional two years. Staff has reviewed the services provided by Weck Laboratories and has determined that they have met or exceeded the contract requirements. Therefore, staff requested that the City Council extend the current contract with Weck Laboratories through June 30, 2013 for water quality testing laboratory services.

Discussion: None

Action Taken: City Council extended the contract with Weck Laboratories, Inc. **(Contract No. C2M10-15)** in an amount not to exceed \$300,000 or \$150,000 per fiscal year, for water quality testing laboratory services commencing July 1, 2011 and ending June 30, 2013; and directed staff to undertake the steps necessary to finalize Council's action. **(M2M11-43)**

Vote: Moved: PLACIDO Seconded: SHAM

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

8. CONTRACT EXTENSION: COMMERCIAL INTEGRATED WASTE MANAGEMENT - F2M5-42, C2M11-20, M2M11-44

Staff requested that the City Council award a contract extension for commercial integrated waste management services to Consolidated Disposal Service. In a recent survey, Consolidated Disposal Service's rates in Alhambra were the lowest of the nineteen cities surveyed and Alhambra's rates have been the same since 2008 with no rate increase being proposed except for a CPI (Consumer Price Index) increase. Consolidated can also guarantee the City of Alhambra landfill space beyond the October 2013 closure date of Puente Hills Landfill, something other commercial waste management companies cannot.

Discussion: None

Action Taken: City Council approved that certain Commercial Integrated Waste Management Agreement, subject to final language approval by the City Manager and City Attorney, by and between the City of Alhambra and Consolidated Disposal Service, LLC, a copy of which Agreement is on file in the City Clerk's Office as **Contract No. C2M11-20** and by this reference incorporated herein and made a part hereof as though fully set forth herein; and, directed staff to undertake the steps necessary to finalize Council's action. (**M2M11-44**)

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

9. FY 2009 STATE HOMELAND SECURITY GRANT – F2M1-106, C2M11-27, M2M11-48

Staff requested that the City Council sign an agreement with Los Angeles County and accept the FY 2009 State Homeland Security Grant Program in support of the Los Angeles Fire Chiefs' Association Regional Training Coordination Group.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M11-48** as follows:

RESOLVED by the Alhambra City Council that this Council hereby

- (1) Accepts that certain FY 2009 State Homeland Security Grant in the total amount of \$254,110 and approves that certain Subrecipient Agreement between the County of Los Angeles and the City of Alhambra for the Grant Year 2009 State Homeland Security Grant

Program, subject to final language approval by the City Manager and City Attorney; and,

- (2) Directs the Director of Finance to establish a FY 2009 State Homeland Security Grant line and/or cost center account as required for accounting purposes; and, appropriate said grant funds in the amount of \$254,110 to the Fire Department for backfill cost for a Battalion Chief for the Regional Training Coordination Group (RTCG).

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

10. FY 2010 STATE HOMELAND SECURITY GRANT – F2M1-106, C2M11-28, M2M11-49

Staff requested that the City Council sign an agreement with Los Angeles County and accept the FY 2010 State Homeland Security Grant Program in support of the Los Angeles Fire Chiefs' Association Regional Training Coordination Group.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M11-49** as follows:

RESOLVED by the Alhambra City Council that this Council hereby

- (1) Accepts that certain FY 2010 State Homeland Security Grant in the total amount of \$229,975 and approves that certain Subrecipient Agreement between the County of Los Angeles and the City of Alhambra for the Grant Year 2010 State Homeland Security Grant Program, subject to final language approval by the City Manager and City Attorney; and,
- (2) Directs the Director of Finance to establish a FY 2010 State Homeland Security Grant line and/or cost center account as required for accounting purposes; and, appropriate said grant funds in the amount of \$220,000 to the Fire Department for backfill cost for a Battalion Chief for the Regional Training Coordination Group (RTCG) and \$9,975 for the narrow banding of radios; and,
- (3) Authorizes the Fire Chief to make the necessary purchases of approved emergency equipment as submitted to the Los Angeles Operational Area (OA) Approval Authority and the State of California Office of Homeland Security.

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

Absent: NONE

11. AWARD CONTRACT: 2011 HUD STREET IMPROVEMENT PROJECT – F2M11-30, N2M11-43, C2M11-24, M2M11-46

On May 19, 2011, the City Clerk received and opened 10 bids ranging from \$778,730 to \$896,785 for the 2011 HUD Street Improvement Project (N2M11-43). The bid received from All American Asphalt in the amount of \$778,730 is the lowest responsible bid and has the necessary licenses and permits. Therefore, staff requests that the City Council award a contract to All American Asphalt for the 2011 HUD Street Improvement Project.

Discussion: None

Action Taken: City Council awarded a contract, subject to final language approval by the City Manager and City Attorney, to All American Asphalt in the amount of \$778,730 for the 2011 HUD Street Improvement Project and directed staff to undertake the steps necessary to finalize Council's action. (**M2M11-46**)

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

12. FY 2009 URBAN AREA STRATEGIC SECURITY INITIATIVE (UASI) GRANT– F2M1-106, C2M11-26, M2M11-50

The City of Los Angeles has been identified by the United States Department of Homeland Security as a Core City with several potential terrorist targets within its borders. As a designated Core City, they are eligible for additional funding through the UASI Grant Program. In addition, the City of Alhambra and 15 other cities contiguous to the City of Los Angeles are also eligible for funding through the grant. Therefore, staff requested that the City Council sign an agreement with the City of Los Angeles and accept the FY 2009 Urban Area Strategic Initiative Grant.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M11-50** as follows:

RESOLVED by the Alhambra City Council that this Council hereby

1. Approves that certain Subrecipient Agreement FY 2009 Urban Area Security Initiative Grant Program, subject to final language approval by the City Manager and City Attorney, by and between the City of Alhambra and the City of Los Angeles and accept the Supplement to FY 2009 Urban Area Security Initiative (UASI) Grant in the amount of \$47,492, a copy of which Subrecipient Agreement is on file in the City Clerk's Office as **Contract No. C2M11-26** and by this reference incorporated herein and made a

part hereof as though fully set forth herein; and,

2. Directs the Director of Finance to establish a FY Urban Area Strategic Security Initiative line account for the Fire Department.

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

13. TNT FIREWORKS STAND: FREMONT PLAZA PARKING LOT – F2M9-509, F97-515, C2M11-25, M2M11-47

Staff requested that the City Council consider a Concession Agreement with American Promotional Events, Inc. dba *TNT Fireworks* in conjunction with East Alhambra Little League for operation of a Fireworks Stand on City-owned property located at 2500 West Commonwealth Avenue, from June 15 through July 5, 2011, to serve as a fund-raiser for the East Alhambra Little League.

Discussion: None

Action Taken: City Council reviewed the facts and approved that certain Concession Agreement, by and between the City of Alhambra and American Promotional Events, Inc., dba TNT Fireworks, to operate a Public Concession at Fremont Plaza (2500 West Commonwealth Avenue) for the operation of a fireworks stand for the period from June 15, 2011 through July 5, 2011, 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. C2M11-25** and is incorporated herein by reference and made a part hereof as though fully set forth herein; and, directed staff to undertake the steps necessary to finalize Council's action. **(M2M11-47)**

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

14. TREASURER'S REPORT - F2M11-1

Discussion: None

Action Taken: Approved as submitted the Treasurer's Report prepared by the Director of Finance for the month of April, 2011, listing all of the City's and the Alhambra Redevelopment Agency's investments as of April 30, 2011.

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

Absent: NONE

15. PERSONNEL ACTIONS – F2M11-2

Discussion: None

Action Taken: Ratified the actions of the City Manager set forth in that certain Personnel Actions document dated June 13, 2011 showing the various appointments, classifications, salary changes, etc., since the last City Council meeting.

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

16. DEMANDS - F2M11-1

Discussion: None

Action Taken: Approved as submitted Final Check List (126669 thru 126712) in the amount of \$15,905.80 for the period ending May 3, 2011; Final Check List (126713 thru 126852) in the amount of \$372,683.20 for the period ending May 5, 2011 and Schedule of Wire Transfers in the amount of \$3,812.51 for the week ending April 29, 2011; Final Check List (126853 thru 126922) in the amount of \$187,976.19 for the period ending May 6, 2011 and Schedule of Wire Transfers in the amount of \$1,603,038.05 for the week ending May 6, 2011; Final Check List (126923 thru 127013) in the amount of \$310,545.95 for the period ending May 12, 2011 and Schedule of Wire Transfers in the amount of \$304,148.93 for the week ending May 13, 2011; and, Final Check List (127014 thru 127119) in the amount of \$910,279.50 for the period ending May 19, 2011 and Schedule of Wire Transfers in the amount of \$1,596,265.99 for the week ending May 20, 2011.

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

ORDINANCE – SECOND READING

17. ORDINANCE PERTAINING TO THE REGULATION OF MASSAGE SERVICES & ESTABLISHMENTS – F2M8-71, O2M11-4576

Staff requested that the City Council adopt an ordinance pertaining to the regulation of massage services and establishments. The ordinance would ensure that massage services and establishments continue to be appropriately regulated by the City and maintain appropriate regulatory safeguards through inspections and license revocation procedures.

Discussion: None

Action Taken: City Council directed the City Attorney to give second reading by title only to the following ordinance entitled:

Ordinance No. O2M11-4576: An Ordinance of the City Council of the City of Alhambra, California amending Chapter 9.44 of the Alhambra Municipal Code regarding the licensing and regulation of massage establishments.

after which the Council, by motion, adopted Ordinance No. O2M11-4576.

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

ORAL COMMUNICATIONS – F2M11-4, F2M10-44

1. **Tony GARCIA**, 204 East Ramona Road, asked if the City had received any updates or feedback from the High-Speed Rail Authority or the San Gabriel Valley Council of Governments on the High-Speed Rail project. He also thanked the City Council for its work keeping residents informed on the matter thus far. City Manager **FUENTES** explained to Mr. Garcia that he could speak with Assistant to the City Manager **KEATING** regarding the latest updates on the High-Speed Rail project as she was the City staff member that kept on top of all the updates.
2. **Barry ALLEN**, representing *Vanguardians*, Glendale, asked the Council to consider reducing the cost charged for a photocopy from 25 cents per page to 10 cents per page, noting that most cities charge 10 cents per page. He also pointed out that some cities provide records online for free.
3. **Dr. John KRAFT**, representing *Vanguardians*, Glendale, pointed out his desire to be a champion for residents with respect to access to City records. He believed making public records available was the greatest gift a City could bestow its residents. He noted the importance of providing records for free as data is important for residents to stay informed about their City government. He added that he believed a company called *Granicus* could provide web streaming of Alhambra City Council meetings for as low as \$450 a month.

COUNCIL COMMUNICATIONS (ANNOUNCEMENTS & FUTURE AGENDA ITEMS) F2M11-7

Mrs. Messina reminded residents that the Alhambra Beautiful Awards program was now underway and hoped homeowners were preparing their homes, gardens and landscaping for the Chamber of Commerce Ambassadors that were currently surveying neighborhoods to pick the winners.

Mr. Ayala congratulated and commended City Manger Fuentes for being awarded the Public CEO Local Government Award by the San Gabriel Valley Council of Governments and San Gabriel Valley Economic Partnership at the Jack Phillips Awards reception this coming Thursday.

Dr. Placido wished to thank Mayor Yamauchi, Library Director Carmen Hernandez and the Alhambra Chamber of Commerce for their work towards making Alhambra Dodger Night such a great success.

ARA RECONVENE & ADJOURNMENT: At 8:05 p.m., there being no further business for the Agency Board or Council to transact, the ARA Chairman and Mayor, with the consent of the Agency Board and the City Council, adjourned their respective meetings to 5:30 p.m., on June 15, 2011, in Ruth C. Reese Hall at the Alhambra Civic Center Library, 101 South First Street, Alhambra, California for the purpose of meeting jointly (Notice No. N2M11-70).

LAUREN MYLES, CMC
CITY CLERK/ARA ASSISTANT SECRETARY