



*Gateway
to the
San Gabriel Valley*

**CITY OF ALHAMBRA
AGENDA
ALHAMBRA CITY COUNCIL
ALHAMBRA REDEVELOPMENT AGENCY
AUGUST 22, 2011**

MISSION STATEMENT

The City of Alhambra is dedicated to responsive, creative leadership and quality services, ensuring desirable neighborhoods and a supportive business environment, while being sensitive to the diversity of our community.

VISION STATEMENT

The City of Alhambra shall be the premier family-oriented and economically prosperous community in the San Gabriel Valley.

Addressing the Council: Section 2.04.210 of the Alhambra Municipal Code establishes the procedures for addressing the Council. Any person wishing to address the Council/Agency Board during the meeting must complete a Speaker Request Card and submit it to the City Clerk.

When called upon by the Mayor or Agency Chairman, please step to the podium and give your name, address and organization or other party you represent, if any, in an audible tone of voice for the record. Remarks are limited to 5 minutes.

All remarks shall be addressed to the Council as a body and not to any member thereof. No person, other than the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the Mayor or ARA Chairman. No question shall be asked a Councilperson or Agency Board member except through the Mayor or the ARA Chairman.

Standards of Decorum: Any person making personal, impertinent or slanderous remarks or who shall become boisterous while addressing the Council or Agency Board shall be forthwith, by the Mayor or ARA Chairman, barred from the meeting.

Enforcement of Decorum: The Chief of Police, or his designee, shall be Sergeant-at-Arms of the Council/Agency Board meetings. The Sergeant-at-Arms shall carry out all orders and instructions given by the Mayor or ARA Chairman for the purpose of maintaining order and decorum at the Council/Agency Board meeting.

Persons Authorized to be Within Rail: No person, except City officials, their representatives, and newspaper reporters, shall be permitted within the rail in front of the Council Chamber without the express consent of the Council/Agency Board.



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**AGENDA
Joint Regular Meeting
ALHAMBRA CITY COUNCIL
ALHAMBRA REDEVELOPMENT AGENCY**

City Council Chambers
111 South First Street
August 22, 2011
5:30 p.m.

ROLL CALL:

COUNCIL:

ARA:

Sham, Messina, Placido, Ayala, Yamauchi

Sham, Messina, Yamauchi, Ayala, Placido

FLAG SALUTE: Led by Chairman Placido

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.

Recommended Action: By motion, determine that the titles to all ordinances which appear on this public agenda have been read, and waive further reading.

PUBLIC HEARING

1. FIRST AMENDMENT TO 2011-2012 ANNUAL ACTION PLAN FOR THE CREATION OF A SPECIAL ECONOMIC DEVELOPMENT PROGRAM - F2M11-32, N2M11-100, M2M11-88

This is the time and place set by **Notice No. N2M11-100** for the City Council to hold a public hearing to consider the proposed First Amendment to the City of Alhambra's 2011-2012 Annual Action Plan and to receive comment on the proposed changes and with regard to the proposed reprogramming and utilization of CDBG funds. The City is seeking to amend the 2011-2012 Annual Action Plan to create a Special Economic Development Program to assist businesses and developers create new jobs and/or expand and add employees to existing commercial establishments. The program may use a series of approaches to provide assistance including, but not limited to, land acquisition, demolition, site clearance and environmental remediation, new construction, interior or exterior improvements and the purchase of furnishings, fixtures and equipment. The City intends to use up to \$480,000 of un-appropriated CDBG funds from prior years to implement the program. The public comment period ran from July 20, 2011 through August 19, 2011 pursuant to and in compliance with the Federal Department of Housing and Urban Development (HUD) pre-submission requirements. No comments were received by the date staff drafted this report.

Recommended Action: After receiving public testimony, the Chairman should

close the public hearing and, at the City Council's discretion, City Council approve the First Amendment to the City of Alhambra's 2011-2012 Annual Action Plan to create and fund a Special Economic Development Program to create jobs for low and moderate income persons; and direct staff to undertake the steps necessary to finalize Council's action. (M2M11-88)

PRESENTATION

2. STRATEGIC PLAN UPDATE – F2M11-36

On April 21, 2011, the City Council and Executive Staff met to establish new three-year goals (2011-2014) and six-month objectives to implement the City's strategic plan. Approximately every six months, the City Council and Executive Staff meet to update the objectives. During the strategic planning process, it was determined that staff will review the progress of the goals and objectives and present to the City Council the status on a monthly basis.

Recommended Action: City Council receive and order filed the informational report presented this evening

AGENCY/COUNCIL CONSENT AGENDA (Item Nos. 3 - 14)

All items listed under the Consent Agenda are considered by the Agency Board/City Council to be routine and will be enacted by one motion unless a citizen or Agency Board/Council member requests otherwise; in which case, the item will be removed for separate consideration.

3. ADOPTION OF THE ENFORCEABLE OBLIGATION PAYMENT SCHEDULE – F2M11-47, M2M11-91

Staff requests City Council approval for the adoption of the Enforceable Obligation Payment Schedule. On June 29, 2011 the Governor signed AB1X26-27, which modified sections of the redevelopment law in the State of California. Pursuant to Health and Safety Code section 34169, redevelopment agencies were required to adopt an enforceable obligation payment schedule (EOPS) no later than August 28, 2011. The City Manager, Interim Director of Development Services, City Attorney and Director of Finance have reviewed the EOPS and recommend approval of its filing to ensure compliance with sections 34167 and 34169 of AB1X26-27 in the event they are ultimately determined by the California Supreme Court to be valid.

Recommended Action: City Council adopt **Minute Order No. M2M11-91** as follows:

RESOLVED by the Alhambra City Council that this Council hereby approves the adoption of the Enforceable Obligation Payment Schedule attached to the Director Finance's August 22, 2011 Report on file in the office of the City Clerk and by this reference incorporated herein and made a part hereof as though fully set forth herein; and, directs staff to ensure compliance with sections 34167 and 34169 of AB1X26-27.

4. MOU: SCHOOL RESOURCE OFFICER PROGRAM - F2M-66, C2M1-75, M2M11-90

Staff is requesting Council authorization to continue agreements with the Alhambra Unified School District (the "District") to accept funding for the assignment of three police officers and one police narcotics detection canine to the District. The terms of this agreement are effective from September 1, 2011 to and including August 31, 2012.

Recommendation Action: City Council approve those certain renewals of the Memorandums of Understanding 2011 – 2012 (MOU) by and between the Alhambra Unified School District (the "District") and the City of Alhambra (City), subject to final language approval by the City Manager and City Attorney, to assign one full-time and two part-time School Resource Officers to the District, copies of which MOUs are on file in the office of the City Clerk as **Contract No. C2M1-75** and by this reference incorporated herein and made a part hereof as though fully set forth herein; accept funding for the purchase of one police narcotics detection canine; accept reimbursement of costs from the District for said officers and canine services; and, direct staff to undertake the steps necessary to finalize Council's action. (**M2M11-90**)

5. AWARD CONTRACT: PURCHASE OF FOUR (4) POLICE PATROL VEHICLES – F2M11-6A, N2M11-95, C2M11-38, M2M11-89

On August 11, 2011, the City Clerk received and opened 2 bids ranging from \$96,344 to \$97,020.72 for the purchase of four police patrol vehicles (N2M11-95). The bid received from Wondries Fleet Group in the amount of \$96,344 is the lowest responsible bid; therefore, staff requests that the City Council award a contract to Wondries Fleet Group for the purchase of four police patrol vehicles.

Recommended Action: City Council award a contract, subject to final language approval by the City Manager and City Attorney, to Wondries Fleet Group in the amount of \$96,344 for the purchase of four (4) police patrol vehicles; and, direct staff to undertake the steps necessary to finalize Council's action. (**M2M11-89**)

6. REJECT BIDS & READVERTISE: MARENGO RESERVOIR SITE BEAUTIFICATION PROJECT – F2M9-89, N2M9-139, N2M11-119

The Marengo Reservoir and Booster Facility requires security and aesthetic upgrades. Previous bids received for the Marengo Reservoir Beautification Project were found to be greater than the project's estimated budget and subsequently the project was broken into phases to meet the estimated budget. Therefore, staff requests that the City Council reject the bids previously received for the Marengo Beautification Project (N2M9-139) and grant authorization to circulate a Notice Inviting Bids for the Marengo Fencing Project.

Recommended Action: City Council reject the bids received in response to Notice Inviting Bids No. N2M9-139 for the Marengo Beautification Project and authorize the City Clerk to advertise **Notice Inviting Bids No. N2M11-119** for the Marengo Fencing Project, with bids to be received on or before 10:30 a.m., on Thursday, September 22,

2011, in the office of the City Clerk, and publicly opened at 11:00 a.m. that same day.

7. NOTICE OF COMPLETION: UTILITIES DEPARTMENT SECURITY IMPROVEMENTS PROJECT – ELECTRICAL IMPROVEMENTS – F2M9-80, C2M10-7, M2M11-87

Staff requests that the City Council accept as complete the electrical installations by A & B Electric for the Security Improvements Project – Electrical Improvements. The project has been inspected by staff and all work has been completed in accordance with the City requirements and specifications. There were two change orders associated with this project for electrical repairs to facilities that were not included in the original bid. The change orders totaled \$3,179.61, thus the final contract amount is \$348,129.61.

Recommended Action: City Council approve the two change orders issued for the contract in the total amount of \$3,179.61; accept as complete the contract with A & B Electric for the Security Improvements Project – Electrical Improvements in the amount of \$348,129.61 (C2M10-7); and, direct staff to undertake the steps necessary to finalize Council's action. **(M2M11-87)**

8. APPROPRIATION OF FUNDS FROM THE SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND – F2M9-81, F2M5-112, M2M11-77

Staff requests that the City Council appropriate \$51,019.69 from the Supplemental Law Enforcement Services Fund (Fund 201) to be used towards the purchase of mobile digital video recording equipment for use by the Police Department. The total cost of the in-car mobile digital system is \$180,128.69 and \$129,109 of this cost is being paid out of the 2009 Recovery Act Justice Assistance Grant (JAG) funds. The remaining cost for this purchase will be paid out of a designated Supplemental Law Enforcement Services Fund expenditure account upon approval of this appropriate of funds.

Recommended Action: City Council appropriate \$51,019.69 from the Supplemental Law Enforcement Services Fund (Fund 201) to be used to purchase mobile digital video recording equipment for use by the Police Department; and, direct staff to undertake the steps necessary to finalize Council's action. **(M2M11-77)**

9. ADOPTION OF CITY OF ALHAMBRA LABOR COMPLIANCE PLAN FOR STATE FUNDED PROJECTS – F2M11-45, R2M11-17, R2M11-503

Staff requests that the City Council and Agency Board adopt by Resolution the City of Alhambra's Labor Compliance Plan and instruct staff to submit the Plan to the Department of Industrial Relations for approval. This program is applicable to all public works projects awarded by the City on or after August 1, 2010, using funds derived from any bond issued by the State to fund public works projects. Staff has prepared a Labor Compliance Plan in accordance with the Labor Code which is tailored to meet the needs of all City departments which have projects that are funded by State bond funds.

Recommended Action: 1) City Council adopt **Resolution No. R2M11-17** entitled: *A Resolution of the Alhambra City Council adopting the City of Alhambra's Labor Compliance Program in conformance with the requirements of the State of California*

*Department of Industrial Relations; 2) Agency Board adopt **Resolution No. R2M11-503** entitled: A Resolution of the Alhambra Redevelopment Agency adopting the City of Alhambra's Labor Compliance Program in conformance with the requirement of the State of California Department of Industrial Relations; and, 3) City Council/Agency Board instruct staff to submit the Plan to the Department of Industrial Relations for approval.*

10. DESIGNATION OF VOTING DELEGATES AND ALTERNATE: LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE – F2M11-13, M2M11-85

Staff requests that the City Council approve the proposed appointment of Vice Mayor Barbara A. Messina as Voting Delegate and Councilmember Gary Yamauchi as the Voting Delegate Alternate for the September 21-23, 2011 League of California Cities Annual Conference's Business Meeting.

Recommended Action: City Council adopt **Minute Order No. M2M11-85** as follows:

RESOLVED by the Alhambra City Council that this Council hereby designates and appoints Vice Mayor Barbara A. Messina as Voting Delegate and Councilmember Gary Yamauchi as Voting Delegate Alternate for the September 21-23, 2011 League of California Cities Annual Conference's Business Meeting; and,

BE IT FURTHER RESOLVED by the Alhambra City Council that this Council hereby directs the City Clerk to attest to the designation and appointment of Vice Mayor Barbara A. Messina as Voting Delegate and Councilmember Gary Yamauchi as Voting Delegate Alternate and send the 2011 Annual Conference Voting Delegate/Alternate Form to the League of California Cities.

11. TREASURER'S REPORT - F2M11-1

Recommended Action: City Council approve as submitted the Treasurer's Report prepared by the Director of Finance for the month of July, 2011, listing all of the City's and the Alhambra Redevelopment Agency's investments as of July 31, 2011.

12. PERSONNEL ACTIONS – F2M11-2

Recommended Action: City Council ratify the actions of the City Manager set forth in that certain Personnel Actions document dated August 22, 2011 showing the various appointments, classifications, salary changes, etc., since the last City Council meeting.

13. ACCOUNTS PAYABLE – F2M11-500

Recommended Action: Agency Board approve as submitted the Accounts Payable for the period ending August 3, 2011, Check Nos. 11559-11560, in the total amount of

\$63,177.40; and, for the period ending August 5, 2011, Check Nos. 11561-11564 in the total amount of \$54,194.23.

14. DEMANDS - F2M11-1

Recommended Action: City Council approve as submitted Final Check List (128733 thru 128812) in the amount of \$54,015 for the period ending July 21, 2011; Final Check List (1128813 thru 128847) in the amount of \$125,670.64 for the period ending July 22, 2011; Final Check List (128848 thru 128909) in the amount of \$290,685.66 for the period ending July 27, 2011 and Schedule of Wire Transfers in the amount of \$378,214.75 for the week ending July 22, 2011; Final Check List (128910 thru 128970) in the amount of \$456,853.51 for the period ending July 28, 2011; Final Check List (128971 thru 129081) in the amount of \$258,731.22 for the period ending August 3, 2011 and Schedule of Wire Transfers in the amount of \$1,727,833.23 for the week ending July 29, 2011; and, Final Check List (129082 thru 129127) in the amount of \$16,620.80 for the period ending August 4, 2011.

ORDINANCE – SECOND READING

15. ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM – F2M11-47, O2M11-4590

Staff requests that the City Council adopt an ordinance determining to comply with the Alternative Voluntary Redevelopment Program pursuant to Part 1.9 of Division 24 of the California Health and Safety Code that will permit the continued existence and operation of the Alhambra Redevelopment Agency. In light of the California Supreme Court recently issued injunction, such adoption should be conditioned upon a final determination by the California Supreme Court that Part 1.9 is legally valid.

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

Ordinance No. O2M11-4590: An Ordinance of the City Council of the City of Alhambra, California, determining to comply with the Alternative Voluntary Redevelopment Program pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in order to permit the continued existence and operation of the Alhambra Redevelopment Agency.

after which the Council, by motion, may adopt Ordinance No. O2M11-4590, subject to a final determination by the California Supreme Court that Part 1.9 is legally valid.

AGENCY REORGANIZATION:

16. REORGANIZATION: ALHAMBRA REDEVELOPMENT AGENCY BOARD – F2M11-48

Pursuant to Section 202 of the Agency Bylaws, “The offices of Chairman and Vice Chairman shall be rotated every nine months.” Rotation is based upon the designated

Agency Board member's council district. Under the rotation system of the Agency Bylaws, the Board member representing District 1, STEPHEN SHAM, will rotate into the office of Chairman, and the Board member representing District 3, GARY YAMAUCHI will become Vice Chairman.

Recommended Action: No action is required.

COUNCIL REORGANIZATION:

17. REORGANIZATION: ALHAMBRA CITY COUNCIL – F2M11-48, R2M11-19

A. In accordance with Alhambra City Charter Sec. 29, this is the time for the rotation of the Mayor, Vice Mayor, and Councilpersons of various departments. Each Councilperson will serve in the following offices for the period ending May 28, 2012:

Luis Ayala	Mayor & Councilperson of Public Affairs
Barbara A. Messina	Vice Mayor & Councilperson of Dept. of Finance
Stephen T. Placido, DDS	Councilperson of Dept. of Public Works
Stephen Sham	Councilperson of Dept. of Public Safety
Gary Yamauchi	Councilperson of Dept. of Supplies

Recommended Action: No action is required.

B. Appointment required in connection with the Reorganization: Additionally, the following action is required to be taken in connection with the reorganization; i.e., designating the City's Board members to the Los Angeles County Sanitation District Nos. 2 and 16. By the District's bylaws, Luis Ayala, by virtue of becoming Mayor this evening, is the City's Member; and Barbara A. Messina, is an alternate member to act in place of the presiding officer of the Alhambra City Council.

Recommended Action: City Council adopt **Resolution No. R2M11-19** designating Mayor Luis Ayala as Member and Barbara A. Messina as Alternate Member of the Boards of Directors of County Sanitation District Nos. 2 and 16 of Los Angeles County.

ORAL COMMUNICATIONS (TIME LIMITATION - 5 MINUTES)

Citizens wishing to address the Council/Agency Board on any matter which is within the subject matter jurisdiction of the City Council/Agency Board not on the Agenda may do so at this time. Please state your NAME and ADDRESS CLEARLY for the record.

Please note that while the City Council/Agency Board values your comments, pursuant to January 1, 1987 amendments to the Brown Act, the City Council/Agency Board cannot respond nor take any action until such time as the matter may appear as an item on a forthcoming agenda.

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

Each Councilmember at his discretion may address the Council and public on matters of general information and/or concern, including announcements and future agenda items.

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

The Agency Board and/or City Council will move into a closed session pursuant to applicable law, including the Brown Act (Government Code Sec. 54950, *et seq.*) for the purposes of conferring with the City/Agency's Real Property Negotiator, and/or conferring with the City Attorney/Agency Counsel on potential and/or existing litigation, and/or discussing matters covered under Government Code Section 54957 (Personnel), and/or conferring with the City's Labor Negotiators as follows; provided, however, prior to so moving into closed session, the City Attorney/Agency Counsel shall make any announcements required by the Brown Act pertaining to such closed session matters:

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 Swink, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.
- b) Property: 875 South Fremont Avenue, Negotiating parties: Ratkovich Company and City Manager/ARA Executive Director Julio J. Fuentes & Interim Director of Development Services Swink, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.
- c) Property: 1100-1100 South Meridian Avenue, Negotiating parties: Ratkovich Company and City Manager/ARA Executive Director Julio J. Fuentes & Interim Director of Development Services Swink, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.
- d) Property: 410 East Main Street, Negotiating parties: Hillcrest Main Street Associates, L.P. and City Manager/ARA Executive Director Julio J. Fuentes & Interim Director of Development Services Swink, 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) California Redevelopment Association v. Ana Matosantos, Cal. Supreme Court Case No. S194861
- 2) Southern California Gas Company v. City of Alhambra, USDC Case No. CV10-8635PA (JCx)
- 3) Southern California Edison v. City of Alhambra, USDC Case No.

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): Richard Bacio, Personnel Director/Risk Manager, re Management Employees, Alhambra Police Miscellaneous Association, Alhambra Police Association, Alhambra Fire Fighters' Association, and the Alhambra City Employees' Association.

RECONVENE & CITY ATTORNEY REPORT: In the event the Agency Board and City Council move into a closed session, the Agency Board and City Council shall reconvene at the conclusion of such closed session and the City Attorney/Agency Counsel shall report upon the closed session if required.

ADJOURNMENT: On or before 7:00 p.m., there being no further business for the City Council or the Agency Board to transact, the Mayor and the Chairman, with the unanimous consent of the Council and Agency Board, shall adjourn their respective meetings to **5:30 p.m.**, on **Monday, September 12, 2011**, in the Council Chambers of the Alhambra City Hall, 111 South First Street, Alhambra California.

NOTE: This evening's meeting will be followed at 7:00 p.m., in the Council Chambers of the Alhambra City Hall by the **CITY COUNCIL REORGANIZATION CEREMONY**. As this will be a ceremonial event, no formal minutes will be prepared, although the ceremony will be recorded on both digital audio and DVD.

PRESENTATION OF THE COLORS & FLAG SALUTE

Alhambra Police Department

Honor Guard

Sergeant Sean Heckers
Corporal Jose Quinones
Corporal Joseph Mallette
Corporal Robert Torrance
Officer Bryan Garay

ALHAMBRA CITY COUNCIL REORGANIZATION CEREMONY

In accordance with Alhambra City Charter Sec. 29, this is the time for the rotation of the Mayor and Vice Mayor. Accordingly, Vice Mayor Luis Ayala and Councilmember, Barbara A. Messina shall become Mayor and Vice Mayor, respectively.

REMARKS by outgoing MAYOR GARY YAMAUCHI

ADMINISTRATION of OATHS OF OFFICE by CITY CLERK

MAYOR LUIS AYALA

Councilperson of the Fifth District

VICE MAYOR BARBARA A. MESSINA

Councilperson of the Second District

**REMARKS, INTRODUCTION of GUESTS, RECOGNITIONS and ACKNOWLEDGEMENTS
by
MAYOR AYALA & VICE MAYOR MESSINA**

RECEPTION TO IMMEDIATELY FOLLOW IN CITY HALL LOBBY

NOTICE

Agenda Items: Copies of the staff reports or other written documentation relating to the items listed on this agenda are on file with the City Clerk in Alhambra City Hall, located at 111 South First Street, Alhambra, California, and are available for inspection during regular office hours, Monday through Thursday from 7:30 a.m. to 5:30 p.m., and Friday from 8:00 a.m. to 5:00 p.m.

Broadcast of Meeting: The regular meetings of the Alhambra Redevelopment Agency and the City Council are recorded and are broadcast on Charter Channel 55 at 7:30 p.m. on the Thursdays and Mondays following the meeting. Recordings are also available for viewing by the public at the Alhambra Public Library and, upon appointment, in the Administrative Services Department.

Americans with Disabilities Act: If you require special assistance to participate in any City meeting (including assisted listening devices), please contact the City Clerk's Office (626) 570-5094. Notification of at least 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

LAUREN MYLES, CMC
CITY CLERK/ARA ASSISTANT SECRETARY