

MINUTES
Regular Meeting
ALHAMBRA CITY COUNCIL
Special Meeting
SUCCESSOR AGENCY TO THE FORMER ALHAMBRA
REDEVELOPMENT AGENCY
March 27, 2017
5:30 p.m.

ROLL CALL: At 5:35 p.m., on Monday, March 27, 2017 the Alhambra City Council and the Successor Agency to the Former Alhambra Redevelopment Agency Board met in the Council Chambers of the Alhambra City Hall.

PRESENT: MESSINA, AYALA, MEJIA
ABSENT: SHAM, MALONEY

Officials Present: City Manager Yokoyama, Assistant City Manager/Director of Human Resources Schultz, City Attorney Montes, City Clerk Myles, Director of Public Works Chavez, Fire Chief Phelps, Director of Administrative Services Paulson, Director of Community Services Ray, Director of Environmental Services Jarvis, Interim Chief of Police Gomez-Whiteley, Library Director Hernandez, Deputy Director of Development Services Reynoso, Director of Finance Espinoza, Deputy City Manager Binnquist, Management Assistant Kespradit

FLAG SALUTE: Led by Mayor Mejia

CITY CLERK REPORT - NOTICE NO. N2M17-34

The City Clerk reported that she duly gave notice of the Special Meeting of the Successor Agency to the Former Alhambra Redevelopment Agency to be held this evening in conjunction with the regular meeting of the Alhambra City Council pursuant to the order to the Mayor and the Chairperson of the Successor Agency to the former Alhambra Redevelopment Agency in accordance with Section 54956 of the Government Code of the State of California.

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 Mrs. MESSINA, seconded by Mr. AYALA, 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.

PRESENTATION

1. SPECIAL EVENTS PREVIEW: ALHAMBRA PUMPKIN RUN & MAINFEST – F2M17-16

Director of Administrative Services Paulson and Downtown Alhambra Business Association Past President Joanna Vargas presented information on the 2017 Alhambra Pumpkin Run. A copy of the presentation is on file in the City Clerk’s Office. Mr. **PAULSON** reported that the 2017 Pumpkin Run would take place on Sunday, October 15th and feature a new route, bringing the race and other entertainment and food & beverage enhancements to Main Street and the Downtown. Ms. **VARGAS** noted that the 2017 MainFest Music and Arts Festival was scheduled for September 9th.

Discussion: None

Action Taken: City Council received and ordered filed the informational report presented this evening.

SUCCESSOR AGENCY MATTERS

2. RESOLUTION: TERMINATE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY OF ALHAMBRA AS SUCCESSOR AGENCY TO THE FORMER ALHAMBRA REDEVELOPMENT AGENCY – F2M16-2, R2M17-12

Assistant City Manager/Human Resources Director SCHULTZ reported that staff was recommending that the Successor Agency approve a resolution approving an Agreement to terminate the contract between the Board of Administration California Public Employees’ Retirement System and the City of Alhambra as Successor Agency to the Former Alhambra Redevelopment Agency (CalPERS ID: 1641766093) and authorize the City Manager or his designee to undertake such other actions as are necessary to complete the selected termination option.

Discussion: None

Action Taken: Successor Agency adopted **Resolution No. R2M17-12** entitled: *A Resolution to terminate the contract between the Board of Administration California Public Employees’ Retirement System and the City of Alhambra as Successor Agency to the Former Alhambra Redevelopment Agency*; and, authorize the City Manager or his designee to undertake such other actions as are necessary to complete the selected termination option.

Vote: Moved: AYALA Seconded: MESSINA
Ayes: MESSINA, AYALA, MEJIA
Noes: NONE
Absent: SHAM, MALONEY

CLOSED SESSION & CITY ATTORNEY ANNOUNCEMENT re SAME - F2M17-14

City Attorney **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(d)(1)): None

Conference with Legal Counsel - Anticipated Litigation: Significant exposure to litigation pursuant to Govt. Code Section 54956.9(d)(2): 1 matter. Initiation of litigation pursuant to Govt. Code Section 54956.9(d)(4): None.

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

Conference with City's Labor Negotiator (Govt. Code Section 54957.6): Tara Schultz, Assistant City Manager/Director of Human Resources, re: Management Employees, Alhambra Police Miscellaneous Association, Alhambra Police Officers' Association, Alhambra Police Management Association, Alhambra Fire Fighters' Association, and the Alhambra City Employees' Association

whereupon at 5:48 p.m., the City Council/Successor Agency 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 City Attorney.

RECONVENE: At 7:07 p.m., the City Council/Successor Agency moved out of closed session with all members present [SHAM, MALONEY, absent].

COUNCIL BUSINESS

3. ANNUAL BOARDS AND COMMISSIONS APPOINTMENTS – F2M17-28

City Clerk **MYLES** reported that the terms of office for all members of the City's various Boards and Commission expire on March 27, 2017; therefore, it was appropriate for Councilpersons to appoint or reappoint their representatives at this time. With the exception of the Youth Commission, each representative may serve for a maximum of eight consecutive terms of one year each. Appointments will be effective for a one-year period commencing March 27, 2017 and ending March 26, 2018.

Discussion: None

Action Taken: The Mayor and each Councilperson present announced his/her new appointments to the Civil Service Commission/Board of Appeals, HCDA Citizen Advisory Committee, Board of Library Trustees, Parks & Recreation Commission, Planning Commission, Design Review Board, Transportation Commission, Youth Commission, the Alhambra City Arts & Cultural Events Committee and the Environmental Committee with each appointment to be effective for a one-year period commencing March 27, 2017 and ending March 26, 2018. Mayor Mejia announced the names of the new appointees for Councilmembers Sham and Maloney, who were absent. Other than announcing names of new appointees, no action was required.

4. CONSIDERATION OF A CHIEF OF POLICE CONTRACT WITH TIMOTHY VU – F2M-71, F2M17-2, C2M17-22, M2M17-47

Staff requested that the City Council approve an Employment Agreement with Timothy Vu for the position of Chief of Police, effective April 6, 2017 and authorize the City Manager to execute the Employment Agreement. City Manager **YOKOYAMA** reported that the City contracted with Bob Murray and Associates to undertake the search for a new Chief of Police and after an extensive process, the City Manager selected Timothy Vu, currently Interim Chief of Police and Deputy Chief of Police for the City of Westminster.

Discussion: Councilmember **AYALA** thanked Interim Chief of Police Gomez-Whiteley for her service while the City conducted the search for the new Chief of Police. He noted that she had always been very attentive in addressing concerns and served the City very well during her time as Interim Chief.

Action Taken: City Council approved that certain Employment Agreement designating Timothy Vu as the Chief of Police effective April 6, 2017 on file in the Office of the City Clerk as Contract No. C2M17-22 and by this reference incorporated herein and made a part hereof as though fully set forth herein; authorized the City Manager to execute the Employment Agreement; and, directed staff to undertake the steps necessary to finalize Council's action. **(M2M17-47)**

Vote: Moved: AYALA Seconded: MESSINA
Ayes: MESSINA, AYALA, MEJIA
Noes: NONE
Absent: SHAM, MALONEY

CONSENT AGENDA (Item Nos. 5 - 13)

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

5. AMEND CONTRACT: PROFESSIONAL AUDITING SERVICES– F2M5-53, C2M12-24, M2M17-48

Staff requested that the City Council approve a three year extension of the City's external independent audit contract. The City's current five year contract with White Nelson Diehl Evans, LLP expired with the audit of fiscal year 2015-2016. White Nelson Diehl Evans, LLP and the City wish to extend the agreement for three more years to include the audit for fiscal years 2016-2017, 2017-2018 and 2018-2019. City staff has been very pleased with White Nelson Diehl Evans' professionalism and constructive suggestions during the course of the contract, especially with implementation of the new accounting pronouncements which have been and continue to be issued. The extension of the agreement will also allow for consistency and continuity.

Discussion: None

Action Taken: City Council approved a three (3) year extension of the City's

external independent audit contract with the CPA firm of White Nelson Diehl Evans, LLP (C2M12-24); and, directed staff to undertake the steps necessary to finalize Council's action. **(M2M17-48)**

Vote: Moved: MESSINA Seconded: AYALA
Ayes: MESSINA, AYALA, MEJIA
Noes: NONE
Absent: SHAM, MALONEY

6. NOTICE OF COMPLETION: ALMANSOR PARK JOGGING TRAIL SECURITY LIGHTING PROJECT – F2M16-33, C2M16-44, M2M17-49

On June 27, 2016 the City Council awarded a contract to Facility Solutions Group in the amount of \$67,960 for the Almansor Park Jogging Trail Security Lighting Project. There was one change order issued for this project, which resulted in a savings of \$6,204. This project has been inspected by staff and all work has been completed in accordance with the City's requirements and specifications. As such, staff requested that the City Council to accept this project as complete.

Discussion: None

Action Taken: City Council accepted the work of Facility Solutions Group for the Almansor Park Jogging Trail Security Lighting Project in the amount of \$61,756 as complete; directed the City Clerk to file a Notice of Completion with the County of Los Angeles for recordation; instructed the Finance Director to release the 5% retention 35 days from the date of recordation if no liens are filed; and, directed staff to undertake the steps necessary to finalize Council's action. **(M2M17-49)**

Vote: Moved: MESSINA Seconded: AYALA
Ayes: MESSINA, AYALA, MEJIA
Noes: NONE
Absent: SHAM, MALONEY

7. APPROPRIATE FUNDS: CITY HALL LANDSCAPING PROJECT - F2M15-42, M2M17-50

Staff requested that the City Council appropriate funding for the City Hall Landscaping Project in the amount of \$90,000. Grant proceeds from the San Gabriel Valley Municipal Water District will be used to cover the costs of the project through a two-year combined grant.

Discussion: None

Action Taken: City Council appropriated funding for the City Hall Landscaping Project in the amount of \$90,000; instructed the Director of Finance to amend the Public Works Department's budget accordingly; and, directed staff to undertake the steps necessary to finalize Council's action. **(M2M17-50)**

Vote: Moved: MESSINA Seconded: AYALA
Ayes: MESSINA, AYALA, MEJIA
Noes: NONE
Absent: SHAM, MALONEY

8. SUBMISSION OF THE SINGLE AUDIT REPORT – F2M16-17

Staff requested that the City Council receive and file the Single Audit report for the year ended June 30, 2016. Annually, the City is required to undergo an annual single audit of its federally funded programs. This audit was conducted by the City's independent accounting firm, White Nelson Diehl Evans, LLP. The Single Audit entails compliance requirements described in the U.S Office of Management and Budget (OMB) Circular A-133 Compliance Supplement that are applicable to each of its major federal programs for the year ended June 30, 2016. In addition to testing for compliance, the auditors also tested for internal control compliance. The City's Single Audit did not identify any deficiencies in internal control over compliance that were considered to be material weaknesses.

Discussion: None

Action Taken: City Council received and ordered filed the Single Audit report for the year ended June 30, 2016.

Vote: Moved: MESSINA Seconded: AYALA
Ayes: MESSINA, AYALA, MEJIA
Noes: NONE
Absent: SHAM, MALONEY

9. FY 2016 URBAN AREA STRATEGIC SECURITY INITIATIVE GRANT – F2M1-106, C2M17-23, M2M17-46

As a designated Core City, the City of Los Angeles is eligible for additional funding through the Urban Area Strategic Security Initiative (UASI) Grant Program that is administered by the Department of Homeland Security. In addition to the Core City, individual cities that are contiguous to the City of Los Angeles are also eligible for funding. The Alhambra Fire Department and the Alhambra Police Department jointly submitted a grant request for \$119,137 to the Approval Authority who administers the UASI Grant Program, and the request was approved. The Fire Department was allocated \$97,560 and the Police Department was allocated \$21,577. The Fire Department will use their funds to cover the cost of Urban Search & Rescue equipment, for the Regional Training Center, and for MOBEX Exercises. The Police Department will use its allocated funds for Trauma Kits and a Mask Fit Test Machine.

Discussion: None

Action Taken: City Council took the follow actions: 1) Accepted the 2016 UASI grant in the amount of \$119,137; 2) Directed the Director of Finance to amend the City's 2016-2017 adopted budget, increase the Fire Department revenue by \$97,560 in

account 101.30.42392 and appropriate \$97,560 in account 101.30.3610.99392, increase the Police Department revenue by \$21,577 in account 101.20.42392 and appropriate \$21,577 in account 101.20.2010.99392; 3) Approved an agreement with the City of Los Angeles for the FY 2016 UASI Grant and authorize the Fire Chief to sign the Agreement; and, 4) Directed staff to undertake the steps necessary to finalize Council's action. (M2M17-46)

Vote: Moved: MESSINA Seconded: AYALA
Ayes: MESSINA, AYALA, MEJIA
Noes: NONE
Absent: SHAM, MALONEY

10. BUDGET APPROPRIATION TO FUND PURCHASE OF A NEW BOILER FOR CITY HALL – F2M16-17, M2M17-51

The boiler in City Hall, which is the primary piece of machinery that produces heat for the building, failed approximately four weeks ago. The City's contracted preventative maintenance company, Johnsons Controls, Inc. has advised that a repair would be costly and would not extend the life of the boiler much longer. Based on this recommendation, staff solicited written proposals from three different companies for the replacement and installation of a new boiler. The proposals ranged from \$52,166.42 to \$29,800. Equipment Tech Services works primarily with boilers, and their proposal came in the least expensive at \$29,800. Staff requested an appropriation of funds in the amount of \$30,000 to purchase and install a new boiler from Equipment Tech Services, and return heat to City Hall, making customers and staff more comfortable with the climate inside the building.

Discussion: None

Action Taken: City Council approved a General Fund appropriation in the amount of \$30,000 to Building Maintenance for the purchase of a new boiler in City Hall; and, directed staff to undertake the steps necessary to finalize Council's action. (M2M17-51)

Vote: Moved: MESSINA Seconded: AYALA
Ayes: MESSINA, AYALA, MEJIA
Noes: NONE
Absent: SHAM, MALONEY

11. TREASURER'S REPORT - F2M17-1

Discussion: None

Action Taken: City Council received and ordered filed as submitted the Treasurer's Report prepared by the Director of Finance for the month of February, 2017, listing all of the City's investments as of February 28, 2017.

Vote: Moved: MESSINA Seconded: AYALA

Ayes: MESSINA, AYALA, MEJIA
Noes: NONE
Absent: SHAM, MALONEY

12. MINUTES

Discussion: None

Action Taken: City Council reviewed and approved as submitted the Minutes of the March 13, 2017 regular meeting of the Alhambra City Council.

Vote: Moved: MESSINA Seconded: AYALA
Ayes: MESSINA, AYALA, MEJIA
Noes: NONE
Absent: SHAM, MALONEY

13. DEMANDS - F2M17-1

Discussion: None

Action Taken: City Council approved as submitted Final Check List (180841 thru 180924) in the amount of \$1,891,665.87 for the period ending February 23, 2017 and Schedule of Wire Transfers in the amount of \$2,282,085.25 for the week ending February 24, 2017; Final Check List (181180 thru 181368) in the amount of \$553,119.17 for the period ending March 9, 2017 and Schedule of Wire Transfers in the amount of \$1,374,967.95 for the week ending March 1, 2017; Final Check List (181369 thru 181561 in the amount of \$1,196,984.85 for the period ending March 16, 2017; Schedule of Wire Transfers in the amount of \$1,005,987.91 for the week ending March 10, 2017; and, Schedule of Wire Transfers in the amount of \$1,853,426.78 for the week ending March 10, 2017.

Vote: Moved: MESSINA Seconded: AYALA
Ayes: MESSINA, AYALA, MEJIA
Noes: NONE
Absent: SHAM, MALONEY

ORDINANCES – SECOND READING

14. ORDINANCE AMENDING CHAPTER 6.15 OF THE ALHAMBRA MUNICIPAL CODE PERTAINING TO GRADING AND POSTING OF LETTER GRADES TO INCLUDE MOBILE FOOD FACILITIES (FOOD TRUCKS) - F2M17-16, O2M17-4710

Staff requested that the City Council adopt an Ordinance amending Chapter 6.15 of the Alhambra Municipal Code pertaining to grading and posting of letter grades to include mobile food facilities (food trucks). The City was contacted by the Director of the Bureau of Specialized Surveillance and Enforcement for the County of Los Angeles Public Health Department who requested that the City of Alhambra adopt an ordinance conforming with the County's as it related to inspection grading and posting of letter

grades for mobile food facilities to help ensure countywide enforcement. The development of a grading program for mobile food facilities (food trucks), as with restaurants and food markets in the City, is intended to minimize the risk of foodborne illness by identifying high risk violations and bringing these conditions to the attention of the facility owner/operator and the public.

Discussion: None

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

Ordinance No. O2M17-4710: An Ordinance of the City Council of the City of Alhambra, California, amending Chapter 6.15 of the Alhambra Municipal Code pertaining to grading and posting of letter grades to include Mobile Food Facilities (Food Trucks)

after which the Council, adopted Ordinance No. O2M17-4710.

Vote: Moved: MESSINA Seconded: AYALA
Ayes: MESSINA, AYALA, MEJIA
Noes: NONE
Absent: SHAM, MALONEY

15. REAUTHORIZATION OF CITY PEG FEE COLLECTION AUTHORITY UNDER STATE LAW – F95-22, O2M17-4711

Staff requested that the City Council adopt an Ordinance reauthorizing the City PEG fee collection authority under state law. In California, franchising and regulation of cable TV and video providers is governed by the Digital Infrastructure and Video Competition Act of 2006 (DIVCA). One provision of DIVCA allows local entities to establish by ordinance a fee equal to one percent of operators' gross revenues generated locally, which can be used solely to support Public, Educational and Government Access (PEG) capital expenditures. In 2007, the City Council amended Alhambra's Telecommunications Ordinance — Chapter 4.08 of the Municipal Code to incorporate requirements for video providers franchised by the state in conformance with DIVCA. The amendments included establishment of the PEG Fee for state-franchised providers. The current state-issued franchises for the two video providers operating in Alhambra - AT&T and Charter Communications (now branded as Spectrum) — expire in March, 2017 and January, 2018 respectively. The conclusion of the initial 10-year terms of the state franchises is significant because DIVCA states that local one percent PEG fee ordinances "...shall expire, and may be reauthorized, upon the expiration of the state franchise." At present, it is unclear whether re-authorization of the City's PEG Fee ordinance is required upon expiration of the AT&T and Charter video franchises. However, staff has observed that other local agencies, including the City of Los Angeles, have sought re-authorization of their PEG Fee ordinances as AT&T's initial statewide franchise comes to an end. Although a reasonable argument may be made that DIVCA's expiration language does not apply, there is the possibility that PEG funding could be lost unless the fee is reauthorized. As such, staff recommends the City Council adopt the proposed ordinance.

Discussion: None

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

Ordinance No. O2M17-4711: An Ordinance of the Alhambra City Council reauthorizing the Public, Educational, and Governmental Access Fee

after which the Council adopted Ordinance No. O2M17-4711.

Vote: Moved: AYALA Seconded: MESSINA
Ayes: MESSINA, AYALA, MEJIA
Noes: NONE
Absent: SHAM, MALONEY

ORAL COMMUNICATIONS – F2M17-4

Lola ARMENDARIZ, noting the recent incident in Alhambra Park where police chased down and arrested a teenage boy from Whittier after he brandished a loaded, stolen handgun at a man who confronted him about smoking marijuana this past Sunday, requested again that the City hire park rangers. She asked that this topic be placed on an agenda for discussion by the City Council and that the Council truly consider the implementation of full-time park rangers. She also noted that better lighting was needed in the tot lot at Alhambra Park.

COUNCIL COMMUNICATIONS (ANNOUNCEMENTS & FUTURE AGENDA ITEMS) F2M17-7

Mayor Mejia announced that the Alhambra Police Department team had placed second and posted their best time to date at the Challenge Cup - Baker to Vegas Relay Race over the weekend. He noted he was very proud of the Police Department's participation in the event and the great amount of teamwork displayed to complete the race in record time. He added that he participated in the Chamber's St. Patrick's Day Pub Crawl event and noted it was well attended and was a great event in the Downtown. Finally, he noted that Baja Cali Fish restaurant opened on Valley Boulevard and encouraged interested residents to visit for a meal.

ADJOURNMENT: At 7:30 p.m., there being no further business for the City Council or the Successor Agency to the Former Redevelopment Agency to conduct, the Mayor, with the consent of the City Council adjourned the meeting to Monday, April 10, 2017 at 5:30 p.m., in the Alhambra City Hall Council Chambers, 111 South First Street, Alhambra, California.

LAUREN MYLES, CMC
CITY CLERK