

AGENDA
Regular Meeting
ALHAMBRA CITY COUNCIL
February 27, 2017
5:30 p.m.

ROLL CALL: At 5:30 p.m., on Monday, February 27, 2017 the Alhambra City Council met in the Council Chambers of the Alhambra City Hall.

PRESENT: SHAM, MESSINA, MALONEY, AYALA, MEJIA
ABSENT: NONE

Officials Present: City Manager Yokoyama, Assistant City Manager/Director of Human Resources Schultz, City Attorney Montes, City Clerk Myles, Assistant City Manager/Director of Risk Management Bacio, Director of Public Works Chavez, Director of Development Services Pace, 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, Director of Finance Espinoza, Deputy City Manager Binnquist, Management Assistant Kespradit

FLAG SALUTE: Led by Mayor Mejia

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 Mr. MALONEY, 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.

CEREMONIALS

1. PROCLAMATION: HEART HEALTHY MONTH - F2M17-3

Ratified the action of Mayor MEJIA in proclaiming February, 2017 as *HEART HEALTHY AWARENESS MONTH* in Alhambra. Mayor Mejia will present the proclamation to Maureen Bateman, President, and Cynthia Jarvis, Member of Soroptimist International of Alhambra, San Gabriel, San Marino.

2. COMMENDATION: CHENGDU TASTE – F2M17-3

Mayor Mejia and the City Council, on behalf of the citizens of Alhambra, wished to

recognize and commend Chengdu Taste Restaurant, which has received many accolades, including ranking 25th on acclaimed food critic Jonathan Gold's 101 best restaurants in Los Angeles. Chengdu Taste is to be commended for the superior quality and flavor of traditional Sichuan dishes. Mayor Mejia presented the commendation to Mr. Tony Xu, Owner & Chef of Chengdu Taste.

3. CERTIFICATE OF SERVICE: HECTOR CELAYA – PUBLIC WORKS INSPECTOR – F2M17-3

Mayor Mejia and the City Council wished to commend and thank Public Works Inspector Hector Celaya for his 50 years of faithful and loyal service to the Public Works Department as well as the City of Alhambra. Mayor Mejia presented a Certificate of Service plaque to Mr. Celaya for his outstanding work for the City.

PRESENTATION

4. ALMANSOR COURT IMPROVEMENT PROJECTS - F2M17-16

Mr. Brad PERRIN, President of Alhambra Court Inc., gave a presentation regarding preferred improvement projects for the Almansor Court banquet facility. A copy of Mr. Perrin's presentation is on file in the City Clerk's Office.

Discussion: None

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

CONSENT AGENDA (Item Nos. 5 - 15)

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

5. ALLEY DEDICATION: 1830 SOUTH NINTH STREET - F2M17-8, M2M17-33, D2M17-2012

Staff requested that the City Council accept an alley dedication for the property located at 1830 South Ninth Street. As part of the approval for the project located at 1830 South Ninth Street, a 1 ½ foot alley dedication was required. The sketch and legal description was completed and had been reviewed and approved by the City Engineer.

Discussion: None

Action Taken: City Council adopted **Minute Order No. M2M17-33** as follows:

RESOLVED by the Alhambra City Council as follows: This Council hereby accepts that certain Easement (**Deed No. D2M17-2012**) from Christine Nguyen granting to the City of Alhambra an easement for public alley purposes and appurtenant facilities the real property in the City of

Alhambra, County of Los Angeles, State of California, more particularly described as follows:

The easterly 1.5 feet of Lot 119 of Tract 4704, in the City of Alhambra, County of Los Angeles, State of California, as per Map recorded in Book 50 Page 45 of Maps, in the Office of County Recorder of said County;

and, directed staff to undertake the steps necessary to finalize Council's action.

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

6. AUTHORIZE RFP: PROFESSIONAL ENGINEERING DESIGN AND CONSTRUCTION MANAGEMENT FOR A SEWER RELINING PROJECT AT VARIOUS LOCATIONS – F2M17-24, RFP2M17-2

Staff requested that the City Council approve the distribution of a Request for Proposals (RFP) for Professional Design and Engineering Services for a Sewer Relining Project at various locations. The Sewer System Rehabilitation Plan completed in March 2009 identified the listed four spots as “severe condition” for repair. The Consent Judgement dated December 14, 2015 with the Region Water Quality Board states that we will repair all severe condition locations within three years of the Judgement. These are the last four spots left on the Severe Condition List. Staff has reviewed the CCTV of these locations, and they have determined a relining project would be the most cost effective way to repair each segment. The RFP will be mailed to qualified engineering companies, and posted on the City website. The City will reserve the right to select the best overall responsive proposal judged to be in the best interest of the City of Alhambra. The final selection and recommendation of a firm will be forwarded to the City Council for final approval and award of contract.

Discussion: None

Action Taken: City Council approved the distribution of a Request for Proposals for Professional Engineering Design and Construction Management for a Sewer Relining Project on Cypress Avenue, Essexfells Drive (between Whitney and Stranahan Drives), Vega Street (between Valley Blvd. and Camelia Drive) and an easement on Florentina Drive that leads to Garvey Avenue; and, directed staff to undertake the steps necessary to finalize Council's action.

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

7. NOTICE OF COMPLETION: CITY HALL PUBLIC COUNTER & WORK SPACE IMPROVEMENTS - F2M16-20, C2M16-24, M2M17-34

On April 25, 2016, the City Council awarded contract to CSI Fullmer for the City Hall Public Counter & Works Space Improvements project. There was one change order for the project, in the amount of \$8,294.12 that was initiated by the City for adding items to several departments. With the change order, the grand total is \$81,776.25. The delay in the project's Notice of Completion was due to a few minor items remaining on the punch list that the vendor had to order. This project had been inspected by staff and all work was completed in accordance with the City's requirements and specifications. As such, it was appropriate for the City Council to accept this project as complete.

Discussion: None

Action Taken: City Council accepted the work of CSI Fullmer for the City Hall Public Counter & Work Space Improvements project in the amount of \$81,776.25 as complete; directed the City Clerk to file a Notice of Completion with the County of Los Angeles for recordation; instructed the Director of Finance 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. **(M2M17-34)**

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

8. LOS ANGELES COUNTY GENERAL SERVICES AGREEMENT – F2M7-54, C2M17-15, M2M17-35

Staff requested that the City Council approve the renewal of a General Services Agreement (GSA) with the County of Los Angeles. The City currently contracts with the County under a General Services Agreement for services such as prosecution of city ordinances, direct assessment collection and a variety of public works activities on an "as needed" basis. The current GSA, adopted in 2012, expires on June 30, 2017.

Discussion: None

Action Taken: City Council approved that certain General Services Agreement, dated effective July 1, 2017, by and between the County of Los Angeles and the City of Alhambra, for a period of 5 years to and including June 30, 2022, a copy of which Agreement is on file in the office of the City Clerk as **Contract No. C2M17-15**; and, directed staff to undertake the steps necessary to finalize Council's action. **(M2M17-35)**

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

9. AWARD OF CONTRACT: 10" WATER MAIN REPLACEMENT AND STREET IMPROVEMENT ON MARENGO AVENUE BETWEEN MAIN STREET AND GRAND AVENUE – F2M16-45, N2M16-142, C2M17-16, M2M17-36

On September 26, 2016, the City Council approved distribution of a Notice Inviting Bids for the 10" Water Main Replacement and Street Improvement on Marengo Avenue between Main Street and Grand Avenue. Thirteen bids were received for the project with Gentry Brothers Inc. being the lowest qualified bidder at \$574,835.00.

Discussion: None

Action Taken: City Council awarded a contract, subject to final language approved by the City Manager and City Attorney, to Gentry Brothers Inc. in the amount of \$574,835 for the 10" Water Main Replacement and Street Improvement on Marengo Avenue between Main Street and Grand Avenue; and, directed staff to undertake the steps necessary to finalize the Council's action. **(M2M17-36)**

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

10. AWARD OF CONTRACT: MISSION ROAD REHABILITATION PROJECT – GARFIELD AVE TO WEST CITY LIMITS – F2M16-53, N2M16-192, C2M17-17, M2M17-37

On November 12, 2016, the City Council approved the distribution of Notice Inviting Bids Mission Road: Garfield Avenue to West City Limits Road Rehabilitation Project. On Thursday, February 2, 2017 the City Clerk received nine bids for the Project. The bids ranged from \$3,662,250.80 to \$4,524,626.60. The bid received from Shawnan, in the amount of \$3,662,250.80 is the lowest responsible bid. Shawnan has the necessary licenses, permits and has done similar projects of this type for other local jurisdictions.

Discussion: None

Action Taken: City Council awarded a contract to Shawnan, subject to final language approval by the City Manager and City Attorney, in an amount of \$3,662,250.80 for the Mission Road: Garfield Avenue to West City Limits Rehabilitation Project, and directed staff to undertake the steps necessary to finalize Council's action. **(M2M17-37)**

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

11. AWARD OF CONTRACT: ENGINEERING DESIGN SERVICES FOR THE 2017 HUD STREETS AND ALLEYS REHABILITATION PROJECT – F2M17-25, C2M17-18, M2M17-38

The 2017 HUD Streets and Alleys Rehabilitation Project consists of 19 street segments and 17 alley segments all located in the HUD target area. These streets and alley segments are categorized as failed to poor condition and include: Almansor Street, Clay Court, Corto Street, Front Street, Grand Avenue, Shorb Street, Meridian Avenue, Milton Avenue, Westmont Drive, Hampton Court, Commonwealth Avenue, Las Flores Street, El Paseo Street, Carlos Street, and La Crescenta Avenue. Alleyways include alleys in the southwest quadrant, northwest quadrant, and northeast quadrant of the City. In December, Staff released a Request for Proposals for the Engineering Design Services for the 2017 HUD Streets and Alleys Rehabilitation Project. Four proposals were received. Staff conducted a review and evaluation of all four responding proposals and found JT Engineering's proposal the best suited for the project.

Discussion: None

Action Taken: City Council awarded a contract, subject to final language approval by the City Manager and City Attorney, to JT Engineering in the amount of \$63,225 for Engineering Design Services for the 2017 HUD Streets and Alleys Rehabilitation Project; and directed staff to undertake the steps necessary to finalize Council's action. **(M2M17-38)**

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

12. APPROVE PURCHASE AND REQUEST FOR PROPOSALS FOR REHABILITATION OF A SINGLE FAMILY HOME AT 910 BENITO AVENUE – F2M17-26, F2M13-35 C2M17-19, RFP2M17-3, M2M17-39

Staff requested City Council authorization to purchase a single-family home located at 910 Benito Avenue with the intent to rehabilitate it and sell it as part of the First Time Homebuyer Program by conducting a raffle for the sale of the property, and to assist a first time home-buyer in purchasing the property. The City is proposing utilizing Housing Asset funds to purchase the house and rehabilitate it through the appropriation of funds from the Community Housing Development Organization (CHDO) fund, currently budgeted in the HOME fund, by a CHDO nonprofit organization.

Discussion: None

Action Taken: City Council took the following actions: 1) Authorized the purchase of a single family home located at 910 Benito Avenue in the amount of \$520,000, with the intent to rehabilitate it and sell it to a First Time Homebuyer (FTHB) by conducting a raffle for the sale of the property, and to assist a FTHB in purchasing the property; 2) Authorized the City Manager and/or his designee and the City Attorney to prepare the necessary documentation, including the Purchase and Sales Agreement and Joint Escrow Instructions to complete the transaction subject to the terms outlined in the staff report; 3) Authorized the appropriation of funds in the amount of \$520,000 from the Housing Asset Fund for the purchase of 910 Benito Avenue; 4) Authorize the appropriation of funds in the amount of \$165,014 from the Community Housing Development Organization (CHDO) fund, currently budgeted in the HOME fund, to

rehabilitate the property; and, 5) Authorize staff to circulate a request for proposals from eligible CHDO's to rehabilitate the property. (M2M17-39)

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

13. TREASURER'S REPORT - F2M17-1

Discussion: None

Action Taken: City Council received and filed as submitted the Treasurer's Report prepared by the Director of Finance for the month of January, 2017, listing all of the City's investments as of January 31, 2017.

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

14. PERSONNEL ACTIONS – F2M17-2

Discussion: None

Action Taken: City Council ratified the actions of the City Manager set forth in that certain Personnel Actions document dated February 27, 2017 showing the various appointments, classifications, salary changes, etc., since the last City Council meeting.

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

15. DEMANDS - F2M17-1

Discussion: None

Action Taken: City Council approved as submitted Final Check List (180558 thru 180660) in the amount of \$312,326.42 for the period ending February 9, 2017, Schedule of Wire Transfers in the amount of \$2,242,516.07 for the week ending February 3, 2017; Final Check List (180661 thru 180840) in the amount of \$619,713.67, Schedule of Wire Transfers in the amount of \$6,677,920.41 for the week ending February 10, 2017.

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

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

City Attorney **MONTES** then 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):
None

whereupon at 6:09 p.m., the 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 City Attorney.

RECONVENE: At 7:03 p.m., the City Council moved out of closed session with all members present.

PUBLIC HEARING

- 16. APPEAL OF PLANNING COMMISSION DECISION REGARDING THE INDUSTRIAL PLANNED DEVELOPMENT PERMIT (IP-16-4), MITIGATED NEGATIVE DECLARATION, MITIGATION MONITORING AND REPORTING PROGRAM AND TENTATIVE TRACT MAP (NO. 74223) ON THE REAL PROPERTY LOCATED AT 875 SOUTH FREMONT AVENUE AND 1111 SOUTH FREMONT AVENUE – F2M13-16, F2M17-23, N2M17-17, R2M17-9**

This was the time and place set by **Notice No. N2M17-17** for the Alhambra City Council to hold a public hearing to consider an Appeal of the Planning Commission's approval of an application for an Industrial Planned Development Permit (IP-16-4) and Tentative Tract Map (No. 74223), Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program, for the development of a 111,257 square foot Lowe's home improvement store and a 23,160 square foot garden center; a six level parking structure; and two six-story office buildings (referred to herein as Building 1 and Building 2) that will have a combined floor area of approximately 245,400 square feet. The westernmost six-story office building (Building 1) will have a total floor area of 143,400 square feet. The easternmost six-story office building (Building 2) will have a total floor area of 102,000 square feet. The six level above-ground parking structure will be located between the Lowe's building and Building 1. The proposed project site has a total land area of 12.66 acres.

On January 17, 2017, the Planning Commission conducted a public hearing to consider an Application for the above project. After consideration of the staff report, attachments and other provided documents and a careful deliberation of the public testimony, the Planning Commission voted to approve the Project via Resolution 17-4, with six Commissioners voting in favor, two Commissioners opposing, and with two Commissioners absent. An Appeal of the Planning Commission decision to approve the project Resolution was filed on January 24, 2017. The stated reasons for the Appeal include multiple unanswered questions relating to the traffic study, concerns regarding traffic and safety, a violation of the Alhambra Zoning Code whereby large-scale retail of any kind is not permitted within the Industrial Planned Development zone, the acceptance of less-than-acceptable vapor intrusion mitigation measures, and the lack of disclosure of information in the Planning Commission information package that is directly relevant toward commissioner discretionary judgement and public opinion. All plans referenced are available for review in the office of the City Clerk.

Mayor **MEJIA** announced that due to the unique nature of this here, we will be following a set of rules that the City Council has used previously for planning commission appeal hearings. The public appeal hearing before the City Council will be a de novo hearing, which means the City Council will be considering the entire project application and consequently city staff and the project applicant will be repeating their presentation before the appeal is considered. All of the project information provided for the Planning Commission had been provided to the City Council for its further consideration. In terms of conduct of the appeal hearing, staff recommended that the appeal be conducted consistent with the appeal format previously used by the City Council for the Big T Mini Mart appeal. He explained that after the initial presentation of the project, the Appellant would be afforded 15 minutes for their presentation with a 15 minute response from the applicant. Thereafter, members of the public who wished to speak would each be afforded five minutes to speak. The Appellant would then be offered another five minutes of rebuttal followed by the applicant's five minutes of rebuttal. Finally, the Council could then ask questions of the speakers and deliberate the project.

Next he noted that he had received an email earlier in the today from one of the Appellants, Mr. Eric Sunada, 805 East Pine Street, requesting more time to present this evening. He asked Mr. Sunada to speak to this request at this time. Mr. **SUNADA** requested more time than the 15 minutes. He noted that City staff and developer had an upfront presentation that was not limited in time and as factual as those presentations may be, he felt there was bound to be some subjective views expressed during that time, which was unlimited. He noted the Appellant speakers would be expeditious and given the fact they paid for the hearing in terms of the \$950 fee to file the appeal, he felt it was their right to have the ability to request more time. He added that the subsequent time period for the developer, the response, should also be extended to the same amount of time. He requested 30 minutes would be the most time they would need. Mayor **MEJIA** replied that the Council would allow for the Appellant speakers to have 20 minutes initially, and then go from there. He also added that before the public hearing started, he wished to convey that this process would be about respect and courtesy. He asked that when someone was speaking, on either side of the issue, that they be allowed to speak without any audible reactions. He asked that if audience members wished to show support for a speaker that they please raise their hands rather than jeering or starting a side conversation during the speaker's comments. He noted that the Council wanted to listen to everybody present to help them make a decision instead of

trying to tell people to settle down. If everyone could please adhere to these requests, it would be appreciated and the process would be all the better for everyone involved.

Assistant Planner Mr. Paul **LAM** gave a PowerPoint presentation regarding the specifics of the project, a copy of which is on file in the City Clerk's Office. He reported that the evaluative review conducted for this project consisted of a mitigated negative declaration and initial study. A notice of intent to adopt the mitigated negative declaration and also of a public hearing was posted on January 2, 2017, and there was a 30-day comment period from December 2, 2016 through January 3, 2017. He noted that based on public request, the comment period was then extended to January 17, 2017. The Planning Commission hearing, which was originally scheduled for January 3, 2017 was canceled and rescheduled for January 17, 2017 at the public's request. At the January 17th Planning Commission hearing, the project was approved as well as the Mitigated Negative Declaration. Next, he outlined the public outreach conducted by staff in addition to the process required by CEQA. He explained that staff reached out to the public in form of conducting a courtesy in December 13, 2016. He noted that on December 2, 2016, invitations to this meeting were mailed to owners of property within 300 feet of the project site and also within the greater Emery Park neighborhood for a total of 980 invitations. The meeting was attended by more than 50 people and was hosted and presented by the applicant. He added that City staff was in also in attendance to answer any questions, and there were approximately 15 public speakers, which approximately one hour of questions and answers after the applicant's presentation.

Continuing, Mr. **LAM** noted that there was an additional item that is not part of the mitigated negative declaration, but incorporated as a condition of approval by the Planning Commission which was a permit for the owner to explore the closure of Meridian Avenue. The closure would not be the full length of Meridian Avenue, but only occur adjacent to Emery Park. The proposed street closure would only occur, on the north boundary even with the boundary of the park as well as north/south boundary even with the boundaries of the park, but would not extended to Concord Avenue. He reiterated that this was not required as a mitigation measure, but it was proposed as betterment to the project. He added it was also suggested by a resident in the area during the informational meeting back on December 13th. He further explained that public notice for tonight's hearing consisted of a mailing on February 17th to 995 parties which included those located within 300 feet of the project site; homeowners in the Emery Park area; and, other parties who requested notification - generally those who attended the initial informational meeting. Additionally, the notice of public hearing was published in the Pasadena Star-News on February 17th and the public hearing was also posted on the subject property. Pending the applicant's presentation as well as public testimony, he reported that staff was recommending that the City Council adopt Resolution No. R2M17-29 denying the Appellant's petition of appeal and upholding Planning Commission Resolution No. 17-4, approving the project, the Mitigation Monitoring and Reporting Program, Mitigated Negative Declaration, Tentative Tract Map No. 74223, and Industrial Planned Development Permit (IP-16-4); and, including the determination that the building material's sales, retail and wholesale, including home improvement supplies is a permitted use in the industrial plan development zone.

Director of Development Services **PACE** reported that additionally there were a number of items that were placed on the council dais for each Councilmember to review as they

had been submitted earlier in the day. She then read through a handful of items that were submitted which included a two page signature sheet/petition entitled: "We, the undersigned residents of Alhambra support the proposed Lowe's development provided the City of Alhambra and the developer close Meridian Avenue at Emery Park." With 23 signatures on the petition; a three page letter from Mark Crown sent via email Thursday evening; two emails from DSE Traffic - one which was a four-page comment letter with a couple of attachments and the other a supplemental letter; and email from Joseph Potts which was roughly a six page comment letter; an email from C. Bender which included a six page comment letter and a number of attachments; and, finally an emailed letter received just a few minutes ago from Sean McMorris of about two pages with some attachments. She noted that she wished for these items to be entered into the record.

Applicant Presentation: George RAY noted that he was with GTR Development and was the consultant to the Charles Company. First, he complimented City staff as they had been very thorough, very diligent and put them through a lot of work to make sure it was a good project for the community. He explained that he would start with a basic overview of the project and eventually turn portions of the presentation over to Mr. Marc Blodgett, the environmental consultant, to Serene Ciandella with Kimley-Horn, the traffic consultant, and lastly to Patricia Chen, GTR's environmental attorney. He noted that the existing site before the property was acquired by the Charles Company was originally over 423,881 square feet of both heavy industrial use and office space. It was owned by the International Extrusion Company that had operated on the property since 1963 and had created a number of volatile organic compounds and the need for environmental clean-up. Next, he gave a PowerPoint presentation detailing all of the elements of the project, a copy of which is on file in the City Clerk's Office. He explained that the first phase was to develop a freestanding Lowe's Home Improvement Center with a total square footage is about 134,417. The actual sales area of the store itself would be approximately 94,000 square feet. He noted that the office buildings, which were described as over 245,400 square feet, had no tenants at this time and there was no selected time to develop it at this time.

Marc **BLODGETT** announced that he was with Blodgett Baylosis Environmental Planning and his firm was charged with responsibility of preparing the CEQA document that is part of the package the Council was considering this evening. He noted that as part of this environmental review process, his firm had to look very carefully at this project and went through extensive process involving field surveys, traffic studies and a review of all the technical information was provided. He explained that determined as part of this official study that a mitigated negative declaration was the most appropriate report for this project. He pointed out that the details of the project were circulated for a time period required under CEQA and that he was confident that the community was provided sufficient time to review this body of work. He explained that the issues that he looked into at in the initial study were a wide range of issues including aesthetics and agriculture as well as really the pre-eminent issues for the community, such as noise, air quality, and traffic. He noted that his firm focused the analysis around these issues. He noted certain issues required mitigation or design features to address an identified impact and that the impacts were also included in the Mitigation Monitoring and Reporting Program that was included in the Council's packet for this item. The Mitigation Monitoring and Reporting Program would ensure all the mitigation measures were actually implemented and he noted that the City did not have a choice and the developer did not have a choice with respect to compliance with the mitigation measures – they

were required to be implemented and enacted upon once they were adopted by the City Council.

Continuing, he explained that a number of comments were received from the public and these were the subject of the appeal. He noted the comments were extensive, almost 120 pages worth, and that they committed to respond to each comment. He explained that each comment was entered verbatim and then his firm prepared a detailed response to each one of the hundreds of comments that we were provided. He explained that all of the comments basically revolved around a number of key issues which would be the focus of the remainder of his presentation. The first major question was why an Environmental Impact Report (EIR) was not prepared. He noted that when he first met with the City and even the developer, both parties assumed that an EIR would be needed. However, once they had completed the initial study, it was determined that there were no impacts that were un-mitigable. This meant that there were no impacts worth what was called a statement of overriding considerations. So, he noted that they wanted to mitigate every single significant impact to levels that were below thresholds of significance. He noted this was a great deal of technical terminology, but what he meant by bringing impacts below thresholds of significance, the thresholds were divined by state law.

He noted that to successfully mitigate every single one of these areas where impacts were identified, the quality and detail of the analysis was comparable to what would be done for an EIR. For example, he noted that the traffic report in the Mitigated Negative Declaration is similar to what one would expect to see in an EIR – there was no difference at all. He pointed out that a concern regarding the project not being a permitted use was another issue that was raised in a number of comment letters. He noted that the City Council, prior to his firm's involvement with the project, made a determination as to the types of land uses that would be permitted under the Industrial Planned Development zone. He noted they provided information in our response to comments documentation, even including the City Council's findings with respect to that decision. He noted that a new traffic analysis was required and he wished to turn over the presentation regarding this report to their expert, Sirene Ciandella, to discuss the details of the report.

Sirene **CIANDELLA**, Senior Vice President at Kimley-Horn and Associates, Inc., reported that the first that was done for the traffic study was a search for a local Lowe's that was a stand-alone site so that if the driveway trips were counted, they would capture just the trips associated with a Lowe's. She noted that most stores such as a Lowe's were often a part of a larger shopping center, so if you were to count the driveway trips, it would be from a number of different uses, not just the Lowe's. So, the Lowe's in Poway was used. That store had a number of similarities with the proposed store, including the size. It was a little bit larger, 150,000 square feet on a busy corridor near other retail, a Wal-Mart, and it had residential areas nearby as well as a Home Depot within a mile of the site. She noted public comments questioned why the Institute of Transportation Engineers (ITE) trip generation manual was not used for the study. She noted the ITE was a resource made of a compilation of counts that have been conducted at driveway sites and then submitted to ITE. ITE did not conduct the studies themselves, but rather compiled the data from various driveway counts conducted by professionals, like her, and other sources. She noted this practice had been going on for a number of decades and the ITE trip generation manual was now on its ninth edition, but it was nothing but a

compilation of counts similar to what her team did at the Lowe's in Poway. She noted it was unusual to see comments wondering why the ITE manual was not used for the study because typically comments and questions about trip generation went the other way and her firm was asked to perform counts at the specific location rather than using an industry-wide standard that consists of compiled data for multiple studies conducted across the country.

She next addressed another comments questioning how a Lowe's in Poway could be considered local if it was 94 miles away from Alhambra. She explained that if they had taken the data from the ITE compilation of data, the closest sources would have come from Santa Barbara and San Francisco, with the rest of the sources being from across the country dating back to the 1980's including Maryland, Arkansas, Florida, New Hampshire, Vermont and Florida. Therefore, while Poway was certainly not right around the corner from Alhambra, the closest Lowe's stores that are right around the corner were part of much larger centers with a number of other uses. Poway was the best that her team could find given that being on a standalone site is the first criteria for getting valid driveway counts.

Continuing, with respect to trip distribution, she noted that when her team conducted a study they looked at the site, the trips, and the streets leading to and from the site and make a determination based on a number of things including existing traffic patterns, the streets that are available, the likely origin and destination of the trip associated with the site and its engineering judgment. She also addressed another comment that was made about a lack of a safety analysis. She explained that the study analyzed all the typical range of issues associated with traffic circulation, including driveways, signals and delay, but here just were no unique features related to this project associated with traffic safety. She noted that as Mr. Blodgett had mentioned, the project is required to mitigate its impact, but cannot be required or expected to mitigate existing deficiencies. She pointed out that no one was denying that there was congestion in the area as it was not untypical of any urban center during peak commute periods. She noted Fremont Avenue had a lot of existing commercial and office use and was busy; however, this project could not fix this fact. It was only required to mitigate its impact if that impact is considered to be significant. The improvements that the project would undertake would be two new traffic signals at Meridian and Mission and on Fremont Avenue at the main entrance. A right turn overlap would be implemented that would just help traffic flow during the red phase. Project design features on Meridian to direct traffic to and from Meridian to the south would be included to keep the project trucks out of the nearby neighborhood. A construction traffic management plan would also be required. She noted the City would require that a plan be put together that identified haul routes, hours of operation and days of operation.

Patricia **CHEN**, PC Law Group, noted that she was environmental counsel for the Charles Company and had been working very closely and extensively with the Los Angeles Regional Water Quality Control Board on the environmental issues at the project's site. She noted the site had been subject to heavy industrial use since the 1920's. Most recently, the operator was International Extrusion Corporation who manufactured aluminum products for decades at the site until the Charles Company purchased the property. She stressed that there had been extensive investigation at the site. In fact, not only had the site been investigated thoroughly, it actually had undergone some remediation. In the summer of 2014, the last underground storage tank was

removed from the site. Additionally, she noted there was excavation done in four locations totaling approximately 2,000 cubic yards removed/excavated. Also, in August of 2014 through January 2015, there was vapor extraction done in one area, and then in May of 2015 there was further excavation of residual contamination which totaled approximately 5,700 cubic yards of soil excavated. Currently, she explained that she was working with the Los Angeles Regional Water Quality Control Board (the "Board") to obtain a shallow soil closure with a deed restriction which would restrict most of the site to commercial use and would also require the applicants to install a building vapor barrier under the Lowe's building to protect building occupants from any residual contamination. The design, operation and maintenance plan for this barrier would be reviewed and approved by the Board prior to installation. Finally, she explained that because the site was in the San Gabriel Valley Super Fund Site Area 3, the Environmental Project Agency (EPA) retains jurisdiction over the groundwater issues, and the applicant will be continuing groundwater monitoring as directed by the Board and EPA.

With respect to the comments received about vapor intrusion mitigation measures, she again stressed that the soil in the source areas have been excavated and the vapor barrier and sub-slab venting system was being designed and will be reviewed and approved by the Board. This would ensure that it is properly designed and installed. In addition, the applicant would continue to monitor the SFV system by measuring the VOC concentrations in sub-slab soil gas or indoor air testing as required by the Board. She added that with respect to the vapor barrier, Derek Reed was the consultant for this matter and was available to answer the more technical questions, should they arise this evening.

Mayor **MEJIA** noted it was now time for the Appellants to make their presentation. He stated that he knew Mr. Sunada and the Appellants were very passionate about the project and that Mr. Sunada had asked for more time to present their position earlier in the evening; therefore, the Council was going to give the Appellants 30 minutes to present.

Appellant Presentation: Mr. **SUNADA**, stated that he felt it was without question that the proposed project would have an adverse impact on the environment and quality of life of many people because it was being proposed in one of the most notoriously congested areas and contaminated areas of not just the City but the entire region. This gave the Appellants great cause for concern which was also compounded by what they felt was a lack of rigor and adherence to process for both the environmental and land use regulations meant to protect residents. He noted that community members had put in their time, energy, and resources to dig into this project and to try to determine answers to our questions based on sound analysis and some questioned remained unanswered. He stated the Appellants had found a very high detrimental impact of this project with proposed mitigations that were too little. He noted it was hard for him to accept that an EIR was not even considered by the Planning Commission. He then introduced his neighbor and fellow community member, Dr. Ron Sahu.

Mr. Ron **SAHU**, 311 North Story Place, gave a PowerPoint presentation of the Appellant's position, a copy of which is on file in the City Clerk's Office. He noted when he started looking at this project at its very beginning, he thought the Charles Company had the right idea, that they wanted a good fit for the community, and he took them at

their word. He wished to make it clear that the Appellants did not oppose development of the City. He was not present this evening to complain about development because the Appellants wanted development; more particularly, they wanted responsible and sustainable development. He noted that the Appellants were certainly not against Lowe's; he wanted to make that clear. He pointed out that Lowe's was a big company that had a lot of different goods and lots of different community goods, so, again the Appellants were not opposed to Lowe's. He also noted that the Appellants were not opposed to the Charles Company either as they were a developer trying to complete a project that was in their best interest while trying to accommodate the community. Finally, he explained that the Appellants were not opposed to additional sales tax generation, additional jobs or additional competition between businesses. None of these were values that they opposed.

However, what the Appellants did oppose was how to get to those values i.e. the means. The Appellants opposed a lack of transparency. For example, throughout this process, some of the Appellants tried to obtain a copy of the City's the General Plan, but it was not available on the City's website. He believed this was a lack of transparency that could be fixed. He also noted that the City's existing General Plan was about 30 years old. He noted that Appellants were opposed to poor analysis that was not properly supported. Also, they were concerned about whether the Charles Company team used consistent assumptions in their analysis. Additionally, the Appellants were very concerned about improper process because it did not help the ideas of transparency and governance. All of the positive things that the project would result in such as jobs, sales tax, competition - they could not come at the expense of not following the law or at the expense of even perceived double standards in how the laws apply. No matter how worthy a project, he wished to stress that that it could not be choice as to which requirements would be complied with, all the requirements must be met.

Continuing, Mr. **SAHU** spoke to the specific issues the Appellants had with the proposed project. First, he noted that they wished to make sure everyone followed the zoning requirements, the General Plan, and the Alhambra Municipal Code. These were the basic requirements for the project. Second, the Appellants thought California Environmental Quality Act (CEQA) requirements here would require a full Environmental Impact Report (EIR). They believed that without a full EIR, the project's approval would not meet the requirements of CEQA. He pointed out that the applicant's testimony indicated that all potential impacts could be mitigated and the Appellants had a difference of opinion with respect to whether the impacts were mitigated to insignificance. He noted that before it could be decided if, what, and how to mitigate, knowledge of some basics was required. The first was knowledge of what the project's impacts. Without knowing what they are, it could not be determined if they were significant or not; and, therefore whether they required mitigation. To get to the project's impacts, there needed to be a good understanding of the project and the site, a defined project scope, and good analysis. With respect to these elements, he pointed out the Appellant's felt there were still open questions.

The first question was the zoning and whether it was correct for the site. The Appellants thought the answer was no, and that was a point of strong disagreement between the Appellants and the City. The second question related to whether there were still unknowns from the environmental and soil conditions. He noted that the Appellants applauded the clean-up of the site the Charles Company had completed thus far and the

continuing process of cleaning it up. The Appellants had no problem with this as they were doing something good there. The Appellants thought the soil conditions were known; however, the final cleanup standards were unknown. He acknowledged that the applicant was working with the Regional Water Quality Control Board and the results of this process would be found out due course. With respect to the groundwater contamination, he noted it was under the jurisdiction of the EPA. He explained that the Appellants wanted to make sure there are statements in the record that this contamination is at everywhere in Alhambra. He wanted to point out that Area 3 was not just Alhambra, but extended further to the east, but the most contaminated part was at the project site. Given this, the Appellants felt it was a little bit of a stretch to try to pass off contamination everywhere in Area 3 as being about the same; factually, it was not correct and it should be recognized. With respect to the question of the soil vapor issue, he noted the Appellants' issue was not so much that their mitigation was not going to help. Again, he applauded the applicant for their work to help with this issue with the installation of a vapor barrier, which was great. The question that remained for the Appellants was what would that mitigation for the site do to vapors that will migrate from the site to off-site, including the residential areas. They thought it would actually potentially exacerbate the vapors issue because when the vapors come up they would be blocked by the barrier and have to go somewhere. They were going to migrate underneath the vapor barrier and he wondered about the possible impacts of this.

He noted that questions remained with respect to the issue of traffic. He noted that the extent of the traffic domain was a potential point of disagreement as was how much the traffic was looked at for the present condition. With respect to Meridian Avenue, he felt it could be agreed upon, based on the evidence heard, that nobody had done a traffic analysis for the closure of Meridian Avenue and it was not in the record. Therefore, the question remained of what would happen when Meridian was closed. That diverted traffic had to go somewhere else and it could affect other intersections. In fact, he pointed out the fact that traffic impacts had not been mitigated to insignificance was actually illustrated by the fact that Planning Commission recommended the option as something to be considered. He wondered if traffic impacts had been mitigated to the point of being insignificant, then why would the step of closing down Meridian Avenue even be considered. He felt this should give the Council pause to think perhaps impacts were not insignificant. The Appellants believed it was significant and would, therefore, require an EIR.

Other questions remaining included would Lowe's attract shoppers regionally or locally. When Caltrans suggested the impacts on Freeway 10 should be looked at, the comment was that the Lowe's was not going to attract regional shoppers, only people from the neighborhood. And yet sales tax data was regional, from all around the place. He noted this needed to be resolved. Also if the applicant did not have at this time tenants for the office building portion of the project, the traffic generation rates really could not really be estimated because the traffic from one type of tenant could be very different from another tenant. The Appellants thought there was a need for this project to be defined properly. He also questioned the use of traffic counts from the Lowe's in Poway and noted the street the Poway Lowe's was located at was nothing like Fremont Avenue. He also noted that the service area within three and a half to four miles of the Poway Lowe's was 50,000 people while the service area within three and half to four miles of the City of Alhambra was 10 times that in terms of population. The density was different and, they felt it made a dramatic difference in terms of the accuracy of the traffic study. Finally, he

noted another question the Appellants had was how the Council as a quasi-judicial body trying to adjudicate between the Planning Commission's decision and the appeal, could have the same law firm that counseled the Planning Commission in arriving at their decision also counseling the City Council. He noted the Appellants did not understand how that conflict could help this process.

Concluding, Mr. **SAHU** stated that the project site is not zoned properly; the Mitigated Negative Declaration was not sufficient and did not comply with CEQA because only a proper EIR could comply with CEQA requirements. He stated the Appellants were not present this evening to debate false choices, that either you can have the benefits of the project or you can have compliance, but not both. The Appellants wished to see both and they felt the approval process, and CEQA analysis had gone on in a half-baked way, as with many other projects in the City. The analytical rigor was missing from the process to bring this project to fruition properly.

Recess & Reconvene: At 8:18 p.m. Mayor **MEJIA** called for a 5 minute recess. At 8:30 p.m. the meeting reconvened with all Councilmembers present.

Mr. **RAY** indicated he wished to make a brief statement and then he would turn over the response to the members of his team best suited to respond to the complex issues of traffic, the environmental cleanup etc. He wished to point out as background how Lowe's differed from Home Depot. He acknowledged that there was some sales transfer and that they were not uniquely different; however, Lowe's had more of a home improvement feel to its stores which attracted a slightly different customer than a Home Depot, which supplied more customers of the professional construction nature.

Next, Mr. Derek **REED** addressed questions regarding the vapor barrier. He explained that he was an environmental engineer and had been practicing for 25 years, mainly in the areas of site assessment, mitigation, and remediation of sites. He noted that he wished to address a portion of the Appellants' presentation which displayed a graphic showing vapors coming through the ground and the groundwater, coming below the vapor barrier and then being pushed sideways towards the neighborhood. There were a couple issues that that needed to be explained. First, the vapor barrier system has two components: one of them is an impervious barrier underneath a concrete slab, under the occupied building space and the second component is a path venting system, which is a network of pipes and gravel that allow any vapors to accumulate to travel through those pipes, up the sides of the building, and release into the atmosphere above the roof line. This system could also be turned into an active system whereby, a fan is attached and vapors are actually sucked out if needed. However, the passive system type was sufficient for the site. He stated the concentrations in the soil were above regulatory action levels, which was why the vapor barrier was being put in place, but it was very unlikely that there would be lateral migration, especially not hundreds of feet to the neighborhood. He explained the way that the contaminants moved was through diffusion. If there is a certain concentration in the ground, at say 100, that contaminant is going to want to go to an area that is clear, which in this case is usually up, towards the atmosphere. It would travel the 20 or 30 feet towards the atmosphere, rather than the hundreds of feet to the side. Therefore, he noted the concern about lateral migration affecting the surrounding properties was not something to be considered.

Patricia **CHEN** stated that she wished to make one point about groundwater. The

groundwater is down at 90 to 100 feet below ground, not 10 feet below ground that could potentially release contaminants through the surface. It was quite deep and this has not been a focus for the Los Angeles Regional Water Quality Control Board.

Marc **BLODGETT** stated he would briefly touch on why an EIR was not prepared for this project. He explained that with all of the findings documented in the initial study, there were no immitigable impacts. If there was an impact that could not be addressed or fixed, then an EIR along with a statement of overriding considerations would be required. He noted that his firm was prepared to complete an EIR if it had been warranted, but once the detailed analysis was completed for the project it was determined not to be necessary. He noted that in his 35 years of experience, he had viewed very seriously projects that created immitigable impact that could not be mitigated. He noted that his firm looked very critically at this project and made no adjustments for the uses that were there beforehand such as the 400,000 square feet of heavy industrial used that caused contamination. He explained that it was important to remember that the Charles Company was not responsible for the contamination and that the groundwater was a regional problem, not one created by this project. The project actually, to its detriment, began mitigating a lot of the impacts from the previous use.

Sirene **CIANDELLA** addressed the questions regarding driveway counts and using the Poway site. He explained that the fact that the Poway site was a standalone site was a critical part of the decision, otherwise, as mentioned before, the counts would include other businesses' traffic as well. She noted that the closest Lowe's to the site in question was on Pico Boulevard in Los Angeles, only eight miles away, but it was part of a shopping center that included a Ross for Less, a Smart and Final, and an Ulta. If they were to count traffic at those driveways, there would be no way to differentiate the Lowe's traffic. At another Lowe's in Norwalk, 14 miles away, there was an Office Depot, One on One Mobile Cell Phone store, a Cross Fit and a preschool. Another Lowe's in Long Beach, 25 miles away, was in center with a Walmart. Therefore, the decision was made to choose a store where we a pure count just for the Lowe's could be obtained. She noted the data that was collected from Poway was not an outlier. An outlier was a result that was far away from any of the other results, and when they looked at the data that was in the ITE Intergeneration manual and their data points to the Poway, are either in the middle of data points, or very close, very close to the regression line.

Regarding the issue of closing Meridian Avenue, she explained it was not contemplated at the time of study, so therefore it was not studied. She added that the closure of Meridian was not brought up because there are impacts that are not mitigated, but rather because of concerns for the neighborhood as it was brought up a number of times by one of the attendees of the community meeting. However, it was brought up after the traffic analysis was done. She also added that she believe the condition read that it was the Applicant's obligation to study the viability of making this closure happen. She pointed out that Meridian could not simply be closed with studying the impact it may have. Any impact of it closure would have to be addressed.

Continuing, she emphasized that health and safety was a preeminent concern in the traffic study. It as a serious concern for every traffic study her firm conducted. She explained that her team was always asking whether they would want their grandkid, kids, or spouses driving on a particular road from the study. Whether it was safe enough for those closest to them was a very serious consideration. For example, to ensure traffic

was not left queuing on Fremont Avenue, they made sure the drive aisles had sufficient capacity so cars would not be backing into the drive aisle that could block traffic moving onto the property. They also wanted to make sure that the truck access did not interfere with pedestrian safety, so a great deal of thought was given to pedestrian and vehicle safety, and this was reflected in the site plan.

Mr. **RAY** made closing remarks. He noted his project team had coordinated their studies with the City completely and as a third party staff was very critical of project. He emphasized that the issue of the closure Meridian Avenue was brought up by those in the nearby neighborhood as was added for consideration as a response those concerned who suggested it. There would be another environmental study to be done and the impacts would be evaluated. He noted the developers were happy to cooperate with this. With respect to concerns that there were currently no office tenants and the impact upon traffic, he explained that if they had a tenant they would have included it in the traffic study and would have analyzed it individually for that tenant.

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

Public Input:

1. Gisela **ADAMS**, 1837 S. Hidalgo Avenue, noted that although she did not live in the impacted area, she traveled Fremont Avenue on a daily basis and the traffic was horrendous. She felt there were not peak hours of traffic in Alhambra, but rather a steady flow that doubles during peak hours. She felt to have an inferior traffic study taken into consideration for this project was unthinkable. Also, not to have a total and a complete EIR for the project was inconceivable as well. She felt Alhambra was in a pretty dangerous area as far as air quality, water quality, and traffic quality and she hoped the Appellants' would force the issue and get a true EIR study done.
2. Michael **PLACIDO**, 805 North Curtis Avenue, noted that he owned property at 209 Meridian Avenue that was impacted by this project. He felt it was a great project. As a 52 year resident of Alhambra, he knew the site very well, when it was highly industrial, there was contamination, there were fumes from the extrusion plant. The fact that the developer had cleaned up the site and wanted to put a brand new development there was fantastic for the City. He noted that he did a lot of home improvement projects and he loved the fact the Lowe's was going to be competition for Home Depot. He felt the traffic on Fremont Avenue was there because the 710 freeway had not yet been completed and he felt the mitigation that the developer was proposing would be more than enough to mitigate any of the traffic issues that surfaced.
3. Sean **MCMORRIS**, 401 E. Live Oak St., San Gabriel, stated that he supported the Appellants' presentation and many others support this appeal, not because they were anti-development, anti-Lowe's, anti-jobs or anti-tax revenue for the City. He thought there were many other legitimate development projects that could go into the space on 1111 S. Fremont Avenue, that will provide jobs that pay a livable wage, and supply revenue for the City while at the same time minimizing the negative impact that a second big box home improvement store on one of the busiest streets in the area will bring to Alhambra. He felt it was

important to note that all of the City's findings have outlined that big box home improvement stores are allowed in IPD zones were fully reliant upon a 2010 reinterpretation of the zoning code by the Director of Development Services and affirmed by the City Council. Without this reinterpretation, the City's case falls apart. If this reinterpretation is baseless, which he believed it was, the City was in violation of its Municipal Code and the General Plan. He noted that he was not present this evening to argue that the Municipal Code does not allow the Director of Development Services to interpret zoning code because it does. But it did not allow the Director of Development Services to make meritless interpretations of zoning code that were counter to the true intent of the zoning code.

4. Mike **LAWRENCE**, 1136 South Monterey Street, expressed concern about potential conflicts of interest for Councilmembers that had taken money from contractors and developers doing work in the City to fund their campaigns. He felt this culture fueled persistent suspicions that campaign contributions, not established planning rules influence the votes of Alhambra's lawmakers. He noted that Mayor Mejia and Councilman Maloney each received \$5,000 from the Gabay brothers, the owners of the Charles Company, presenting the project this evening. He pointed out that both Mr. Mejia and Mr. Maloney have stated that this will not influence their vote, and that they would always put what is best for the City first. He felt that all politicians say this and he did not buy it. He believed few members of this audience were buying it either. He asked Councilman Maloney and Mayor Mejia to recuse themselves from voting on this item.
5. Jose **AGUAYO**, 1801 South Fremont, note that he lived nearby the proposed project and given the history of the development site, he was opposed to the mitigated negative declaration and was in full favor of an EIR. The topics of that environmental impact report could then be discussed as a matter of public policy. He felt that once a full EIR was prepared to be analyzed, then everyone could discuss the quality of jobs and whether they outweigh the reduced quality of life for the community.
6. Sharon **GIBBS**, 104 S. First Street, Executive Director of the Alhambra Chamber of Commerce, noted that she wished to present the Chamber's position. She noted the Chamber enthusiastically supported this project because in addition to being an excellent project, they believed that it would be a huge improvement over the existing area. She felt the City was lucky to have a developer and businesses that want to come into the City, and be a presence and take over this unsightly area. Lowe's was an excellent company, a strong retail business, and has been very involved in the communities that they locate in. In addition to serving the community as a strong retail business, Lowe's would also provide much needed jobs. The offices would also create a variety of jobs and the Chamber was excited about the prospect of new workers coming into the City that will shop and dine at our existing Alhambra businesses. She noted when businesses do well, the community does well.
7. Cliff **BENDER**, 2516 Midwickhill Drive, noted that earlier in the day he emailed a letter to the City Clerk, with copies for the Council, signed by a number of Alhambra neighbors. The letter cited problems with the Mitigated Negative Declaration that are addressed and included concerns about environmental

safety, especially air quality at the site and around the site. He noted that growth was inevitable, but any development must be done responsibly, and the residents impacted must be considered and respected. Regarding the environmental safety of this site, we wondered how safe it really was because he felt he did not really know. Also, he believed that comparing this project to a Lowe's in Poway was ridiculous because it was a little more than half the population of Alhambra, in a rural type setting. He felt the City needed to fix its current problems, including traffic, before adding more.

8. Evike **CHANG**, 2801 West Mission Road, current President of the Chamber of Commerce, noted he was a business owner on Fremont and Mission, right behind Kohl's. He applauded the community leaders present here today for making Alhambra such a great, wonderful City that he was proud to be part of. He felt that right now, there was an ugly piece of land on a high traffic area of Fremont and there was a nationally recognized, very established business coming to invest in Alhambra and to be part of the City. Lowe's would generate taxes, jobs, build a nice building there to enable commerce, and to better fund our public safety and schools and roads. Also, based on earlier testimony, it appeared many were in agreement on the fact that nobody was anti-development, and wanted the best possible business to be on that property. That being said, he felt the traffic argument, from what he had observed, was somewhat contradicting. The project would add some traffic, but the is decision on what was best for Alhambra as a whole, not about coming up with all the what ifs before any of the work is done.
9. Melissa **MICHELSON** noted she was President of an Emery Park neighborhood group, and that she was against the project as proposed today. She did not oppose the project because she was against Lowe's development, but because she strongly believed that Alhambra residents and every commuter that drives and that will drive on Fremont Avenue deserves a comprehensive EIR for a project of this size. She felt that the Council, as the City' elected officials, owed it to residents of the City, and future generations to make an informed decision based on valid and comprehensive data, which she felt was absent in the Mitigated Negative Declaration. She noted that the developer claimed magnanimity to pay for the closure of Meridian Avenue, but she resented them bringing it up because the Planning Commission approved the project on the condition that Meridian Avenue be closed. She felt the developer could afford to pay for an EIR. She also felt the community outreach was not sufficient. She noted that she would love to see a better project on the site, with better jobs than part time Lowe's jobs; the Council could take it's pick from anything that is on the industrial zoning ordinance. She suggested that the size of the projects be determined by the capacity of the roads. Finally, she questioned any real or perceived conflict of interest between the developer and the City Council members, as mentioned by a previous resident.
10. Gene **DETCHEMENDY**, 560 Bradford Street, Pasadena noted he was the leasing consultant with the Charles Company, but was born in Pasadena and had lived there all his life. Therefore, he had experienced Fremont Avenue and the traffic problems that connect Pasadena and Alhambra. He pointed out that the Charles Company was the only developer that had the courage to show up

and to put millions of dollars down, knowing that they could claim this property. The reason no other developers showed up at the auction for the property was because they knew what issues came with the property. He noted that the Charles Company had received the LAED development award and a CalEd award for clearing an old munitions site from WWII, and putting in a Home Depot, a Ross, and Bed Bath and Beyond. He added that they had also done multiple other heavy duty environmental projects where they were able to clean the site and produce a very good product. He thought the project was fantastic for Alhambra and he questioned some of the people in this room whether they would have preferred for the site to be left alone with the desolated building or to have the blight torn down and the site cleaned up.

11. Trent **YAMAUCHI**, 58 East Bay Street, noted he was Vice President of the Alhambra Downtown Business Association and was present on behalf of the 200 members to give support to the Lowe's project. He noted that the Downtown Association did not only support the growth of the downtown, but the entire City of Alhambra and members felt that this project would help the City of Alhambra become one premier destination in the San Gabriel Valley. The project would also bring many jobs and many new visitors on a daily basis and help the Downtown businesses with lunch and more business. He added that he was a 20 year resident of the City and he looked forward to shopping at the Lowe's. He welcomed the project.
12. Richard **SANCHEZ**, 316 South Meridian Avenue, stated that he supported the project because it would be good for the neighborhood, especially given the site's previous use. He felt it was going to be a plus for the community. He also thought that as a resident and a business owner in the City, the project was going to add value to his property. Finally, he noted that he intended to use the Lowe's store quite often given the business that he was in
13. David **BARBER**, 412 Westmont Drive, stated that he supported the project. He felt it had been exhaustively studied and it was quite incredible what the developer had gone through, the amount of money and years it had taken to get to this point. He believed the project was good for the City and its residents. He asked the Council to support the project
14. Armando **ENRIQUEZ**, 416 North Cordoba Street, commended the council and the city staff for their vision, courage and foresight in supporting and encouraging developments of the type being proposed today. He noted one only need to look at the Downtown on Main Street, Garfield Avenue and Main to be exact, and see what that area has turned into over the last ten years, which was an amazing accomplishment, considering the tough economic times faced during the same timeframe. He pointed out a couple of benefits that he believed far outweighed the cost of not doing this development, were jobs and sales tax. He noted that on average, a Lowe's store did about \$40,000,000 a year in sales. With respect to the costs of not doing the development, there would be less traffic, less noise, and the environmental issues would not have to be dealt with, but it would also be a lost opportunity. Other cities adjacent to Alhambra such as Temple City, San Gabriel, Pasadena, and Los Angeles proper would take advantage of this lost opportunity for Alhambra, and instead of sales taxes coming to the City, it

would go to those communities. In light of all this, he encouraged the Council to seriously weigh all of the factors in their true light, and deny the appeal.

15. Antonio **PIEROLA**, 3320 Balzac Street, saw this development as an opportunity to ask difficult questions and answer those difficult questions transparently. It was also an opportunity for those who wanted to invest in our community to do as much benefit to our neighbors as to themselves, because obviously they will generate profits from being here. He pointed out that Emery Park was nearby, it was a smaller sized park and he noted if he was a neighbor of that area he would ask how this project would impact the park. Are there students nearby at Emery Park School? How will they benefit from this Lowe's store? Kids were not going to go play at Lowe's. That park could be extended perhaps. He explained these were the questions that he wanted the City Council and the developers to answer. He felt it should not be an easy project. Nothing that was necessarily worthwhile was going to be easy, so he asked the Council to think about that and come up with a solution that makes Alhambra neighborhoods a desirable place to be, and also is supportive of development and businesses.
16. Ed **UEHLING**, Las Vegas, Nevada, noted that he owned the property adjacent to this project, to the north, and what he was trying to figure out was why anyone was taking the Appellants' position seriously. He noted they simply opposed everything, and they proposed nothing and view that as a virtue. He felt they claimed high mindedness, but sat back and criticized a project that would bring jobs, involved a lot of money, and was going to cure a blighted area. He thought the Appellants' lived in some kind of fantasy world. For example with respect to traffic, the Appellants' argument was that the area was already an F rating so that means that one more car on Fremont Avenue would be impossible. He wondered then was the type of project the Appellants desired one which did not require anyone to drive to site. He suggested perhaps a homeless tent city would work for them because the homeless did not have cars. He asked again for them to suggest alternatives rather than sitting back and criticizing, but providing nothing. Another example, he noted, was the vapors. He questioned the authenticity of their argument when more vapors are going to escape from the site as it sat now without the barrier being installed. He did not believe this was a serious argument. He hoped the City Council and the residents of Alhambra would deal in reality because there were real choices to be made; either this project is approved, or something else, but decision makers could not live in some fantasy world where not another car was going to come down Fremont Avenue because traffic in the area was already an F rating. He concluded by stating he was baffled by this appeal.
17. Oscar **AMARO**, 1808 South Sixth Street, stated that, as others had pointed out, his opposition to the project had nothing to do with Lowe's as a company, or the merits of the development itself. In fact, when he heard that there was a Lowe's coming in town, he was thrilled. He appreciated the selection and the higher quality goods that were found at Lowe's versus a Home Depot. His opposition was instead about the feeling among residents that projects and development which were either the result of poor planning, arrogance, or deceit, were continuously rammed through communities throughout the City destroying single family neighborhoods and creating the high density and horrendous traffic

conditions that occurred today. He felt the supposed benefits of this added revenue is over shadowed by the trash and debris he often found along many establishments in the City's commercial sectors. He noted that he would like to see more funding allocated to trash cans and anti-littering enforcement. He remarked that he understood how the process worked, and, again, his opposition was not about Lowe's, but more about the accumulative anger and frustration among the citizenry over the practices of the City Council, as well as previous Councilmembers throughout the years.

16. Eric **SUNADA**, 805 East Pine Street, noted that everyone wanted good jobs, but the City needed to adhere to policy and standards to protect residents. For example, it was great that the Charles Company was cleaning up the site, but the leak rates were so high that they were required to clean it up; they were required to put in that mitigation. On top of that there was a lot of uncertainty because there had never been residential testing of vapors nearby, adjacent to the site or other sites such as south of Mission Road or east of Emery Park. He noted that the staff at the Regional Water Quality Authority Board as well as the Board of Toxic Services that covers some sites as well as the EPA were going through changes and were already overworked and fragmented. Here we have a city where, yeah, we've got this huge contamination site, and people are doing things to the minimum of the law, fine. But who is really going to protect the residents? It's obvious that things are falling through the cracks and we need someone to wear the big and to step up and coordinate this. There's no one else that is going to do that besides the city. To neglect that and to just give waivers to attract regional customers from outside is frankly a race to the bottom.

Closed Public Hearing: As there was no one else present wishing to speak on this item; Mayor **MEJIA** closed the public hearing.

Mayor **MEJIA** thanked the public for their comments on this item and called up the Appellants to the podium for their five minutes of final rebuttal.

Appellant's Final Rebuttal: Mr. **SAHU** noted his comments would be targeted and brief. He noted several speakers from the Applicant's side talked about not getting credit for past use which was a fair point, but the Appellants could only go by the record. They were examining the record as members of the public, going by exactly what was in the MND and the traffic report as everything else was speculative. If they had credit to be taken, rightfully so they should put it in the record so everybody could have reviewed it, commented on it. He could not help that now the developer wanted credit for the closure of Meridian Avenue without actually having a chance to review, or subject its impacts to review. With respect to the Lowe's versus Home Depot issue, he acknowledged there were are plenty of differences between Home Depot and Lowe's, but their concern was the similarities with regard to traffic and trip generation. That was their key focus and he stood by his arguments regarding the issue from his earlier presentation.

With respect to their concerns about vapor and the vapor barrier, he noted Mr. Reed mentioned there would be a venting system. However, they had not presented any design. He noted he ran Parson's Environmental group for ten years before he became a consultant. With his high minded credentials, a Master's Degree and a PhD from

CalTech in environmental science and engineering, he knew the importance of seeing the design of the vapor barrier. He felt there was enough back pressure in pipes that go up to the building that it would actually cause the path of least resistance to go into the neighborhood. Without design, no weight could be given to the statements by Mr. Reed that it was very unlikely that the vapors would travel to the neighborhood or that the system would work based on nothing in the record. Finally, with respect to the groundwater, he acknowledged that Ms. Chen was correct in stating it was 90 feet deep, but he was sure of the implication of that which was there were still contaminated vapors that will still be coming out. The groundwater contamination had been at 90 feet deep for a long time and it was still an issue that needed to be addressed properly.

Mayor **MEJIA** asked the Applicant to return to the podium for their five minutes for a final rebuttal.

Mr. **RAY** noted, with respect to the design of the vapor barrier system, part of the design had not been officially approved because it was part of the flow closure plan which was approved along with the risk assessment. He indicated clearly there will be a design, and it will be vetted, evaluated and approved. With respect to the groundwater contamination it was not necessarily emanating from our location. The site was part of a whole quadrant that was there. He also wished to point out that an EIR was not a different study as a Mitigated Negative Declaration, it was the same process in terms of analysis. The project was analyzed and it was determined that it was not necessary to use overriding conditions. It did not have impacts that could not be mitigated. The traffic study that was done would have been the same if an EIR was needed. He thought they were bringing a project to the community that is going to be well received and be a benefit to the community. It was going to provide a lot of tax revenues that are going to be great beneficial for the overall community. Finally, he noted that, although not a requirement, they were going to close Meridian Avenue at the request of the neighbors. This would also increase in the size of Emery Park nearby which was another benefit to the community that they were happy to participate in.

Discussion: Councilmember **AYALA** thanked the members of the public for attending the meeting and dedicating so much time and effort to studying the issue and bringing up their issues of concern. He noted it had been a long process and he commended Mr. Sahu for his presentation and all of the research he had conducted. He acknowledged that it took a great deal of time out of the Appellants' schedules and he appreciated their efforts. He asked Mr. Ray if they had any tenants in mind yet for the office building portion of the project. Mr. **RAY** replied that he wished he had any answer to that question, but they had only been focused on the project and entitlements. They had focused on securing the Lowe's and had not yet done any outreach to find any office tenants. Mr. **AYALA** noted that since the acquisition of this property by the Charles Company several years ago, they had proposed a Walmart, which he had not supported and they next proposed the Lowe's with a housing component to the project, which is also went on record as not being supportive of because housing would not be ideal for the area on Fremont Avenue, given its already busy state in terms of traffic. He noted again, the Charles Company responded and restructured the project to do away with the housing. He clarified there was no housing component to this project. In terms of the traffic congestion and whether an adequate study was done, he was of the opinion that people were not going to get up first thing in the morning or get out of work and go straight to Lowe's. He added that the City currently had an Albertson's grocery store, a

Toys R Us and a Costco in the area that were already bringing traffic. Additionally, the 42,000 cars per day that exited the 710 freeway at its terminus on Valley Boulevard were either through traffic or coming to some of the other existing retail already in place. He noted his belief that a Lowe's would not necessary add a great deal more traffic to the area.

Continuing, he pointed out the Council had received a petition/list from residents that supported the Lowe's and the project provided the City and the developer close Meridian Avenue at Emery Park and stated his strong support for this concept. He indicated that he could not support the project unless Meridian Avenue was closed because he thought the flow of traffic that may want to try to exit onto Meridian from the Lowe's or the office space would be a detriment to the Emery Park neighborhood. With respect to the EIR and the discussion on EPA in general, he noted that in the past he worked at the federal level at the state level and at the county level. Therefore, he was familiar with their processes for cleanup and he trusted leaving the cleanup in the hands of the Regional Water Quality Control Board, as well as the EPA would result in a substantial and effective cleanup. Again, this was based on his experience working for various levels of government. In respect to the zoning question, back in 2010, he explained he was part of the Council that made a determination that Lowe's would be less impactful than some of the other current acceptable industrial uses. The idea originally being to bring a biotech company or the like to spur job creation, but there was no biotech company to recruit. With the Lowe's, he understood it was a different type of job, but the supplement or the combination, is office space that can bring in those types of jobs that are middle income to higher income, as we have across the street at the Alhambra. I'm not sure you know what types of tenants that we have across the street at the Alhambra, but they're pretty good tenants that bring in some decent paying jobs. The idea here was to mesh the economic development creation of jobs by having office space as well as the Lowe's.

Concluding, Mr. **AYALA** stated that unless there are any other ideas as to what else can come to the site and the developer is open to some of those ideas, which he thought should have been presented a lot earlier on, he was inclined to decline this appeal just based on the fact that this was not an overnight project, but rather six years in the making. There had been a process, in his opinion, for both community outreach to take place as well as for the environmental work to be completed. He added that he trusted staff in terms of the work that they did for this project. He added that he was also relying on conversations with my neighbors and the folks that he spoke with at the City's parks and our community events, and the signatures that were turned in supporting the project. Finally, we wished to point out is that in conversations with the Charles Company, they had offered not only to pay for the closure of Meridian Avenue, but also potentially a project that enhances Emery Park which would be a benefit to our Emery Park kids and our residents.

Councilmember **MALONEY**, noting the discussion of the closure of Meridian and the potential expansion of the park, asked the City Attorney to explain how that fits in the context of CEQA with the analysis of this project and standing on its own because it was his understanding that it would have to go through a separate process. City Attorney **MONTES** replied the condition that was added at the Planning Commission was a condition that requires the developer to contribute money towards a process to explore closing the street. If the Council, which had the ultimate decision making authority in this context, in the context of the appropriate public hearings and after the appropriate study

if necessary, decided to close Meridian Avenue, then the developer had further commitment to pay for the physical improvements to close and also to attempt to acquire the parcel that is across the street from the park that would expand that. He noted it was mentioned earlier that the closure of the street is not indicated as mitigation for the impacts of the project, but rather was an add-on condition and/or offer at the Planning Commission level to enhance the project and deal with the concerns of some of the residents. Mr. **MALONEY** noted that the street closure, then, was not required analysis as a part of this CEQA process, it would be a completely separate process. He thanked everyone who came out tonight and acknowledged that there were strong opinions on both sides and it was important to have this public hearing venue for residents of the City and others to express their opinions. He added that he appreciated everyone who listened to the people on the other side respectfully.

Continuing, he explained that from his perspective a lot of this boils down to traffic as he was comfortable with the way all of the other issues had been addressed. It boiled down to traffic as well because it was the one issue that may or may not be able to be mitigated, looking deeply into the matter now and down the road in the future. He noted that he was not a traffic engineer, but he know that the project's traffic impacts were evaluated by four different traffic engineers, including one hired apparently by the Appellants, which came in this morning. Two different letters came in this morning and it appeared the traffic engineer evaluated that remotely, but three other traffic engineers including Kimley-Horn, Crown City Transportation, and the City's traffic engineer from Transtech. All evaluated the approach and three out of the four said it was an appropriate way to make these counts. In reading the three different analysis, he concluded that the balance went in favor of this as the appropriate approach and the only conclusion that he was able to reach was if this is not a slam dunk in the other direction, for the decision being made by the Council this evening, he felt it was an appropriate way to approach it based on the information presented. He noted that ultimately this project was going to have some impact, but from a legal and CEQA basis, he thought it was an appropriate approach and that the impact can be mitigated. But, clearly there was some dissatisfaction in the community over this, and he wished like to explore more of what else could be done.

Continuing, he pointed out that as he was reading the Kimley-Horn traffic impact study it described some additional measures that the traffic engineers suggested that could be implemented at a later stage which included things like transit share reimburses from the employers, providing a shuttle service, bus stop improvements, carpool, and secured bike parking areas, etc. He noted these measures encouraged multimodal approaches to transportation in the community and he hoped all could support it down the line. However, there was one suggestion that jumped out to him which was providing shuttle service between the Gold Line station and the office building portion of the project. He asked Mr. Ray if the developer would be willing to consider some sort of cooperation or contribution to a shuttle service up and down Fremont Avenue because if the shuttle could remove some of those additional vehicles along Fremont Avenue on a daily basis, that would be a very positive thing that this project could have. Mr. **RAY** replied that the developer was willing. It was his understanding that there was a potential partnership between the Alhambra project and theirs that could pay for shuttle service to the sites on a pro rata share basis. The Charles Company would be happy to share in the shuttle service and to cooperate on a pro rata share basis, if and when the office buildings were developed. He added they were here to cooperate and solve problems because having

bad traffic would not be good for our tenants either. However, the team did think that the project's traffic impacts could be mitigated as laid out in the MND. Mr. **MALONEY** thanked Mr. Ray for his comments as it reflected their willingness to go beyond what the developer would be required to do, because under CEQA they were only required to mitigate the additional impacts that they would bring to the City, and not necessarily try to solve the underlying issues that are already present. He added that he was of the opinion that if implemented properly, the shuttle service could have a positive impact on traffic in the area outside the scope of the Charles Company's project and extend to other businesses and commuters in that corridor. The shuttle service coupled with the closure of Meridian Avenue and expansion of Emery Park were also fringe benefits that were very attractive to him. He had heard about the benefits of Lowe's and the offices to the City and he tended to agree with them, although there were still going to be impacts, so he felt that if the developer was willing to move forward with the two additional measures, perhaps making them conditions for approval tonight, he would be inclined to support the project. He asked Mr. Montes for clarification as to whether he could make those two elements a part of a motion. Responding, City Attorney **MONTES** explained that the conditions of approval with regard to Meridian Avenue were added by the Planning Commission so if the Council wanted to continue with those they could in whatever motion was made. With regard to a condition that requires them to participate on a cost share basis in the shuttle service for the Gold Line that could certainly be added for a condition of approval as well if that was desired by the Council.

Councilmember **MESSINA** stated she had a lot of time to read over all these documents thoroughly and while the word transparency had been mentioned by some who felt it was lacking, this project had had nothing but transparency because of how long it had been hanging around, been changed and reexamined and redesigned. She felt that the information provided by the developer and their team was more than adequate, and she felt the decision she was making here tonight was an informed decision based on the outstanding information provided. She noted that she had lived in Alhambra for 58 years and her kids had made their homes in Alhambra as well. She felt that for those that said residents needed a voice, the City Council was elected to be that voice. The Council may not always agree with every resident, but Councilmembers only had the City's best interest at heart. She noted that she had dedicated almost 30 years of her life to serving this community for its betterment and she was very proud of the accomplishments of this City over the span of those years of service. She noted her agreement with the comments made by Councilmember Ayala and stated she was prepared to move on this project.

Councilmember **SHAM** thanked the community for coming out this evening and expressing their opinions here from both sides of the aisle. He also thanked his colleagues on the Council who had addressed most of his concerns. He pointed out that he believed the City was already in the process of creating a shuttle line from the Gold Line Station down Fremont Avenue independent of this project. That being said, he was not sure it was necessary to put the shuttle service as part of the conditions into the motion. He added that he was satisfied with the answers from the professional teams from the developers addressing all the concerns from the Appellants and he was more than happy to make a motion to adopt Resolution No. R2M17-9.

Mayor **MEJIA** thanked everyone for coming to the meeting and thanked the attendees for the respect and courtesy demonstrated all night while people from both sides of the

issue were speaking. He was proud to be an Alhambra resident and the way in which the hearing had progressed with everyone being able to speak without disruption was great. Councilmember **MESSINA** seconded Mr. Sham's motion. Councilmember **MALONEY** noted, with respect to the shuttle, that while the City had been talking about it independently from this project, he appreciated that the developer was willing to contribute and noted that he would feel more comfortable with that condition being in the motion because it was a concern, once the offices were built and in the long term, as to how the shuttle service was going to be funded and ensuring that it stayed viable in the long term. This was the only reason he wished to make it a condition. Councilmember **SHAM** amended his motion to include the condition that the developer pay their pro rata share for the shuttle service going to and from the office building to the Gold Line station. Mrs. **MESSINA** seconded the amended motion.

Action Taken: City Council adopted **Resolution No. R2M17-9** entitled: *A Resolution of the City Council of the City of Alhambra denying Appellants Petition of Appeal and upholding Planning Commission Resolution (17-4) approving the Project Mitigation Monitoring and Reporting Program, Mitigated Negative Declaration, Tentative Tract Map TT74223 and Industrial Planned Development Permit IP-16-4; and, upholding the June 28, 2010 City Council ratification providing that building material sales, retail and wholesale, including home improvement supplies as a permitted use in the Industrial Planned Development (IPD) Zone and with the condition that the developer pay their pro rata share for the shuttle service going to and from the office building to the Gold Line station.*

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

ORDINANCE – FIRST READING

17. ORDINANCE AMENDING SECTION 15.25.105 (WATER SHORTAGE PLAN IV) TO REFLECT STATE LAW REQUIREMENTS FOR A PLAN TO ACHIEVE 50% REDUCTION IN WATER SUPPLY USE. – F2M14-42, O2M17-4709

City Attorney **MONTES** reported that staff was requesting that the City Council amend Chapter 15.25 of the Alhambra Municipal Code pertaining to Water Shortage Plan IV to reflect State Law. On June 27, 2016, the City Council held a Public Hearing and adopted the 2015 Urban Water Management Plan (UWMP). The purpose of the UWMP is to support long term resource planning and ensure adequate water supplies are available to meet existing and future water demands. The adopted Plan was submitted to the California Department of Water Resources (DWR) which approves the City's UWMP. The DWR has looked at the City's submitted Plan and has advised that Alhambra's Water Conservation ordinance does not address a 50% water reduction plan. Our current ordinance only goes to Stage 4, 35% water reduction plan. In order to comply with the DWR, staff is proposing an amendment to the Municipal Code to provide for a Stage 5 water reduction plan which requires a 50% reduction in water use.

Discussion: None

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

Ordinance No. O2M17-4709: An Ordinance of the City Council of the City of Alhambra, California amending Section 15.25.105 of the Alhambra Municipal Code Water Shortage Plan IV to reflect State Law Requirements for a plan to achieve 50% reduction in water supply use.

which ordinance was adopted by a 4/5 motion, waiving any further reading.

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

ORAL COMMUNICATIONS: None

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

Mr. Maloney announced he had recently attended a Measure A workshop with County Supervisor Kathryn Barger's office and it was great to see all the parks projects that could qualify for Measure A funding.

Mayor Mejia welcomed Councilmember Messina back after her medical leave of absence.

ADJOURNMENT: At 10:20 p.m., there being no further business for the Council to transact, the Mayor, with the consent of the City Council adjourned their meeting to Monday, March 13, 2017 at 5:30 p.m., in the Alhambra City Hall Council Chambers, 111 South First Street, Alhambra, California.

LAUREN MYLES, CMC
CITY CLERK