MISSION STATEMENT

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

Watch and listen to the meeting via Zoom Webinar as follows:

Zoom Webinar direct link: https://cityofalhambra-org.zoom.us/j/81321778489?pwd=YU1BTWtgSXpNeEo1MWFSME1mZ1FmUT09
Webinar ID: 813 2177 8489, Passcode: 644586

Or by telephone by dialing (833) 548-0276 (Toll Free) or (833) 548-0282 (Toll Free) or (877) 853-5257 (Toll Free) or (888) 475-4499 (Toll Free) or +1(719) 359-4580 or +1(309) 205-3325 or +1(253) 215-8782 or +1(346) 248-7799 or +1(646) 931-3860 or +1(301) 715-8592 or +1(312) 626-6799 or +1(646) 558-8656 and entering Webinar ID: 813 2177 8489 and Passcode: 644586. Please Note: All members of the public calling or logging into the meeting will be muted so that the meeting can proceed.

Addressing the Council:

In person: Section 2.04.210 of the Alhambra Municipal Code establishes the procedures for addressing the Council. Any person wishing to address the Council during the meeting should complete a Speaker Request Card and submit it to the City Clerk so the City Council knows you wish to speak. When called upon by the presiding officer, please step to the podium.

Via Zoom or Telephone: “Raise your hand” - Members of the public may speak by using the “Raise Hand” function during the public comments portion, if on Zoom or telephone. Staff will unmute speakers participating via Zoom or telephone and announce your name when it is your time to speak.

Remarks are limited to 5 minutes; however, the presiding officer may either extend or reduce the maximum time to such period of time as the Council may determine.

Standards of Decorum: Any person addressing the Council who refuses to stop speaking after his/her time has expired or any person who behaves in such a manner as to interfere with or impede the progress of the City Council meeting who, after a request by the presiding officer, refuses to cease such behavior may be removed from the City Council chambers upon direction of the presiding officer.

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

Persons Authorized to be Within Rail: No person, except City official or their designees, shall be permitted within the rail in front of the Council Chamber without the express consent of the Council.

Agenda Tracking Numbers: All numbers listed in bold after the title of each Agenda item are City Clerk tracking numbers that are used for filing and research purposes.
CITY OF ALHAMBRA
AGENDA
Regular Meeting
ALHAMBRA CITY COUNCIL
Council Chambers, 111 South First Street
January 9, 2023
6:00 p.m.

ROLL CALL:
COUNCIL: Lee, Maza, Maloney, Pérez, Andrade-Stadler

FLAG SALUTE: Led by Mayor Andrade-Stadler

CEREMONIAL

1. COMMENDATIONS: K9 OFFICER SERGIO LLAMAS AND HIS PARTNER OTIS – F2M23-3

Mayor Andrade-Stadler and the Alhambra City Council, on behalf of the citizens of Alhambra, wish to commend and thank Alhambra Police K9 Officer Sergio Llamas and his partner, Otis, for their outstanding and dedicated service that led to an arrest on November 17, 2022. During a traffic stop for a vehicle code violation, K9 Otis alerted officers to a false fire extinguisher in the vehicle which held approximately 50,000 fentanyl pills. The City of Alhambra is proud of the Alhambra Police Department K9 Unit for their diligent training and service to our community. Mayor Andrade-Stadler will present commendations to K9 Officer Llamas and K9 Otis.

PRESENTATIONS

2. APPOINTMENT OF THE CITY’S REPRESENTATIVE TO THE BOARD OF TRUSTEES OF THE SAN GABRIEL VALLEY MOSQUITO & VECTOR CONTROL DISTRICT – F2M4-46, R2M23-2

Under the California Health and Safety Code, the San Gabriel Valley Mosquito and Vector Control District is a public health agency that is primarily charged with fighting mosquito-borne diseases. The District is governed by a 27-member Board of Trustees, consisting of an appointed representative from each city plus the County of Los Angeles. On November 9, 2020, the City Council appointed Mr. Stephen Sham, to the District’s Board of Trustees for a two-year term to and including December 31, 2022. By letter dated October 17, 2022, the San Gabriel Valley Mosquito & Vector Control District has requested that the City Council appoint a representative to the Board of Trustees prior to January 13, 2023. Staff contacted Mr. Sham and he wishes to step down from the Board of Trustees at this time. California Health & Safety Code Section 2022(b) provides that each person appointed by a City Council to be a member of the Board of Trustees shall be a voter and resident of the appointing city that is within the district. Additionally, Health & Safety Code Section 2024(a) provides that the term of office for a member of the Board of Trustees shall be for a term of 2 or 4 years, at the discretion of the City Council, beginning January 1 and ending December 31. Staff requests that the City Council select a
Councilmember or another voter and resident of the City to represent the City of Alhambra on the Board of Trustees and then adopt a resolution officially appointing the selected representative to either a 2-year or 4-year term.

**Recommended Action:** City Council take the following actions: 1) Select a Councilmember or another voter and resident of the City to represent the City of Alhambra on the Board of Trustees of the San Gabriel Valley Mosquito & Vector Control District for a 2-year or 4-year term commencing on January 1, 2023; and, 2) Adopt Resolution No. R2M23-2 appointing the selected individual to the Board of Trustees for the new 2-year or 4-year term and authorize the City Clerk to add any language specifically required by the San Gabriel Valley Mosquito & Vector Control District to effectuate the appointment.

3. **CONSIDERATION OF “SAFE AND SANE” FIREWORKS RESTRICTIONS – F2M22-16**

At the May 23, 2022 City Council meeting, Councilmember Lee requested an agendized item to discuss consideration of restrictions for “safe and sane” fireworks. Alhambra Municipal Code (AMC) Chapter 19.01.010 stipulates the dates/times whereby fireworks can be sold. There are no restrictions in the AMC pertaining to when fireworks may be used. As requested, staff brought this item before the Council on September 12, 2022. After Council’s discussion, no action was taken since the item had recently been discussed at the April 11, 2022 meeting, in addition to the fact there was no representation from the groups affected by potential changes to “safe and sane” fireworks. Said groups have been advised of this evening’s meeting. Staff is seeking direction from Council, if any.

**Recommended Action:** City Council direct staff as deemed appropriate.

**CONSENT AGENDA (Item Nos. 4 – 19)**

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

4. **APPROVE A LAND ACKNOWLEDGMENT – F2M18-35, M2M23-1**

On October 10, 2022, the City Council directed staff to amend the Strategic Plan to consider a verbal Land Acknowledgment statement to be said prior to City Council meetings to honor the history of Alhambra. Staff worked with an Alhambra teacher who has completed extensive research for a local land acknowledgment for Alhambra Unified School District. Based on this research and recommendation for Alhambra, staff proposes the following Land Acknowledgment statement: For Alhambra – *We acknowledge that the land on which we are gathered is the traditional, ancestral, and unceded territory of the Gabrieleno/Tongva peoples. We seek to prioritize respect for the historic culture and contemporary presence of the native peoples throughout California, especially in the greater Los Angeles/Alhambra area. We come with respect and gratitude for the Gabrieleno/Tongva people who still consider themselves the caretakers of this land. It is through their examples that we are reminded of our greater responsibility to take care of Mother Earth and to take care of each other.*
**Recommended Action:** City Council approve a verbal Land Acknowledgement statement prior to City Council meetings. (M2M23-1)

5. **NOTICE INVITING BIDS: WATER MAIN REPLACEMENT PROJECT ON WESTMINSTER AVENUE, ORANGE GROVE AVENUE AND CONCORD AVENUE – F2M23-20, N2M23-4**

The four-inch cast iron water mains on Westminster and Orange Grove Avenues between Poplar Boulevard and Concord Avenue and the six-inch cast iron water main on Concord Avenue between Orange Grove Avenue and Westboro Avenue have reached the end of their useful lives and are in need of replacement due to a history of water main breaks. Replacement of these water main lines would greatly improve flow and firefighting capabilities in an emergency. This project would replace the existing four-inch and six-inch cast iron water mains with new 8-inch ductile iron water mains. Plans and specifications have been prepared. Staff reviewed the plans and found them to be consistent with the City’s standards.

**Recommended Action:** City Council approve the distribution of a Notice Inviting Bids to qualified contractors for the Water Main Replacement Project on Westminster Avenue, Orange Grove Avenue, and Concord Avenue with bids due no later than 10:30 a.m. on February 9, 2023, and opened at 11:00 a.m. that same day.

6. **AUTHORIZE RFP: ENTERPRISE RESOURCE PLANNING (ERP) FINANCIAL SOFTWARE AND IMPLEMENTATION SERVICES – F2M23-21, RFP2M23-1**

At the September 27, 2021 and January 24, 2022 City Council meetings, staff presented to the Council on the proposed plan for the American Rescue Plan Act (ARPA) of 2021 relief funds. The Council approved a listing of projects using the federal ARPA funds. The proposed plan contains funding for a modernized ERP financial system, which is an integrated suite of software applications that will provide for data input for accounting, human resources, inventory, capital assets, budgeting, payroll, purchasing, and cashiering. The goal of the RFP is to implement a financial software based upon today’s industry-standard open architecture and one that will provide a high level of functionality with ease of use.

**Recommended Action:** City Council authorize the distribution of a Request for Proposals (RFP) to prospective firms to provide Enterprise Resource Planning (ERP) financial software and implementation services with proposals due by 5:00 p.m. on February 15, 2023; and, direct staff to undertake the steps necessary to finalize Council’s action.

7. **AUTHORIZE RFP: ACCESS CONTROL SYSTEM FOR THE POLICE DEPARTMENT FACILITY – F2M23-22, RFP2M23-2**

The Police Department facility was built in 1994. The current access control system was installed shortly after in 1995. Since installation, there has only been minor maintenance performed to replace the hardware. The Police Department facility is in need of services for the installation and/or upgrade of the existing access control system. Services include
additional controlled access points, replacement of existing controlled access points, and maintenance and administration of upgrades. An updated access control system is crucial for maintaining station security, which can reduce the risk of unauthorized subjects from entering the facility.

**Recommended Action:** City Council authorize the distribution of a Request for Proposals (RPF) for the purchase and installation of an access control system for the Police Department facility; and, direct staff to undertake the steps necessary to finalize Council’s action.

8. **ACCEPTANCE OF A GRANT FROM THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT UNDER MEASURE A ANNUAL ALLOCATION GRANT PROGRAM – F2M21-18, M2M23-2**

On November 8, 2021, the City Council adopted a resolution (R2M21-46) that enabled staff to apply for annual allocation grant funding from the Los Angeles County Regional Park and Open Space District (RPOSD) under Measure A. Staff submitted an application for $600,000 to renovate and upgrade the restroom building at Alhambra Park. On November 17, 2022, staff received notification that the City was awarded a grant for the full amount of the project cost. As a condition of the grant funding, a deed restriction is required by RPOSD to ensure that the property will remain as a public resource and be used for the purpose consistent with Measure A. Staff will prepare the required documentation upon receipt from RPOSD and submit to the City Council for authorization at a future meeting.

**Recommended Action:** City Council accept a grant in the amount of $600,000 from the Los Angeles County Regional Park and Open Space District (RPOSD) under the Measure A Annual Allocation Grant Program; appropriate revenue and expenditure funds; authorize the City Manager, or designee, to execute all documents related to grant implementation; and, direct staff to undertake the steps necessary to finalize Council’s action. (M2M23-2)

9. **APPROVE CITY COUNCIL APPOINTMENTS – F2M22-67, M2M23-3**

At the January 11, 2021 Council meeting, the Council nominated colleagues to fill the vacant positions on various external boards/commissions created by an outgoing Councilmember who had left office and voted to approve the nominated colleagues along with the other City Council appointments. These various appointments were further updated and approved by the City Council on March 28, 2022. At the December 12, 2022 Council meeting, newly re-elected Councilmembers were sworn-in and the City Council reorganized – meaning the offices of Mayor and Vice Mayor were rotated. After each reorganization of the Council, staff submits a list of the City Council’s appointments to external boards/commissions for approval to ensure the appointments stay current and to ensure that any adjustments are made, if needed.

**Recommended Action:** City Council vote to approve the City Council appointments to various external boards/commissions as outlined in the January 9, 2023 report by the City Clerk; and direct staff to undertake the steps necessary to finalize Council’s action. (M2M23-3)
10. **RESOLUTION REAUTHORIZING THE CITY COUNCIL AND THE CITY’S BOARDS AND COMMISSIONS TO IMPLEMENT TELECONFERENCE ACCESSIBILITY FOR CONDUCTING PUBLIC MEETINGS PURSUANT TO AB 361 – F2M20-33, R2M23-1**

During COVID, the City has conducted meetings offering teleconferencing accessibility to members of the public, City Council, members of City boards and commissions, City staff and consultants. The executive orders authorizing such meetings lapsed on September 30, 2021, replaced with legislation in the form of AB 361. AB 361 was signed into law by the Governor on September 16, 2021, which went into effect immediately as urgency legislation (codified under Government Code § 54953), and waived certain provisions of the Brown Act in order to allow local agencies to continue to meet remotely. Specifically, the bill allows remote teleconference flexibility, but only when there is a state of emergency that makes it unsafe to meet in person. The Council made the necessary findings for the conduct of teleconferenced accessible meetings via Resolution No. R2M21-42 adopted on October 25, 2021. The proposed Resolution again makes the required findings under AB 361, and if adopted, it will allow the City to continue to offer teleconference accessibility for public meetings, to help mitigate the spread of COVID-19, as well as during other state-proclaimed emergencies, such as earthquakes or wildfires, where physical attendance may present a risk. When Governor Newsom ends the State’s emergency declaration on February 28, 2023, the City Councilmembers and Commissioners will no longer be able to attend meetings remotely except under limited circumstances as set forth in AB 2449 and other provisions of Government Code section 54953, absent another emergency declaration.

**Recommended Action:** City Council adopt Resolution No. R2M23-1: A Resolution of the City Council of the City of Alhambra reauthorizing the City Council, and the City’s Boards and Commissions to implement teleconference accessibility for conducting public meetings pursuant to AB 361

11. **AWARD CONTRACT: OFFICER SAFETY PLAN 7 – F2M23-6B, C2M19-50, C2M23-1, M2M23-4**

On November 12, 2019, the Council approved a five-year contract between the City of Alhambra and Axon Enterprises, Inc. for an integrated in-car mobile audio video system (MAVS), body-worn camera (BWC) system and digital evidence management software. The contract, now entering its fourth year, does not include taser and other specialized equipment and enhancements, which have traditionally been purchased separately. Recently, Axon Enterprises, Inc. made available a more comprehensive and more advanced police equipment safety package, the Officer Safety Plan 7, which integrates Taser 7, MAVS, BWC video evidence into one digital evidence management system totaling $1,031,582 over a five-year contract. When bundling the equipment together, the City is expected to save $206,191.80 for all equipment items and upgrades versus purchasing independently. Staff is seeking to purchase the MAVS, BWC system and digital evidence software through a cooperative purchase agreement, allowable under Alhambra Municipal Code (AMC) Section 3.36.080(B)(3). Sourcewell awarded contract #010720-AXN to Axon Enterprises, Inc. for public safety video surveillance solutions with related equipment, software and accessories with an expiration date of February 21, 2024. Additionally, Axon Enterprises, Inc. is the sole source provider of TASER Energy Weapons. Sole source purchase is allowable per AMC Section 3.36.080(B)(2). Should the City move forward with securing a new five-year contract with Axon for its Officer Safety
Plan 7, City staff will notify the vendor that the existing contract (C2M19-50) will be terminated; however, it will be replaced with the new Officer Safety Plan 7 contract beginning in February, 2023.

**Recommended Action:** City Council terminate Contract No. C2M19-50 and approve a contract, subject to final language approval by the City Manager and City Attorney, by and between the City of Alhambra and Axon Enterprises, Inc. for Officer Safety Plan 7 in an amount not to exceed $1,031,582 under a five-year contract; and, direct staff to undertake the steps necessary to finalize Council’s action. (M2M23-4)

12. **APPROVAL OF A CONTRACT FOR THIRD PARTY ADMINISTRATION OF WORKERS COMPENSATION CLAIMS – F2M18-42, C2M23-2, M2M23-5**

On July 1, 2018, the City Council authorized the City’s membership in the California Joint Powers Insurance Authority (CJPIA) for insurance services. As a part of the requirements for membership, the City contracted with third party administrator York Services (which became Sedgwick Claims Management Services), who was selected by CJPIA, for the administration of all of the City’s workers compensation claims. Most recently, as of October 2022, the City was notified of CJPIA’s decision to no longer utilize Sedgwick Claims Management Services and instead utilize the services of Athens Administrators beginning on January 1, 2023 as the third-party administrator of all workers compensation claims for CJPIA member agencies. The City’s Memorandum of Coverage for the Workers Compensation Program dictates that CJPIA, “at its discretion, will choose and manage service providers necessary to fulfill its objectives; including third party claims administrators, medical management providers, defense attorneys, investigators, etc.”

**Recommended Action:** City Council approve that certain Workers’ Compensation Service Agreement between the City of Alhambra and Athens Administrators, a copy of which Agreement is on file in the City Clerk’s Office as Contract No. C2M23-2 and by this reference incorporated herein and made a part of as though fully set forth herein to provide third party workers compensation claims administration through the City’s membership with the California Joint Powers Insurance Authority; and, direct staff to undertake the steps necessary to execute the contract and finalize Council’s action. (M2M23-5)


On April 25, 2022, the City Council approved the distribution of a Notice Inviting Bids for the purchase of one 7-yard dump truck for the Public Works Division. However, bids were delayed due to the Ford Motor Company’s discontinuance of the placement of orders for new vehicles in May, 2022. Once the ordering process was reinstated, staff circulated the Notice Inviting Bids. On December 8, 2022 the City Clerk received two bids for the purchase ranging from $126,948.69 to $147,278.22. The bid received from Rush Medium-Duty Truck Centers of California Inc., dba Rush Truck Center Ceres in the amount of $126,948.69 is the lowest responsible bid. Staff reviewed the bid and found it to be in full compliance and conformance with the bid specifications.

**Recommended Action:** City Council award a contract, subject to final language approval by the City Manager and City Attorney, to Rush Medium-Duty Truck Centers of
California Inc., dba Rush Truck Center Ceres in an amount of $126,948.69 for the purchase of a 7-yard dump truck; direct the Finance Director to appropriate $23,976.69 from the Equipment Fund and allocate the funding to account 507.70.7110.92028 to complete the purchase of this replacement vehicle; and, direct staff to undertake the steps necessary to finalize Council’s action. (M2M23-6)


On November 14, 2022, the City Council approved the distribution of Notice Inviting Bids for the purchase of one utility service truck for the Utilities Division. On December 8, 2022 the City Clerk received three bids for the purchase ranging from $81,500.00 to $95,041.88. The bid received from Advanced Truck Body & Equipment Co. in the amount of $81,500.00 is the lowest responsible bid. Staff has reviewed the bid from Advanced Truck Body & Equipment Co. and found it is in full compliance and conformance with the bid specifications.

Recommended Action: City Council award a contract, subject to final language approval by the City Manager and City Attorney, to Advanced Truck Body & Equipment Co. for the purchase of a utility service body truck in an amount of $81,500.00; and, direct staff to undertake the steps necessary to finalize Council’s action. (M2M23-7)

15. CONTRACT AMENDMENT: PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE MAIN STREET, FOURTH STREET, AND MISSION ROAD SEWER MAIN REPLACEMENT PROJECT – F2M21-58, C2M21-55, M2M23-8

On October 11, 2021, the City Council awarded a contract for Engineering Design services in the amount of $178,650.00 for the Main Street, Fourth Street, and Mission Road Sewer Main Replacement Project to Hunsaker & Associates Irvine Inc. The project was advertised on July 25, 2022 and the bid amounts returned were significantly higher than the budget. On December 12, 2022, the City Council rejected the bids and directed staff to review the scope of work, and re-advertise the project at a later date. Staff is proposing constructing the project in two phases over the next two years with one phase of the project occurring each year. This amendment covers the cost to prepare the plans and specifications and provide construction support for each phase of the project. Therefore, staff is recommending a contract amendment in the amount of $49,600.00 to complete the project.

Recommended Action: City Council approve an amendment, subject to final language approval by the City Manager and City Attorney, to the contract by and between the City of Alhambra and Hunsaker & Associates Irvine Inc. for engineering design services for the Main Street, Fourth Street, and Mission Road Sewer Main Replacement Project to increase the total contract amount by $49,600.00, and, direct staff to undertake the steps necessary to finalize Council’s action. (M2M23-8)

16. STRATEGIC PLAN UPDATE – F2M18-35

Staff continues to present quarterly updates to the City Council and diligently works
through Strategic Plan goals and individual items with much progress. There are now a total of 25 items on the current working plan and 28 items in the complete and continuous section. A full Strategic Plan planning session with the City Council, staff and a consultant, is tentatively scheduled for March 30, 2023.

**Recommended Action:** City Council receive and file the Alhambra Strategic Plan update.

17. **MINUTES**

**Recommended Action:** City Council review and approve as submitted the Minutes of the April 12, 2021 regular meeting of the City Council and the Minutes of the April 26, 2021 regular meeting of the City Council.

18. **PERSONNEL ACTIONS – F2M23-1**

**Recommended Action:** City Council ratify the actions of the City Manager set forth in that certain Personnel Actions document dated January 9, 2023 showing the various appointments, classifications, salary changes, etc., since the last City Council meeting.

19. **DEMANDS - F2M23-1**

**Recommended Action:** City Council approve as submitted Final Check List (234643 thru 234770) in the amount of $1,454,393.63 for the period ending November 3, 2022; Final Check List (234771 thru 234932) in the amount of $1,024,007.60 for the period ending November 10, 2022 and Schedule of Wire Transfers in the amount of $3,224,014.46 for the week ending October 28, 2022; and, Final Check List (234933 thru 235040) in the amount of $858,791.60 for the period ending November 16, 2022 and Schedule of Wire Transfers in the amount of $2,424,922.99 for the week ending November 11, 2022.

**PUBLIC COMMENT FOR NON-AGENDIZED ITEMS (TIME LIMITATION - 5 MINUTES)**

Citizens wishing to address the Council on any matter which is within the subject matter jurisdiction of the City Council not on the Agenda may do so at this time. Please note that while the City Council values your comments, pursuant to the Brown Act, the City Council cannot take action unless the matter appears as an item on a forthcoming agenda.

**COUNCIL COMMUNICATIONS (ANNOUNCEMENTS & FUTURE AGENDA ITEMS) F2M23-7**

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

**ADJOURNMENT:** The next regular meeting of the Alhambra City Council is scheduled for Monday, January 23, 2023 at 6:00 p.m.
NOTICE

Agenda Items: Copies of the staff reports or other written documentation relating to the items listed on this agenda are on file with the City Clerk in Alhambra City Hall, located at 111 South First Street, Alhambra, California, and are available for inspection during regular office hours, Monday through Thursday from 7:00 a.m. to 5:30 p.m. If you would like to sign-up to receive the City Council meeting agenda and staff reports packet, please visit the City’s website at www.cityofalhambra.org and you will be able to submit your email address on the homepage to the subscription service. Pursuant to Government Code Section 54957.5(b), materials related to agenda items for regular meetings of the Alhambra City Council that are distributed less than 72 hours prior to that meeting, will be made available for public inspection at the Alhambra City Clerk’s Office.

Broadcast of Meeting: A live video stream of each Council meeting is available through the City’s website. The regular meetings of the Alhambra City Council are recorded and are broadcast on Charter Channels 3 and 182 at 7:30 p.m. on Thursdays and Mondays following the meeting. Recordings are also available for viewing by the public on the City of Alhambra’s website, at the Alhambra Public Library and, upon appointment, in the City Clerk’s Office.

Americans with Disabilities Act: If you require special assistance to participate in any City meeting (including assisted listening devices), please contact the City Clerk’s Office at (626) 570-5090. Notification of at least 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Translation Services Requests: If you require translation services in order to participate in a meeting please contact the City Clerk’s Office at (626) 570-5090. All requests for translation services shall be made by 4 p.m. the Thursday prior to the City Council meeting. If translation is not requested by 4 p.m. the Thursday prior to the City Council meeting, staff will try to accommodate the request if possible.

LAUREN MYLES, CMC
CITY CLERK
City of Alhambra

HEREBY COMMENDS

K9 OTIS

THE ALHAMBRA CITY COUNCIL, ON BEHALF OF THE CITIZENS OF ALHAMBRA, HEREBY COMMENDS AND THANKS ALHAMBRA POLICE K9 OTIS FOR HIS DEDICATED SERVICE THAT LED TO AN ARREST ON NOVEMBER 17, 2022. DURING A TRAFFIC STOP FOR A VEHICLE CODE VIOLATION, K9 OTIS ALERTED OFFICERS TO A FALSE FIRE EXTINGUISHER IN THE VEHICLE WHICH HELD APPROXIMATELY 50,000 FENTANYL PILLS. THE CITY OF ALHAMBRA IS PROUD OF THE ALHAMBRA POLICE DEPARTMENT K9 UNIT FOR THEIR DILIGENT TRAINING AND SERVICE TO ALHAMBRA RESIDENTS.

PRESENTED BY

THE ALHAMBRA CITY COUNCIL

MAYOR ADELE ANDRADE-STADLER  VICE MAYOR ROSS J. MAZA
COUNCILMEMBERS  SASHA RENÉE PÉREZ  KATHERINE LEE  JEFFREY MALONEY

ISSUED THIS 9th DAY OF JANUARY, 2023

ADELE ANDRADE-STADLER, MAYOR
City of Alhambra

HEREBY COMMENDS

K9 OFFICER SERGIO LLAMAS

THE ALHAMBRA CITY COUNCIL, ON BEHALF OF THE CITIZENS OF ALHAMBRA, HEREBY COMMENDS AND THANKS ALHAMBRA POLICE K9 OFFICER SERGIO LLAMAS FOR HIS DEDICATED SERVICE THAT LED TO AN ARREST ON NOVEMBER 17, 2022. DURING A TRAFFIC STOP FOR A VEHICLE CODE VIOLATION, K9 OTIS ALERTED OFFICER LLAMAS AND OTHER OFFICERS TO A FALSE FIRE extinguisher in the vehicle which held approximately 50,000 FENTANYL PILLS. THE CITY OF ALHAMBRA IS PROUD OF THE ALHAMBRA POLICE DEPARTMENT OFFICERS AND K9 UNIT FOR THEIR DILIGENT TRAINING AND SERVICE TO ALHAMBRA RESIDENTS.

PRESENTED BY

THE ALHAMBRA CITY COUNCIL

MAYOR ADELE ANDRADE-STADLER       VICE MAYOR ROSS J. MAZA
COUNCILMEMBERS  SASHA RENÉE PÉREZ  KATHERINE LEE  JEFFREY MALONEY

ISSUED THIS 9th DAY OF JANUARY, 2023

ADELE ANDRADE-STADLER, MAYOR
CITY OF ALHAMBRA
AGENDA REPORT

CITY MANAGER APPROVAL:

DATE: January 9, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Lauren Myles, City Clerk

SUBJECT: APPOINTMENT OF THE CITY’S REPRESENTATIVE TO THE BOARD OF TRUSTEES OF THE SAN GABRIEL VALLEY MOSQUITO & VECTOR CONTROL DISTRICT

RECOMMENDATION:

It is recommended that the City Council take the following actions: 1) Select a Councilmember or another voter and resident of the City to represent the City of Alhambra on the Board of Trustees of the San Gabriel Valley Mosquito & Vector Control District for a 2-year or 4-year term commencing on January 1, 2023; and, 2) Adopt Resolution No. R2M23-2 appointing the selected individual to the Board of Trustees for the new 2-year or 4-year term and authorize the City Clerk to add any language specifically required by the San Gabriel Valley Mosquito & Vector Control District to effectuate the appointment.

FACTS:

1. The San Gabriel Valley Mosquito and Vector Control District is an independent special district. Power of authority is granted through the California Health and Safety Code, sections 2000-2093. Under the California Health and Safety Code, the San Gabriel Valley Mosquito and Vector Control District is a public health agency that is primarily charged with fighting mosquito-borne diseases. The District is governed by a 27-member Board of Trustees, consisting of an appointed representative from each city plus the County of Los Angeles. The Board meets at its District headquarters on the second Friday of each month at 7:00 a.m. The members of the Board of Trustees may receive their actual and necessary traveling and incidental expenses incurred while on official business. In lieu of paying for actual expenses, the Board of Trustees provides for the allowance and payment to each trustee a sum not to exceed $100 per month for expenses incurred while on official business. A trustee may waive the payments permitted by Health and Safety Code Section 2030(b).

2. On March 15, 2004, the City Council appointed private citizen and resident of Alhambra, Mr. Stephen Sham, to the District’s Board of Trustees to fill the unexpired term of Boyd G. Condie who relocated to Utah, which term expired as of December 31, 2005.

3. On November 28, 2005, the City Council reappointed Mr. Sham to the District’s Board of
Trustees for a two-year term to and including December 31, 2007 and subsequent to such reappointment Mr. Sham was elected in November, 2006, as Councilperson of the First District of the City of Alhambra.

4. On October 29, 2007, the City Council appointed Councilperson Sham to the District’s Board of Trustees for a four-year term to and including December 31, 2011.

5. On November 28, 2011, the City Council appointed Councilperson Sham to the District’s Board of Trustees for a four-year term to and including December 31, 2016.

6. On May 9, 2016, the City Council appointed Councilperson Sham to the District’s Board of Trustees for a four-year term to and including December 31, 2020.

7. On November 9, 2020, the City Council reappointed private citizen and resident of Alhambra, Mr. Stephen Sham, to the District’s Board of Trustees for a two-year term to and including December 31, 2022.

8. By letter dated October 17, 2022, the San Gabriel Valley Mosquito & Vector Control District has requested that the City Council appoint a representative to the Board of Trustees prior to January 13, 2023.

9. Staff contacted Mr. Sham and he wishes to step down from the Board of Trustees at this time.

10. California Health & Safety Code Section 2022(b) provides that each person appointed by a City Council to be a member of the Board of Trustees shall be a voter and resident of the appointing city that is within the district. Additionally, Section 2022 (c) provides that notwithstanding any other provision of law including the common law doctrine that precludes the simultaneous holding of incompatible offices, a member of a city council may be appointed and may serve as a member of a Board of Trustees if that person also meets the other applicable qualifications.

11. California Health and Safety Code does not allow for alternates to the Board of Trustees; therefore, only the appointed Trustee will have voting authority at Board meetings during their fixed term.

12. Additionally, Health & Safety Code Section 2024(a) provides that the term of office for a member of the Board of Trustees shall be for a term of 2 or 4 years, at the discretion of the City Council, beginning January 1 and ending December 31.

FINANCIAL ANALYSIS:
Not applicable.

ATTACHMENTS:
Resolution No. R2M23-2
Letter dated October 17, 2022 from the San Gabriel Valley Mosquito & Vector Control District requesting that the City Council appoint a representative to the Board of Trustees prior to January 13, 2023.
RESOLUTION NO. R2M23-2

A RESOLUTION OF THE ALHAMBRA CITY COUNCIL APPOINTING

TO REPRESENT THE CITY OF ALHAMBRA ON THE
BOARD OF TRUSTEES OF THE SAN GABRIEL VALLEY MOSQUITO &
VECTOR CONTROL DISTRICT FOR A [2 or 4]-YEAR TERM COMMENCING
ON JANUARY 1, 2023

WHEREAS, as a member of the San Gabriel Valley Mosquito & Vector Control District (the
"District"), the Alhambra City Council is entitled to appoint a representative to the District's
Board of Trustees; and,

WHEREAS, on March 15, 2004, the Alhambra City Council appointed private citizen and
resident of Alhambra, Stephen Sham, to the District's Board of Trustees to fill the unexpired
term of Boyd G. Condie who relocated to Utah, which term expired as of December 31, 2005;
and,

WHEREAS, on November 28, 2005, the Alhambra City Council reappointed Stephen Sham to
the District's Board of Trustees for a two-year term to and including December 31, 2007; and,

WHEREAS, on October 29, 2007, the Alhambra City Council appointed Councilperson Sham to
the District's Board of Trustees for a four-year term to and including December 31, 2011; and,

WHEREAS, on November 28, 2011, the Alhambra City Council appointed Councilperson Sham
to the District’s Board of Trustees for a four-year term to and including December 31, 2016; and,

WHEREAS, on May 9, 2016, the City Council appointed Councilperson Sham to the District’s
Board of Trustees for a four-year term to and including December 31, 2020; and,

WHEREAS, on November 9, 2020, the City Council reappointed private citizen and resident of
Alhambra, Stephen Sham, to the District’s Board of Trustees for a two-year term to and
including December 31, 2022; and,

WHEREAS, by letter dated October 17, 2022, the San Gabriel Valley Mosquito & Vector Control
District has requested that the City Council appoint a representative to the Board of Trustees
prior to January 13, 2023; and,

WHEREAS, California Health & Safety Code Section 2022(b) provides that each person
appointed by a city council to be a member of a Board of Trustees shall be a voter in that city
and a resident of that portion of the city that is within the District; and,

WHEREAS, Health & Safety Code Section 2024(a) provides that the term of office for a
member of the Board of Trustees shall be for a term of 2 or 4 years, at the discretion of the City
Council, beginning January 1 and ending December 31;

NOW, THEREFORE, BE IT RESOLVED by the Alhambra City Council that this Council hereby
appoints ___________________________, a resident and voter of the City of Alhambra, as Alhambra’s
representative on the Board of Trustees of the San Gabriel Valley Mosquito & Vector Control
District for a [2 or 4]-year term commencing on January 1, 2023; and, in connection therewith,
hereby directs the City Clerk to send a certified copy of this Resolution to the District's Clerk of the Board.

Signed and approved this 9th day of January, 2023.

ADELE ANDRADE-STADLER, Mayor

ATTEST:

__________________________
LAUREN MYLES, City Clerk

I HEREBY CERTIFY that the above and foregoing resolution was duly passed and adopted by the Alhambra City Council at its adjourned regular meeting held on the 9th day of January, 2023, by the following vote, to wit:

AYES:
NOES:
ABSENT:

__________________________
LAUREN MYLES, City Clerk
October 17, 2022

Jessica Binnquist, City Manager
City of Alhambra
111 S. First Street
Alhambra, CA 91801

Dear Ms. Binnquist:

The office term of Trustee Stephen Sham as the City of Alhambra representative on the Board of Trustees for the San Gabriel Valley Mosquito and Vector Control District will end on December 31, 2022. The Board of Trustees respectfully requests that City Council reappoint Mr. Sham, or appoint a successor, for the next term of office (two or four years, at City Council's discretion) prior to its January 13, 2023 meeting. The Board also requests that notification of said appointment be provided by forwarding a copy of documentation certifying City Council's action to the district.

Per California Health and Safety Code Section 2022 (b) the person appointed by city council to be a member of the board of trustees shall be a voter and resident of the appointing city that is within the district.

Additionally, per California Health and Safety Code Section 2024 (a) the term of office for a member of the board of trustees shall be for a term of two or four years, at the discretion of the appointing authority, beginning January 1 and ending December 31.

Lastly, please note that the California Health and Safety Code does not allow for alternates therefore only the appointed Trustee will have voting authority at board meetings during their fixed term.

If you have questions, please do not hesitate to contact me at ccontreras@sgvmosquito.org or 626-814-9466 ext. 1001.

Respectfully,

Cecilia Contreras
Clerk of the Board

cc: Alhambra City Council
Trustee Stephen Sham
CITY OF ALHAMBRA
AGENDA REPORT

CITY MANAGER APPROVAL:  

DATE: January 9, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Jessica Binnquist, City Manager

SUBJECT: CONSIDERATION OF “SAFE AND SANE” FIREWORKS RESTRICTIONS

RECOMMENDATION:

City Council to direct staff as deemed appropriate.

BACKGROUND:

At the May 23, 2022 City Council meeting, Councilmember Lee requested an agendized item to discuss consideration of restrictions for “safe and sane” fireworks. Alhambra Municipal Code Chapter 19.01.010, Section 102, Paragraph (j), below, stipulates the dates/times whereby fireworks can be sold in Alhambra:

j. No “safe and sane” fireworks, as defined in the California State Fireworks Law, shall be sold or offered for sale at retail within the city, except from 12:00 noon on June 28 to 12:00 noon on July 6 of each year.

This year, fireworks were sold from 12:00 noon on June 28 through July 4. There are no restrictions in the Code pertaining to when fireworks may be used.

As requested, Staff brought this item before the Council on September 12, 2022. After Council’s discussion, no action was taken since the item had recently been discussed at the April 11, 2022 meeting, in addition to the fact there was no representation from the groups affected by potential changes to “safe and sane” fireworks. Said groups have been advised of this meeting. Staff is seeking direction from Council, if any.

FINANCIAL ANALYSIS:

None.

ATTACHMENTS:

Staff Report April 11, 2022
Staff Report September 12, 2022
CITY OF ALHAMBRA
AGENDA REPORT

CITY MANAGER APPROVAL: F

DATE: April 11, 2022

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Michael Macias, Director of Parks and Recreation
Jeff Ragusa, Fire Chief
Garrett Kennedy, Assistant Chief of Police

SUBJECT: FIREWORKS DISCUSSION

RECOMMENDATION:
City Council direct staff as deemed appropriate.

FACTS:

1. At the March 14, 2022 City Council meeting, Councilmember Lee requested, and the Council concurred, that staff return with an agenda item to facilitate a discussion concerning fireworks. Staff has provided the below information to facilitate that discussion and is available for questions and/or direction.

2. The City of Alhambra allows local non-profits to sell “Safe and Sane” fireworks. Each year, between March 8 and April 14, applications are received from qualified 501(c)(3)s for one of the 15 permits for firework booths. Once the permits are granted, the parties work with a fireworks vendor to provide the fireworks product and booth and find a location for the booths. Profits for these non-profits can be $15,000 to $25,000 for the sale period between June 28 to July 5. Last year, the following ten non-profit entities participated in the sale of “Safe in Sane” fireworks:
   - Alhambra Moors Football
   - Alhambra American Little League
   - Mark Keppel Dance Company Boosters
   - Alhambra High School Moor Band
   - Alhambra Knights of Columbus
   - Alhambra Pride All-Star
   - All Souls Youth Ministry
   - American Legion Post #139
   - New Gen Rotary
   - Sons of the American Legion

3. The City of Alhambra provides a free firework display/event for residents who want to see a professional fireworks show at Almansor Park. The Fire, Police and Public Works Departments work with the Parks and Recreation Department to ensure the event is safe for all attendees.
4. The Alhambra Police Department has zero tolerance for illegal fireworks and last year began social media outreach June 1st. The posts were reposted on the City’s social media as well as the Police Department’s as the event drew more near. The messaging reminded the community that illegal fireworks are punishable as a misdemeanor and fines range from $500 to more than $50,000 depending on the amount of illegal fireworks in one’s possession. A tip line established to report the sale of illegal fireworks was advertised as well as an email address. Typically, the Department experiences a high number of firework-related calls for service. In addition to responding to calls, the Police Department staffs two, two Officer patrol units to proactively enforce and respond to firework-related calls for service commencing the last week of June and ending on the 4th of July. The purpose of these patrols are to provide high visibility, fireworks education, and enforcement. In the past four years, the following calls for service were received from July 4th at midnight to July 5th at 6:30am:

2018: 103 firework related calls for service
2019: 47 firework related calls for service
2020: 59 firework related calls for service
2021: 88 firework related calls for service

Any illegal fireworks are confiscated and disposed of through the California State Fire Marshal’s Office.

5. The Alhambra Fire Department exercises extra precautions to enhance public safety during the 4th of July holiday. This includes designated assignments throughout the City to spot incidents early (i.e. patrolling highly congested areas and lookouts). In the past four years, the following incidents on July 4th have occurred:

2017: 1 firework related vegetation fire
2018: 6 rubbish/trash fires, one vehicle fire.
2019: 2 structure fires (one determined to be firework related), 1 vegetation fire (firework related)
2020: 3 vegetation fires, 3 rubbish/trash fires
2021: 7 rubbish/trash fires
CITY OF ALHAMBRA
AGENDA REPORT

CITY MANAGER APPROVAL:

DATE: September 12, 2022

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Jessica Binnquist, City Manager

SUBJECT: CONSIDERATION OF “SAFE AND SANE” FIREWORK RESTRICTIONS

RECOMMENDATION:

City Council to direct staff as deemed appropriate.

BACKGROUND:

At the May 23, 2022 City Council meeting, Councilmember Lee requested an agendized item to discuss restrictions on “safe and sane” fireworks. Alhambra Municipal Code Chapter 19.01.010, Section 102, Paragraph (j), below, stipulates the dates/times whereby fireworks can be sold in Alhambra:

j. No “safe and sane” fireworks, as defined in the California State Fireworks Law, shall be sold or offered for sale at retail within the city, except from 12:00 noon on June 28 to 12:00 noon on July 6 of each year.

This year, fireworks were sold from 12:00 noon on June 28 through July 4. There are no restrictions in the Code pertaining to when fireworks may be used. Staff is seeking direction from Council, if any.

FINANCIAL ANALYSIS:

None.
CITY OF ALHAMBRA
AGENDA REPORT

CITY MANAGER APPROVAL: 

DATE: January 9, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Randi L. Stover, Deputy City Manager

SUBJECT: APPROVE A LAND ACKNOWLEDGMENT

RECOMMENDATION:

It is recommended the City Council approve a verbal Land Acknowledgement statement prior to City Council Meetings.

BACKGROUND:

On October 10, 2022, the City Council directed staff to amend the Strategic Plan to consider a verbal Land Acknowledgement Statement to be said prior to Council meetings to honor the history of Alhambra. A land acknowledgement is a traditional custom in many Native communities and nations to show respect to the people of the land since the time immemorial. The importance of land acknowledgements for non-indigenous individuals and communities relies on the recognition of their relationship to the original inhabitants of a location and to the land. Furthermore, it is a way to show respect and gratitude to the traditional stewards of a specific location, while recognizing that colonialism is still an ongoing process.

Staff worked with an Alhambra teacher who has completed extensive research for a local land acknowledgement for Alhambra Unified School District. Based on this research and recommendation for Alhambra, staff proposes the following:

For Alhambra
We acknowledge that the land on which we are gathered is the traditional, ancestral, and unceded territory of the Gabrielino/ Tongva peoples. We seek to prioritize respect for the historic culture and contemporary presence of the native peoples throughout California, especially in the greater Los Angeles/Alhambra area. We come with respect and gratitude for the Gabrielino/ Tongva people who still consider themselves the caretakers of this land. It is through their examples that we are reminded of our greater responsibility to take care of Mother Earth and to take care of each other.

FINANCIAL ANALYSIS:

None.
CITY OF ALHAMBRA
AGENDA REPORT

CITY MANAGER APPROVAL:  

DATE: January 9, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Martin Ray, Director of Public Works & Utilities
Dennis Ahlen, Deputy Director of Utilities

SUBJECT: NOTICE INVITING BIDS: WATER MAIN REPLACEMENT PROJECT ON WESTMINSTER AVENUE, ORANGE GROVE AVENUE AND CONCORD AVENUE

RECOMMENDATION:
It is recommended the City Council approve the distribution of a Notice Inviting Bids to qualified contractors for the Water Main Replacement Project on Westminster Avenue, Orange Grove Avenue, and Concord Avenue with bids due no later than 10:30 A.M. on Thursday, February 9, 2023, and opened at 11:00 A.M. that same day.

BACKGROUND:
The four-inch cast iron water mains on Westminster and Orange Grove Avenues between Poplar Boulevard and Concord Avenue and the six-inch cast iron water main on Concord Avenue between Orange Grove Avenue and Westboro Avenue have reached the end of their useful life are in need of replacement due to a history water main breaks. Replacement of these water main lines would greatly improve flow and firefighting capabilities in an emergency. This project would replace the existing four-inch and six-inch cast iron water mains with new 8” ductile iron water mains.

Plans and specifications have been prepared. Staff reviewed the plans and found them to be consistent with the City’s standards.

FINANCIAL ANALYSIS:
Funding for the design of this project is available in Fiscal Year 2022-2023 budget in account number 401.80.8884.91234, Water Main Replacement on Westminster and Orange Grove between Poplar and Concord. Funding for street, sidewalk, and curb and gutter rehabilitation will be provided under account number 227.70.7130.62210.

ENVIRONMENTAL REVIEW:
Staff has reviewed the proposed project and has determined that it is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301: (b) Existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services.

ATTACHMENTS:
None
CITY OF ALHAMBRA
AGENDA REPORT

CITY MANAGER APPROVAL: 

DATE: January 9, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Pearl Lieu, Finance Director

SUBJECT: AUTHORIZATION TO DISTRIBUTE A REQUEST FOR PROPOSALS FOR AN ENTERPRISE RESOURCE PLANNING (ERP) FINANCIAL SOFTWARE AND IMPLEMENTATION SERVICES

RECOMMENDATION:

It is recommended that the City Council authorize the distribution of a Request for Proposals (RFP) to prospective firms to provide Enterprise Resource Planning (ERP) financial software and implementation services due by 5:00 p.m. on February 15, 2023; and direct staff to undertake the steps necessary to finalize Council's action.

BACKGROUND:

At the September 27, 2021 and January 24, 2022 City Council meetings, the City Council were provided presentations on the proposed plan for the American Rescue Plan Act (ARPA) of 2021 Relief Funds. The City Council approved a listing of projects using the Federal ARPA funds, which are restricted funds that come with stringent guidelines and reporting requirements. The proposed plan contains funding for a modernized ERP financial system, which is an integrated suite of software applications that will provide for data input for accounting, human resources, inventory, capital assets, budgeting, payroll, purchasing, and cashiering. The goal of the RFP is to implement a financial software based upon today's industry-standard open architecture and one that will provide a high level of functionality with ease of use. The City will select a packaged solution that will be viable over a period of time, via initial robust functionality and through the software provider's record of continuous improvement and upgrades. The City will select a vendor who will have responsibility for the site review and preparation, product integration, installation of technical products both hardware and software associated with the project, and product training.

FISCAL ANALYSIS:

There is no fiscal impact in releasing this Request for Proposals.

ATTACHMENTS:

None
CITY OF ALHAMBRA
AGENDA REPORT

CITY MANAGER APPROVAL:

DATE: January 9, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Kelley Fraser, Chief of Police

SUBJECT: AUTHORIZATION TO DISTRIBUTE REQUEST FOR PROPOSALS FOR ACCESS CONTROL SYSTEM

RECOMMENDATION:

It is recommended the City Council authorize the distribution of Request for Proposals (RFP) for the purchase and installation of an access control system for the Police Department facility; and direct staff to undertake the steps necessary to finalize Council’s action.

BACKGROUND:

The Police Department facility was built in 1994. The current access control system was installed shortly after in 1995, and since then there has only been minor maintenance performed to replace the hardware. The Police Department facility is in need of services for the installation and/or upgrade of the existing access control system. Services include additional controlled access points, replacement of existing controlled access points, and maintenance and administration of upgrades.

An updated access control system is crucial for maintaining station security, which can reduce the risk of unauthorized subjects from entering the station. Furthermore, the current system is out of warranty and is no longer supported by the vendor.

FINANCIAL ANALYSIS:

Funds for the access control system project has been budgeted in the 2022/23 fiscal year budget from American Rescue Plan Act funds, under account number 281.20.9106.92179.

ATTACHMENT:

None
CITY OF ALHAMBRA
AGENDA REPORT

CITY MANAGER APPROVAL:

DATE: January 9, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Lucy Garcia, Assistant City Manager
Mike Macias, Parks and Recreation Director
Katie Martel, Grants Specialist

SUBJECT: ACCEPTANCE OF A GRANT FROM THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT UNDER MEASURE A ANNUAL ALLOCATION GRANT PROGRAM

RECOMMENDATION:

It is recommended the City Council accept a grant in the amount of $600,000 from the Los Angeles County Regional Park and Open Space District (RPOSD) under the Measure A Annual Allocation Grant Program; appropriate revenue and expenditure funds; authorize the City Manager, or designee, to execute all documents related to grant implementation; and direct staff to undertake the steps necessary to finalize the Council’s action.

BACKGROUND:

- On November 8, 2021, the City Council approved Resolution No. R2M21-46 that enabled staff to apply for annual allocation grant funding under Measure A. Staff submitted an application for $600,000 to renovate and upgrade the restroom building at Alhambra Park.

- On November 17, 2022, staff received notification that the City was awarded a grant for the full amount of the project cost. The City Manager received and signed the grant agreement, per authority provided in Resolution R2M21-46.

- As a condition of the grant funding, a deed restriction is required by RPOSD to ensure that the property will remain as a public resource and be used for a purpose consistent with Measure A. Staff will prepare required documentation upon receipt from RPOSD and submit to the City Council for authorization at a future meeting.

FINANCIAL ANALYSIS:

The fiscal impact of this grant is an increase of $600,000 in the Parks and Recreation Department’s revenue account number 310.60.42246 and an increase of $600,000 to expenditure account number 310.60.6130.92238. Appropriations are needed for the implementation of this grant project.

ATTACHMENTS:

None.
CITY OF ALHAMBRA
AGENDA REPORT

CITY MANAGER APPROVAL:  

DATE: January 9, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Lauren Myles, City Clerk

SUBJECT: APPROVE CITY COUNCIL APPOINTMENTS

RECOMMENDATION:

It is recommended that the City Council vote to approve the City Council appointments to various external boards/commissions; and direct staff to undertake the steps necessary to finalize Council's action.

FACTS:

1. At the January 11, 2021 Council meeting, the Council nominated colleagues to fill the vacant positions on various external boards/commissions created by an outgoing Councilmember who had left office and voted to approve the nominated colleagues along with the other City Council appointments.

2. At the December 12, 2022 Council meeting, newly re-elected Councilmembers were sworn-in and the City Council reorganized – meaning the offices of Mayor and Vice Mayor were rotated. After each reorganization of the Council, staff submits a list of the City Council's appointments to external boards/commissions for approval to ensure the appointments stay current and to ensure that any adjustments are made, if needed.

3. A list reflecting all of the current City Council appointments has been prepared by staff and is attached for reference.

FINANCIAL ANALYSIS:

Not applicable.

ATTACHMENTS:

City Council Appointments List
ALHAMBRA CITY COUNCIL APPOINTMENTS LIST

a) **Board of Directors, League of California Cities, Los Angeles:**
   1) Member – Adele Andrade-Stadler
   2) Alternate – Jeff Maloney

b) **San Gabriel Valley Economic Partnership:**
   1) Representative – Katherine Lee
   2) Alternate - Jeff Maloney

c) **Independent Cities Association:**
   1) Representative– Ross J. Maza
   2) Alternate – Sasha Renée Pérez

d) **San Gabriel Valley Council of Governments (COG):** Governing Board
   1) Representative – Adele Andrade-Stadler
   2) Alternate – Ross J. Maza

e) **San Gabriel Valley Council of Governments (COG):** Transportation Committee
   1) Representative – Sasha Renée Pérez
   2) Alternate – Adele Andrade-Stadler

f) **San Gabriel Valley Council of Governments (COG):** San Gabriel Valley Regional Housing Trust (SGVRHT) Board of Directors (elected position):
   1) Member – Adele Andrade-Stadler

g) **Southern California Association of Governments (SCAG):**
   1) Representative – Ross J. Maza
   2) Alternate – Jeff Maloney

h) **Alhambra Historical Museum Board of Directors:**
   1) Representative – Katherine Lee
   2) Alternate – Sasha Renée Pérez

i) **City Selection Committee:**
   1) Representative – Adele Andrade-Stadler
   2) Alternate – Ross J. Maza

j) **Board of Directors, Clean Power Alliance:**
   1) Member – Jeff Maloney
   2) Alternates – Adele Andrade-Stadler, Director of Utilities

k) **Board of Directors, California Joint Powers Insurance Authority:**
   1) Member – Adele Andrade-Stadler
   2) Alternates - City Manager, Assistant City Manager, Director of Human Resources, Human Resources Manager

l) **Southern California Association of Governments (SCAG) Regional Council District 34**
   1) Representative – Adele Andrade-Stadler
CITY OF ALHAMBRA
AGENDA REPORT

CITY MANAGER APPROVAL:

DATE: January 9, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Joseph Montes, City Attorney

SUBJECT: RESOLUTION REAUTHORIZING THE CITY COUNCIL, AND THE CITY’S BOARDS AND COMMISSIONS TO IMPLEMENT TELECONFERENCE ACCESSIBILITY FOR CONDUCTING PUBLIC MEETINGS PURSUANT TO AB 361

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. R2M23-1: A RESOLUTION OF THE ALHAMBRA CITY COUNCIL REAUTHORIZING THE CITY COUNCIL, AND THE CITY’S BOARDS AND COMMISSIONS, TO IMPLEMENT TELECONFERENCE ACCESSIBILITY FOR CONDUCTING PUBLIC MEETINGS PURSUANT TO AB 361

BACKGROUND:

The State of California, the County of Los Angeles and the City have proclaimed the existence of a state of emergency as a result of the threat of novel coronavirus disease 2019 (COVID-19). In an effort to reduce the spread of COVID-19 at public meetings, the Governor of California issued executive orders that authorize legislative bodies to hold public meetings via teleconferencing (including virtually via Zoom, etc.) without compliance with certain noticing and access requirements required by the California Brown Act.

During COVID, the City has conducted meetings offering teleconferencing accessibility to members of the public, City Council, members of City boards and commissions, City staff and consultants. The executive orders authorizing such meetings lapsed on September 30, 2021, replaced with legislation in the form of AB 361.

AB 361 was signed into law by the Governor on September 16, 2021, which went into effect immediately as urgency legislation (codified under Government Code § 54953), and waived certain provisions of the Brown Act in order to allow local agencies to continue to meet remotely. Specifically, the bill allows remote teleconference flexibility, but only when there is a state of emergency that makes it unsafe to meet in person.

In addition, AB 361 adds new procedures and clarifies the requirements for conducting remote meetings, including the following:

- Public Comment Opportunities in Real Time – a legislative body that meets remotely pursuant to AB 361 must allow members of the public to access the meeting via a call-in option or an internet-based service option, and the agenda for the remote meeting must
provide an opportunity for members of the public to directly address the body in real time. A legislative body cannot require public comments to be submitted in advance of the meeting.

- **No Action During Disruptions** – in the event of a disruption that prevents the local agency from broadcasting the remote meeting, or in the event of a disruption within the local agency’s control that prevents members of the public from offering public comments using the call-in option or internet-based service option, AB 361 prohibits the legislative body from taking any further action on items appearing on the meeting agenda until public access is restored.

- **Periodic Findings** – Government Code § 54953(e)(B) requires the legislative body to hold a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risk to the health or safety of attendees.

Council must make these findings no later than 30 days after the first teleconferenced meeting is held after September 30, 2021, and must also make these findings every 30 days thereafter, in order to continue to allow teleconference accessibility for conducting public meetings (Government Code § 54953(e)(3)).

The Council made the necessary findings for the conduct of teleconferenced accessible meetings via Resolution No. R2M21-42. The enclosed Resolution again makes the required findings under AB 361, and if adopted, it will allow the City to continue to offer teleconference accessibility for public meetings, to help mitigate the spread of COVID-19, as well as during other state-proclaimed emergencies, such as earthquakes or wildfires, where physical attendance may present a risk.

The resolution also directs staff to agendize for Council consideration no less than every 30 days the need to continue to utilize teleconferenced meetings pursuant to AB 361.

When Governor Newsom ends the State’s emergency declaration on February 28, 2023, the City Councilmembers and Commissioners will no longer be able to attend meetings remotely except under limited circumstances as set forth in AB 2449 and other provisions of Government Code section 54953, absent another emergency declaration.

**FISCAL IMPACT:**

None.

**ATTACHMENTS:**

Resolution No. R2M23-1
RESOLUTION NO. R2M23-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALHAMBRA REAUTHORIZING THE CITY COUNCIL, AND THE CITY’S BOARDS AND COMMISSIONS TO IMPLEMENT TELECONFERENCE ACCESSIBILITY FOR CONDUCTING PUBLIC MEETINGS PURSUANT TO AB 361

WHEREAS, on March 4, 2020, the Governor of California proclaimed a State of Emergency to exist in California as a result of the threat of novel coronavirus disease 2019 (COVID-19); and

WHEREAS, on March 4, 2020, the County of Los Angeles declared a local health emergency as a result of the threat of novel coronavirus disease 2019 (COVID-19); and

WHEREAS, on March 16, 2020, the Alhambra City Council adopted Resolution No. R2M20-7 proclaiming a local emergency, due to the threat of the existence and spread of COVID-19; and

WHEREAS, on March 17, 2020, the Governor of California executed Executive Order N-29-20 which suspended and modified specified provisions in the Ralph M. Brown Act (Government Code Section § 54950 et seq.) and authorized local legislative bodies to hold public meetings via teleconferencing and to make public meeting accessible telephonically or otherwise electronically to all members of the public seeking to observe and address the local legislative body; and

WHEREAS, on June 11, 2021, the Governor of California executed Executive Order N-08-21 which extended the provisions of Executive Order N-29-20 concerning teleconference accommodations for public meetings through September 30, 2021; and

WHEREAS, on September 16, 2021, the Governor of California signed into law Assembly Bill 361 amending Government Code § 54953 and providing alternative teleconferencing requirements to conduct public meetings during a proclaimed state of emergency; and

WHEREAS, AB 361 imposes requirements to ensure members of the public are able to attend and participate in public meetings conducted via teleconference, including:

- Notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option;

- The legislative body shall take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency’s control which prevents members of the public from offering public comments, until public access is restored;

- Prohibits the legislative body from requiring public comments to be submitted in advance of the meeting and specifies that the legislative body must provide an opportunity for members of the public to address the legislative body and offer comments in real time;
• Prohibits the legislative body from closing the public comment period until the public comment period has elapsed or until a reasonable amount of time has elapsed; and

WHEREAS, the City has already implemented and is in full compliance with the requirements listed above when conducting public meetings via teleconference, which are now codified in Government Code § 54953(e)(2)(B-G); and

WHEREAS, pursuant to Government Code § 54953(e)(B), the legislative body shall hold a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees. The City Council must make these findings no later than 30 days after the first teleconferenced meeting was held pursuant to AB 361 after September 30, 2021, and must also make these findings every 30 days thereafter, in order to continue to allow teleconference accessibility for conducting public meetings; and

WHEREAS, incidents of new cases, hospitalizations and deaths associated with COVID-19 continue to be at rates for which federal, state and local officials recommend or require health precautions be taken, including, but not limited to, masking, limiting prolonged interior exposure to other individuals, limiting the size of gatherings indoors, and, for those with compromised health conditions or those without vaccines, limiting attendance at functions indoors.

THEREFORE, BE IT RESOLVED by the City Council of the City of Alhambra, California, as follows:

SECTION 1. The City Council hereby declares that the recitals set forth above are true and correct, and incorporated into this resolution as findings of the City Council.

SECTION 2. The City of Alhambra continues to follow safety measures in response to COVID-19 as ordered or recommended by the Centers for Disease Control and Prevention (CDC), California Department of Public Health (DPH), and/or County of Los Angeles, as applicable. Based upon that guidance, in person attendance indoors at public meetings continues to present a health risk for certain segments of the Alhambra population, necessitating teleconferencing to allow for meaningful public participation options for all Alhambra constituents.

SECTION 3. The City Council hereby declares that, pursuant to the findings listed in this Resolution, the City Council and the City’s boards and commissions are authorized to continue utilizing teleconferencing accessibility to conduct public meetings pursuant to AB 361 and Government Code § 54953, as amended thereby.

SECTION 4. The City staff is directed to agendize for Council consideration no less than every 30 days consideration of the need to continue with teleconferenced meetings as allowed by AB 361.

SECTION 5. Severability: If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Resolution is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining
portions of this Resolution. The City Council hereby declares that it would have adopted this Resolution and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared unconstitutional.

**SECTION 6. Effective Date:** This Resolution shall become effective immediately upon adoption.

**PASSED, APPROVED AND ADOPTED,** at a meeting of the City Council of the City of Alhambra, California, on this 9th day of January, 2023.

______________________________________________
ADELE ANDRADE-STADLER, MAYOR

ATTEST:

______________________________________________
LAUREN MYLES, CITY CLERK

STATE OF CALIFORNIA )
COUNTY OF LOS ANGELES ) ss.
CITY OF ALHAMBRA )

I, Lauren Myles, City Clerk of the City of Alhambra, California, hereby certify that Resolution No. R2M23-1 was adopted by the City Council of the City of Alhambra at a regular meeting held on the 9th day of January 2023, and that the same was adopted by the following vote:

AYES:
NOES:
ABSENT:

______________________________________________
LAUREN MYLES, CITY CLERK
CITY OF ALHAMBRA
AGENDA REPORT

CITY MANAGER APPROVAL:  

DATE:  January 9, 2023  

TO:  Honorable Mayor and Members of the City Council  

SUBMITTED BY:  Kelley Fraser, Chief of Police  

SUBJECT:  AWARD OF CONTRACT – OFFICER SAFETY PLAN 7  

RECOMMENDATION:

It is recommended the City Council terminate C2M19-50 and approve a contract, subject to final language approval by the City Manager and City Attorney, by and between the City of Alhambra and Axon Enterprises, Inc., for Officer Safety Plan 7 not to exceed $1,031,582 under a five-year contract; and direct staff to undertake the steps necessary to finalize Council’s action.

BACKGROUND:

1. On November 12, 2019, the City Council approved a contract between the City of Alhambra and Axon Enterprises, Inc., for an integrated in-car mobile audio video system (MAVS), body-worn camera (BWC) system and digital evidence management software in an amount not to exceed $739,000 over five years (#C2M19-50). The contract, now entering its fourth year, does not include taser and other specialized equipment and enhancements, which traditionally have been purchased separately.

2. Recently, Axon made available a more comprehensive and more advanced police equipment safety package— the Officer Safety Plan 7, which integrates Taser 7, MAVS and BWC video evidence into one digital evidence management system totaling $1,031,582 over a five-year contract. When bundling the equipment together the City is expected to save $206,191.80 for all equipment items and upgrades versus purchasing independently.

3. The Alhambra Police Department currently has Axon Tasers that are aged, out of warranty and in need of replacement. Purchasing new tasers, with new batteries is less cost effective than securing under the bundled price, since it does not account for the other devices that are out of warranty and need to be replaced soon.

4. Taser 7 is the newest and most effective replacement option available for law enforcement to deescalate a situation and minimize injury to the person(s) and officer(s) involved. Taser 7 has multi range capability which optimizes its effectiveness depending on the distance between the person and the officer. Prior, tasers only had one setting available.

5. Furthermore, Taser 7 has built-in rechargeable batteries which are cost effective and efficient. The prior devices required new batteries every six months to a year.

6. Staff is seeking to purchase the MAVS, BWC system and digital evidence software through a cooperative purchase agreement. A cooperative purchase is allowable per Alhambra Municipal Code 3.36.080 section B3, which states: “The supply or equipment is available
through or in conjunction with another public agency’s purchase of such supply or equipment, and the other public entity has gone through a bidding process." Sourcewell awarded contract #010720-AXN to Axon Enterprises Inc. for public safety video surveillance solutions with related equipment, software and accessories with an expiration date of February 21, 2024.

7. Axon Enterprises Inc is the sole source provider of TASER Energy Weapons. Sole source purchase is allowable per Municipal Code 3.36.080 Section (B)(2), which states: "The supply or equipment can only be obtained from one source ("sole source").

8. Should the City move forward with securing a new five-year contract with Axon for its Officer Safety Plan 7, City staff will notify the vendor the existing contract (#C2M19-50) will be terminated; however, it shall be replaced with the new Officer Safety Plan 7 contract for a period of five years, beginning February 2023.

FINANCIAL ANALYSIS:

There are no additional appropriations needed this fiscal year for the proposed new contract. Funding is available through American Rescue Plan Act, account 281.60.9103.91917.

ATTACHMENTS:

None.
CITY OF ALHAMBRA
AGENDA REPORT

CITY MANAGER APPROVAL:          

DATE:                             January 9, 2023

TO:                               Honorable Mayor and Members of the City Council

SUBMITTED BY:                     Mariam Ko, Director of Human Resources & Risk Management

SUBJECT:                          APPROVAL OF CONTRACT FOR THIRD PARTY ADMINISTRATION OF WORKERS COMPENSATION CLAIMS

RECOMMENDATION:

It is recommended that the City Council approve the contract with Athens Administrators to provide third party workers compensation claims administration through the City’s membership with the California Joint Powers Insurance Authority and direct staff to undertake the steps necessary to execute the contract and finalize Council’s action.

FACTS:

1. On July 1, 2018, the City Council authorized the City’s membership in the California Joint Powers Insurance Authority (CJPIA) for insurance services.

2. As a part of the requirements for membership, the City contracted with third party administrator York Services (which became Sedgwick Claims Management Services), who was selected by CJPIA, for the administration of all of the City’s workers compensation claims.

3. Most recently, as of October 2022, the City was notified of CJPIA’s decision to no longer utilize Sedgwick Claims Management Services and instead utilize the services of Athens Administrators beginning on January 1, 2023 as the third-party administrator of all workers compensation claims for CJPIA member agencies.

4. The City’s Memorandum of Coverage for the Workers Compensation Program dictates that CJPIA, “at its discretion, will choose and manage service providers necessary to fulfill its objectives; including third party claims administrators, medical management providers, defense attorneys, investigators, etc.”

FINANCIAL ANALYSIS:

There is no additional cost or impact to the Fiscal Year 2022-23 Adopted Budget as the cost of the third-party workers compensation claims administration is billed to the City as a part of the City’s insurance premiums as a member of the CJPIA.

ATTACHMENT
WORKERS' COMPENSATION SERVICE AGREEMENT

This Agreement is entered into by and between City of Alhambra ("Client") and Athens Administrators ("Administrator") this 1st day of January 2023.

RECITALS

WHEREAS Administrator provides claims administration services to California Clients subject to the California Workers' Compensation Laws; and

WHEREAS Client desires to purchase Claims Administration Services from Administrator;

NOW THEREFORE, it is agreed:

This Agreement is between the Client and the Administrator to provide third party workers' compensation claim administration services for Client in the State of California, subject to the terms stated below:

I. TERM, TERMINATION & FEES

1.1 Term:

The term of this agreement shall consist of an initial three (3) years and six (6) months commencing on January 1, 2023. Both parties will also have the option of including two (2) individual one (1) year amendments with pricing negotiated in good faith by both parties.

Fees:
When applicable, based on the retention level of the Client, Client will pay the Managed Care Fees listed in Addendum A.

1.2 Termination:

a. Either party may terminate this Agreement, with or without cause and without penalty, as defined below:
   • Without cause – Written notification by either party with 120 days notification.
   • With cause – Written notification by either party, outlining the reasons for the termination of the agreement with 90 days' notice.

b. Upon termination of this Agreement for any reason, a final accounting agreeable to both parties will be made of fees payable to Administrator and a final accounting of any funds belonging to Client then in the possession of Administrator, and any balance due either party will be promptly paid over to the party entitled thereto.

c. All claim files, records, reports and other material pertaining to the employee claims subject to this Agreement shall be the property of Client and shall be made available promptly to Client upon termination of this Agreement.

2022 Service Agreement
d. Upon the effective date of any termination of this Agreement, all rights and obligations of the parties under this Agreement shall cease except with respect to rights and obligations, which have accrued or expressly survive termination.

II. ADMINISTRATOR DUTIES AND SERVICES

2.1 Administrator agrees to meet on a regular basis with Client to:

a. Develop procedures, forms, instructions, schedules and other materials related to claim management, including a procedure manual for Client's use, within thirty (30) days of the effective date of this Agreement and update such materials as needed.

b. Provide claim reporting kits including, but not limited to, claim and accident report forms, required notices, and procedural instructions, for distribution by Client to Client's staff on or before the effective date of this Agreement, and as needed thereafter.

c. Provide group education for Client's management personnel regarding claim management as requested.

d. Assist Client's personnel in the development of directives, notices, and other program communication to employees as requested or needed based on Administrators expertise and suggestion.

e. Provide all forms and supplies necessary for the efficient operation of the Workers' Compensation insurance program, including customized benefit checks bearing Client's name and logo, and to prepare all legally required forms and documents including but not limited to, 1099 reports to the I.R.S. and any and all other documents and reports now or in the future required by the state or federal government or any other agency associated with Client's Workers' Compensation program.

f. Work with Authority's Finance Department and bank to establish controls.

g. Administrator agrees to attend two (2) in-person meetings per year. The Administrator's attendees will be mutually agreed to by the Administrator and the Client.

2.2 Administrator agrees to administer all claims as follows:

a. Establish and maintain a claim file, with a diary date not to exceed thirty (30) days, on each active claim upon which indemnity benefits are being paid; A diary system not to exceed sixty (60) days on all other open, active Indemnity claims; and a supervisory review diary not to exceed one-hundred-twenty (120) days, or more often when needed.

b. Manage timely receipt of all pertinent claim information from Client providers and other sources.

c. Determine, on behalf of Client for each reported employee injury or illness, those benefits, if any that should be paid or rendered under the California Workers' Compensation Laws. Such
d. Exhibit in each indemnity claim file good faith efforts to contact all injured workers by telephone within at least twenty-four hours of receipt of claim, and in no event any later than forty-eight hours of receipt of claim, excluding weekends and holidays. Establish phone contact with appropriate Client department for initial discussion of claims, as needed, within three (3) working days of receipt of claim.

e. Initiate investigations, subject to approval by Client, to determine compensability of reported and actual claim status. Client shall have prior approval of the selection of any investigator used to investigate Client’s claims of industrial injury or illness. Take necessary statements and investigate facts of the case within thirty (30) days receipt of claim, when warranted.

f. Prepare documentation of cases for litigation and continue to monitor legal counsel representing Client in legal action(s) and assist counsel as necessary in preparation of litigation. Client shall select and approve counsel prior to each referral. In addition, Administrator shall promptly provide Client with copies of all correspondence generated on those claim files which are litigated and shall immediately notify Client in writing and shall keep Client closely informed on those claims involving allegations of Serious and Willful Misconduct or alleged violation(s) of California Labor Code Section 132(a). At time of case referral to defense counsel administrator shall prepare a letter of direction to defense counsel outlining work to be done, by whom, and in what time frame. All assignments, instructions and communication with defense counsel must be documented in the claim file and computer note pads. Administrator shall manage defense counsel on an ongoing basis and obtain status reports from defense counsel every sixty (60) days. Administrator shall actively manage litigated files and not perform functions and shall not require defense counsel to perform activities which can be accomplished effectively by claims staff. Examples of required examiner activity on litigated files include by are not limited to:

- Scheduling medical appointments
- Writing cover letters to doctors
- Subpoenasing medical records
- Answering applications
- Filing and serving requisite documents

Administrator shall obtain defense counsels’ written evaluation within sixty (60) days of submission, including evaluation of liability, verdict potential, settlement value, and case strategy.
g. Disburse payment on behalf of Client out of the bank trust account funded by Client, all "Allocated Loss Expenses", which is defined to include all costs incurred on behalf of Client specifically related to an individual claim, including but not limited to, attorneys, independent adjusters or investigators, expert witnesses, copying records or transcripts, court costs or Appeals Board fees or other costs deemed proper and necessary to represent Client.

h. Examine on behalf of Client all reports of industrial injury or illness relating to Client's employees or former employees and reported to Administrator and to conduct investigations on such cases by Administrator's salaried employees as in Administrator's judgment is deemed necessary.

i. Pay compensation, medical expense, "Allocated Loss Expense", and all other benefits as prescribed by law out of funds provided by Client. Payments made by Administrator without Client approval, where approval is required elsewhere in this Agreement, shall be the responsibility of the Administrator.

j. Maintain a claim file on each reported claim which shall be available to Client at all times for inspection and to conduct, at a time and frequency to be determined by Client, claim file reviews with Client at either Client's or Administrator's offices.

k. Index Bureau System. On the Client's behalf, Athens shall subscribe and report to the Index Bureau System related to each claim. The costs of such reports will be allocated to each individual claim file.

l. Create, reserve and enter required claim data into Administrator's computer system within five (5) working days of receipt of notice of claim from Client. Enter all payments, reserved revisions, and file closings into the information system within three (3) working days.

m. Review Client's medical bills and other medical charges and treatment relating to Client's claims of industrial injury or illness, for causal relationship to all claims of injuries/illness, and reasonableness of treatment prior to payment. Solicit all medical bills, medical reports and records, and documentation of alleged wage loss prior to settlement negotiations.

n. Make all disability payments and send all notices in a timely manner, abiding by all applicable provisions of the California Labor Code and California Workers' Compensation Laws, Rules and Regulations.

o. Make payments of bills within thirty (30) days of receipt and assure timely review and payment of all medical bills in accordance with statutory deadlines and requirements.

p. Acknowledge to Client all claims reported to Administrator within three (3) working days of receipt of the notice of claim and to notify Client and injured workers within five (5) working days of the notice of claim to Client, whether the claim has been accepted, delayed for further investigation, or denied.

q. Convert all Medical Only Claims to Indemnity Claims status when the paid amount reaches five thousand ($5,000) dollars or when the claim remains open in excess of one (1) year.

2022 Service Agreement
r. Recognize and where appropriate investigate all subrogation and/or contribution possibilities, preserving evidence and utilizing appropriate investigators and experts, as needed, after first obtaining Client’s permission to engage such investigators/experts. As respects subrogation and contribution cases, any compromise settlements or lien reductions will be discussed with the Client.

s. Administrator may receive compensation in connection with outsourced services, either by retaining a portion of expenses charged to the Account, or by receiving fees from preferred providers. The amount that Administrator receives will vary depending upon the preferred provider, and may be calculated based on percentage of savings, percentage of revenue to the provider or Administrators mark-up of provider fees. The amounts retained or received by Administrator in connection with outsourced services are in addition to the basic fees, reimbursable expenses, additional service fees, and the taxes paid to Athens by Company.

t. MSA Allocations/SCHIP Reporting – Athens has contracted with third party Verisk for Medicare Set Aside allocations and State Children Health Insurance Program (“SCHIP”) reporting efforts. Athens may exclusively utilize the services of Verisk for MSA allocations and SCHIP reporting requirements unless otherwise requested in writing by Client.

2.3 Administrator agrees to monitor relevancy of medical treatment by the following:

a. Maintain continual contact with medical practitioners in order to monitor claimant treatment process and a timely return to work. Administrator shall make a good faith effort to establish contact with attending physician within twenty-four (24) hours of receipt of injury report and shall make contact with attending physician’s office within forty-eight (48) hours of receipt of injury report and shall document such contact in the claim file.

b. Review and discuss Vocational Rehabilitation Program(s) with Client prior to its initiation for an individual claimant.

c. Monitor individual vocational rehabilitation programs to determine appropriateness and progress.

2.4 Administrator agrees to the following record keeping and reporting requirements:

a. Provide Client with monthly reports consisting of:
   
   (1) Daily check registers including all claim disbursements made on behalf of Client.

   (2) Computerized loss reports in an acceptable format as mutually agreed upon at the effective date of this Agreement, showing descriptive data, details of each month's payments, total payments, reserves and total experience and incurred loss values for each claim.
(3) Any and all other standard reports Administrator currently prepares, if desired by Client. Additional reports required by Client, which are not currently a standard offering by Administrator may be requested of Administrator per paragraph 2.7 above.

b. Provide oral claims reports on demand, special specific-focus loss run reports within twenty-four (24) hours and larger or major computer analysis reports within seven (7) working days, excluding weekends and holidays. It is further agreed and understood that should Client require that Administrator prepare for Client special reports, which require additional programming costs there may be an additional charge for said reports.

c. Maintain all records and statistical data on each employee claim of injury or illness, including, but not limited to, a record of each denial, delay, litigated claim and loss, which records, and data shall be available upon request by Client. Client, at Client’s discretion, may audit all records maintained by Administrator including, but not limited to, all payments made on behalf of Client. Such audit may incorporate random sampling or other audit procedures suitable to Client.

d. Prepare and submit Federal Information Return (Form 1099) by statutory deadline for applicable payments made by Administrator on Client’s behalf, during the term of this Agreement and as specified under Section 1.02. (e) of this Agreement.

e. Prepare all other reports as necessary to remain in compliance with all Workers’ Compensation Laws and other state and federal laws, rules and regulations.

f. Provide report to Accounting Department of Client of all payments when made and any other information necessary for Client to adequately fund the bank trust account. All such payments shall be supported with check payment detail and monthly summary report showing all payees, payment amounts and dates of payment.

g. Provide for Client the ability to be on-line with Administrator’s computer system. This system will provide Client with all financial and statistical data relating to Client’s workers’ compensation claims, together with narrative topical “notepad” reports, on each individual claim. This system will also include electronic mail service between Administrator and Client; the ability to electronically transmit 5020’s (Client’s First Report of Industrial Injury/Illness); OSHA Log generation; and complete report generation capabilities.

h. Special reports, new reports and data feeds can also be requested. They are subject to a cost per quote at a rate per project or per hour (per paragraph 2.7) once the scope has been agreed upon.

III. CLIENT’S DUTIES

3.1 Client agrees to perform as follows:

a. Within 5 business days, report to Administrator as they shall occur and become known to Client, the employee claims of occupational injury, disease, illness, or death.
b. Within 5 business days, forward to Administrator all applications, notices of claims, notices of hearings or other legal notices pertaining to claims against Client for occupational injury, disease, illness, or death, and all other correspondence or information received by Client which is or could be relevant to the efficient and proper handling of any reported claim of industrial injury, disease, illness, or death.

c. Provide Administrator with all necessary data required for Administrator to perform under this Agreement and cooperate fully with Administrator in the performance of this Agreement.

d. Make available to Administrator funds for the payment of benefits or services to or for occupational injury, disease, illness, death, or vocational rehabilitation and medical treatment of employees of Client, or their dependents in the event of death, and "Allocated Loss Expense". Administrator shall administer said funds in accordance with the terms of this Agreement as Trustee of Client.

IV. ELECTRONIC CLAIM FILES, STORAGE, AND TRANSFER OF FILES

4.1 Files

Administrator shall record and maintain an electronic file of all industrial injuries reported. Files may be maintained electronically, in hard copy, or in other media, at Administrator's discretion. Such files shall be made available to Client or its designated representative for inspection upon request.

4.2 Storage

Physical Documents
If Client would like to transfer physical documents for active and closed claim files to Administrator, Client must choose one of the following options to do so: 1) Storage - Administrator will store the physical documents at an offsite third-party storage facility with the direct costs passed-through, with no mark-up, to Client to pay on a quarterly basis; 2) Scan and shred – Administrator will scan the physical documents received for Client’s active claims files and shred them, at Administrator’s expense; closed claim file boxes will be scanned and shredded by Administrator or third-party vendors hired by Administrator, for a cost to Client of $25 each box, to be paid to Administrator by Client with the first invoice after receipt of boxes. Client will instruct Administrator as to which option they choose, before sending the boxes to Administrator. If the boxes are received by Administrator without Client’s instructions, Administrator will scan and shred the documents and bill Client as noted in choice #2 in this paragraph.

Videos
If Client would like to transfer video files for active and closed claim files, to Administrator, Client may transfer up to 1TB (terabyte) of video that Administrator will store at Administrator’s cost. For any additional space utilized for video files, Administrator will bill Client $1 per GB (gigabyte) on a monthly basis.
4.3 **Transfer of Electronic Files**

Administrator will provide Client’s files to Client, or an entity designated by Client, within 30 business days of the agreed upon transfer date of the files to the new Administrator. Client will reimburse Administrator all reasonable costs incurred in returning the files to the Client. The electronic files will be in the electronic form used by Administrator to provide the services to Client under this Agreement. Client may request that the files be provided in a different format or that the hard copies of the files be provided to it, provided that Client pays Administrator for all costs associated with such request. Notwithstanding the foregoing, Administrator will not be obligated to provide the files to Client, or an entity designated by Client, unless Client has paid Administrator for all amounts owed pursuant to the Agreement. Client agrees to comply, and to require any recipient of the files designated by it to comply, with all applicable laws and regulations relating to the storage, transmission, use and confidentiality of the files and to hold Administrator harmless in relation thereto, except for gross negligent acts of which the Administrator will be responsible.

4.4 **Copies of Files**

Administrator may, at its discretion keep a copy of Client’s files if it deems it necessary to comply with or defend itself in relation to any obligation or rights that it has under this Agreement, applicable laws or regulations.

4.5 **Backup of Files**

Administrator currently hosts all data in our claims administration system in an Amazon Virtual Private Cloud (VPC). Communication between the Administrators and user’s laptop, computer and our claims administration system in the VPC, is encrypted. The communications within the VPC are encrypted, the data at rest in the Database is encrypted and Administrator performs daily backups.

We pay an independent company to conduct a vulnerability scan and penetration test annually and we engage an auditing company to conduct a SOC 1, Type II audit annually.

5. **FINES, PENALTIES, AND STANDARDS**

5.1 All services as described in this Agreement shall be performed in accordance with all applicable laws, rules and regulations of any and all governmental authorities and applicable standards, and specifically performed in accordance with all applicable Workers’ Compensation Laws of the State of California.

5.2 Administrator and Client acknowledge the obligations and penalties contained in the California Workers’ Compensation Reform Act of 1989 that may be imposed on both Clients and claim administrators and agree to the following:

a. Penalties for errors or omissions caused by Client’s failure to act or timely report claims or issues to Administrator that create a delay in payment of benefits, incorrect payment of benefits, or administrative fine(s) or penalty(s) shall be the responsibility of Client. Penalties
for errors or omissions caused by Administrator's performance of services under this contract that create a delay in payment of benefits, incorrect payment of benefits, or administrative fine(s) or penalty(s) shall be the responsibility of Administrator.

b. Administrator shall provide Client with a quarterly accounting of penalties paid by Administrator on behalf of Client including a description and detailed listing of each penalty payment and the specific claim file to which the penalty payment was charged. Penalties, which are computed by Administrator, shall be paid out of Client's benefit account and Administrator shall then reimburse Client quarterly for those penalties, which are the responsibility of Administrator under the terms and conditions of this Agreement.

c. Without limiting the provisions set forth in the above two paragraphs it is agreed that upon receipt by Administrator of a notice of claim from Client, upon which indemnity benefits shall be paid or notice given promptly to the employee in order to avoid late payment or notice of benefit penalties, Administrator shall have ten working days (excluding weekends and holidays) from the date of receipt of the claim from Client, to investigate and pay the temporary disability or send the required wage continuation notice, and that failure on the part of Administrator to do so within this time frame shall be the financial responsibility of Administrator for any fine imposed for late notice or payment of benefits. Any fines or penalties for late payment or notice of benefits on claims, which are received from Client by Administrator on or, after the ninth day following the date Client knew or should have known about the claim(s) shall be the responsibility of Client.

d. Any controversy between the parties to this Agreement involving the construction or application of the terms, provisions, or conditions of this Agreement relating to the payment of penalties or fines shall be submitted to arbitration upon the written request of one party, after service of that request upon the other party.

e. Arbitration and controversies relating to the payment of penalties or fines under this Agreement shall comply with and be governed by the provisions of the California Arbitration Act, as set forth at sections 1280 et. seq. of the California Code of Civil Procedure.

f. Failing informal efforts between the parties to this Agreement to resolve disputes regarding the payment of penalties or fines, each party shall appoint one person to hear and resolve the dispute. These arbitrators, one appointed by each party, shall be known for the purposes of this Agreement as "initial arbitrators". If the "initial arbitrators" are unable to agree on a resolution of the dispute they shall then choose a third independent and impartial arbitrator whose decision shall be final and conclusive on both parties.


g. If a dispute or arbitration under this Agreement is pending at a time when payment of the disputed penalty(s) or fine(s) is either statutorily mandated or when failure to effect payment will result in an increase in the fine or penalty, or an additional fine or penalty, each party shall bear liability for one-half of the penalty(s) or fine(s) in dispute until such time as the arbitration is concluded and liability for payment of the fine or penalty is finally determined. Once determined, the party adjudged to be liable for the penalty(s) or fine(s)
shall reimburse the non-liable party for any portion of the penalty(s) or fine(s) the non-liable party may have paid during the pendency of the arbitration.

5.3 Excess Coverage or Other Insurance

Administrator, as a part of the regular claims administration process, shall comply with the reporting provisions, guidelines, and requirements imposed by the Client’s Excess Workers’ Compensation Insurance Carrier(s) and other carriers that may be involved in the administration of the Client’s Workers’ Compensation Program. However, Client as policyholder shall continue to be liable for all the duties, requirements, obligations, and penalties subject to section 6.1 and 6.2 of this agreement imposed by the Client’s Carrier(s).

VI. DEFINITION OF "MEDICAL ONLY" AND "INDEMNITY" CLAIM

6.1 The definition of an "Indemnity Claim" shall be:

   a. Any alleged work-related claim for which any of the following is claimed:

      (1) Temporary Disability
      (2) Permanent Disability
      (3) Vocational Rehabilitation
      (4) Life Pension
      (5) Death

6.2 The definition of a "Medical Only" claim shall be:

   a. Any alleged work-related injury or illness for which medical treatment is sought, the claimant is not hospitalized, temporary disability does not exceed the waiting period as defined by the Workers’ Compensation Laws of California, and no other Indemnity benefits are claimed.

VII. GENERAL PROVISIONS

7.1 Neither party shall assign this Agreement or any part hereof without the written consent of the other party.

7.2 Each party agrees to indemnify, defend, and hold harmless the other against all actions, claims or demands, and against all costs, expenses and attorneys’ fees, arising directly or indirectly out of an actual or alleged injury to a person or to property as an actual or alleged result of an act or omission of the party or any of its shareholders, directors, officers, employees, or agents and each party’s obligation to so indemnify, defend and hold harmless the other shall survive the expiration or earlier termination of this Agreement.
The provisions of the HIPPA Business Associate Agreement attached as an addendum to this contract imposes obligation on the parties in addition to the paragraph above.

7.3 All notices or other communications under this Agreement shall be sent to the parties at the addresses set forth below:

<table>
<thead>
<tr>
<th>Client</th>
<th>Administrator</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Alhambra</td>
<td>Athens Administrators</td>
</tr>
<tr>
<td>111 S 1st</td>
<td>P.O. Box 696</td>
</tr>
<tr>
<td>Alhambra, CA 91801</td>
<td>Concord, CA 94533</td>
</tr>
<tr>
<td>Attn: Mariam Le Ko</td>
<td>Attn: James Jenkins</td>
</tr>
</tbody>
</table>

7.4 In the event either party hereto shall institute formal legal action, the prevailing party shall be entitled to its reasonable attorneys' fees.

7.5 This Agreement may be amended at any time by mutual agreement of the parties, but any such amendment must be in writing, dated, signed by the parties and attached hereto.

7.6 Any failure of a party to insist upon strict compliance with any term, undertaking or condition of this Agreement shall not be deemed to be a waiver of such term, undertaking, or condition. To be effective, a waiver must be in writing, and signed by the parties hereto.

7.7 This Agreement shall be governed by California law and any action arising out of it shall be instituted and prosecuted only in the municipal or superior court of Contra Costa County, State of California.

7.8 This Agreement instrument constitutes the entire agreement between the parties. Any oral representations or modifications concerning this Agreement shall be of no force and effect.

IN WITNESS WHEREOF: The Parties have hereto caused this Agreement to be executed by their duly authorized representatives as of the day and year stated.

CITY OF ALHAMBRA

______________________________
Signature

______________________________
Title

2022 Service Agreement
Dated

ATHENS ADMINISTRATORS

______________________________
Signature

______________________________
Title

______________________________
Dated

Addendum A – Pricing Proposal
Attached is final version of agreed upon pricing proposal
## MEDICAL BILL REVIEW

<table>
<thead>
<tr>
<th>Service</th>
<th>Rate</th>
<th>Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical Fee Schedule Reduction (OMFS)</td>
<td>$7.00</td>
<td>Per Bill</td>
</tr>
<tr>
<td><strong>(Includes: Medical, Pharmacy and Supplies)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hospital In and Out Patient Fee Schedule Reductions</td>
<td>$600.00</td>
<td>Per Bill</td>
</tr>
<tr>
<td>PPO Network</td>
<td></td>
<td>23% of Savings</td>
</tr>
<tr>
<td>Specialty Bill Negotiations</td>
<td></td>
<td>20% of Savings with a $3,000 Per Bill Maximum Charge</td>
</tr>
<tr>
<td>Duplicate Bills</td>
<td></td>
<td>No Charge</td>
</tr>
</tbody>
</table>

## UTILIZATION REVIEW, CASE MANAGEMENT AND PHYSICIAN REVIEW

### Utilization Review

- **Concurrent, Prospective and Retrospective Review** $145 Flat Fee
- **UR appeals: Peer to Peer** $300 Per Hour
- **Authorization Only** $40 Per Hour

### Case Management

- **Telephonic Nurse Case Management** $124 Per Hour
- **Field Case Management** $130 Per Hour + Travel and Mileage
- **Catastrophic Case Management** $145 Per Hour + Travel and Mileage

> Case Management Fees are subject to 3.50% annual increases on the anniversary date of the agreement.

### Peer Review

- **Physician Peer Review** $300 Flat Fee
- **Records Review** $250 Per Hour

## ADDITIONAL RELATED SERVICES

<table>
<thead>
<tr>
<th>Service</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pharmacy Benefits Management (PBM)</td>
<td>Included</td>
</tr>
<tr>
<td>Pharmacy Drug Review</td>
<td>$125 Per Hour</td>
</tr>
<tr>
<td>Central Index Bureau &amp; First and Subsequent Report of Incident Reporting</td>
<td>$25 Per</td>
</tr>
<tr>
<td>Claim Reporting</td>
<td>Included</td>
</tr>
<tr>
<td>Predictive Modeling</td>
<td>Included</td>
</tr>
<tr>
<td>MPN (Blue Cross)</td>
<td>$5.75 Per Bill</td>
</tr>
<tr>
<td>CMS Reporting (Verisk)</td>
<td>Included</td>
</tr>
<tr>
<td>New Loss Text Messaging to Injured Workers</td>
<td>Included</td>
</tr>
<tr>
<td>Nurse Triage</td>
<td>$170 Per Claim</td>
</tr>
</tbody>
</table>
ADDENDUM A

Terms of Agreement

Life of Contract

1) Athens Administrators will invoice company for all basic fees on a monthly basis and such invoice shall be paid by company upon receipt of invoice.

2) Claims will be handled for the life of the contract with no additional per claim fees. If you should decide to non-renew with Athens Administrators, the existing open files can be handled in one of two ways.
   a) Athens Administrators could continue to handle open files at our prevailing rates per year per open file.
   b) Athens Administrators would return the files to the client at the clients expense

3) Account Administration includes the following:
   a) Detailed status reports
   b) Settlement authority set at $TBD
   d) Banking Administration
   e) Scheduled meetings/claim reviews

4) Data Management includes the following:
   a) Monthly claim reporting by e-mail or website
   b) Carrier report package by e-mail or website

5) Custom Report Creation: Access to Athens' complete report library is standard and included in fees. In the event client requires custom reports to be created there will be a charge of $125 per hour to create custom report.

**Definition of Allocated Expense:** Shall include, but not be limited to:

- Legal fees
- Professional photographs
- Extraordinary cost for witness statements
- Medical records
- Experts' rehabilitation costs
- Fees for service of process
- Architects, Contractors and Engineers
- Police, fire, coroner, weather, or other such
- Property damage appraisals
- Sub rosa investigations
- Official documents and transcripts
- Pre-and post-judgment interest paid
- Managed care expenses
- Medical examinations
- Extraordinary travel made at client's request
- Court reports
- Accident reconstruction
- Collection cost payable to third parties
- Outside investigations
- Subrogation at 15% gross recovery
- Property damage appraisals
- Index bureau filings
- Chemist
- Claim intake fees
CITY OF ALHAMBRA
AGENDA REPORT

CITY MANAGER APPROVAL: 

DATE: January 09, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Martin Ray, Director of Public Works & Utilities

SUBJECT: AWARD OF CONTRACT – PURCHASE OF A 7-YARD DUMP TRUCK FOR THE PUBLIC WORKS DEPARTMENT

RECOMMENDATION:

It is recommended the City Council award a contract to Rush Medium-Duty Truck Centers of California Inc, dba Rush Truck Center Ceres subject to final language approval by the City Manager and City Attorney, in an amount of $126,948.69 for the purchase of a 7-yard dump truck; direct the Finance Director to appropriate $23,976.69 from the Equipment Fund and allocate the funding to account 507.70.7110.92028 to complete the purchase of this replacement vehicle; and direct staff to undertake the steps necessary to finalize Council’s action.

BACKGROUND:

On April 25, 2022 the City Council approved the distribution of Notice Inviting Bids N2M22-50 for the purchase of one 7-yard dump truck for the Public Works Division. However, bids were delayed due to the Ford Motor Company’s discontinuance of the placement of orders for new vehicles in May of 2022. In a letter to dealerships, they cited continued supply chain issues as the cause. Once the ordering process was reinstated staff circulated the notice inviting bids.

On Thursday, December 08, 2022 the City Clerk received two bids for the purchase of one 7-yard dump truck for the Public Works Division. The bids received ranged from $126,948.69 to $147,278.22.

The bid received from Rush Medium-Duty Truck Centers of California Inc, dba Rush Truck Center Ceres in the amount of $126,948.69 is the lowest responsible bid. Staff reviewed the bid from Rush Truck Center Ceres and found it to be full compliance and conformance with the bid specifications.

FINANCIAL ANALYSIS:

Funding for this purchase was budgeted under account 507.70.7110.92028 for $102,972.00. Vehicle and equipment pricing increased significantly over the last year; as such staff is requesting an appropriation from the Equipment Fund of $23,976.69 to complete the purchase of this replacement vehicle.

ATTACHMENTS:

None
CITY OF ALHAMBRA
AGENDA REPORT

CITY MANAGER APPROVAL:  

DATE:  January 09, 2023

TO:  Honorable Mayor and Members of the City Council

SUBMITTED BY:  Martin Ray, Director of Public Works & Utilities

SUBJECT:  AWARD OF CONTRACT – PURCHASE OF A UTILITY SERVICE BODY TRUCK FOR THE UTILITIES DEPARTMENT

RECOMMENDATION:

It is recommended the City Council award a contract to Advanced Truck Body & Equipment Co., subject to final language approval by the City Manager and City Attorney, in an amount of $81,500.00 for the purchase of a utility service body truck; and direct staff to undertake the steps necessary to finalize Council’s action.

BACKGROUND:

On November 14, 2022, the City Council approved the distribution of Notice Inviting Bids N2M22-132 for the purchase of one utility service truck for the Utilities Division.

On Thursday, December 08, 2022 the City Clerk received three bids for the purchase of one utility service body truck for the Utilities Division. The bids received ranged from $81,500.00 to $95,041.88.

The bid received from Advanced Truck Body & Equipment Co. in the amount of $81,500.00 is the lowest responsible bid. Staff has reviewed the bid from Advanced Truck Body & Equipment Co. and found it is in full compliance and conformance with the bid specifications.

FINANCIAL ANALYSIS:

Funding for this purchase was budgeted under account number 404.80.8681.98701.

ATTACHMENTS:

None
CITY OF ALHAMBRA
AGENDA REPORT

CITY MANAGER APPROVAL:

DATE: January 9, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Martin Ray, Director of Public Works & Utilities
Dennis Ahlen, Deputy Director of Utilities

SUBJECT: CONTRACT AMENDMENT NO.1 TO C2M21-55 ENGINEERING DESIGN SERVICES FOR THE MAIN STREET, 4TH STREET, AND MISSION ROAD SEWER MAIN REPLACEMENT PROJECT

RECOMMENDATION:
It is recommended the City Council approve an amendment to contract C2M21-55 by and between the City of Alhambra and Hunsaker & Associates Irvine Inc. for engineering design services for the Main Street, 4th Street, and Mission Road Sewer Main Replacement Project subject to final language approval by the City Manager and City Attorney, to increase the total contract amount by $49,600.00, and direct staff to undertake the steps necessary to finalize Council’s action.

FACTS:
On October 11, 2021, the City Council awarded contract C2M21-55 for Engineering Design services in the amount of $178,650.00 for the Main Street, 4th Street, and Mission Road Sewer Main Replacement Project to Hunsaker & Associates Irvine Inc.

The project was advertised on July 25, 2022 and the bid amounts returned were significantly higher than the budget. On December 12, 2022, the City Council rejected the bids and directed staff to review the scope of work, and re-advertise the project at a later date. Staff is proposing constructing the project in two phases over the next two years with one phase of the project occurring each year.

This amendment covers the cost to prepare the plans and specifications and provide construction support for each phase of the project. Therefore, staff is recommending a Contract Amendment in the amount of $49,600.00 to complete the project.

FINANCIAL ANALYSIS:
The contract will be increased by $49,600.00. The revised total contract value will be $228,250.00 Funding for this project is available in the 2022/23 fiscal year budget under account number 404.80.8681.92128.

ATTACHMENTS:
None
DATE: January 9, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Randi L. Stover, Deputy City Manager
Lucy Garcia, Assistant City Manager

SUBJECT: STRATEGIC PLAN UPDATE

RECOMMENDATION:

It is recommended the City Council receive and file the Alhambra Strategic Plan update.

BACKGROUND:

Staff continues to present quarterly updates to Council and diligently works through Strategic Plan goals and individual items with much progress. There are now a total of 25 items on the current working plan and 28 items in the complete and continuous section.

A full Strategic Plan planning session with the City Council, staff and a consultant is tentatively scheduled for March 30, 2023.

FINANCIAL ANALYSIS:

The Strategic Plan identifies multiple objectives that have a financial impact. While many of the objectives are included in the Fiscal Year 2021-22 and 2022-23 Budget, or by the American Rescue Plan Act funds, others are unfunded. The financial impacts for each objective are identified in the Strategic Plan.

ATTACHMENT:

Strategic Plan Update
2021-22 Strategic Plan Update
Goals and Ranking Status
Total 26 items

Goal 1: Expand Affordable Housing
Goal 2: Increase Economic Development
Goal 3: Enhance Green Space
Goal 4: Implement Historic Preservation
Goal 5: Develop Shorb Plan
Goal 6: Recruit and Retain Police Officers
Goal 7: Secure Grant Funding Opportunities
Goal 8: Improve Transportation and Mobility
Goal 9: Improve Sustainability
Goal 10: Evaluate Boards and Commissions
Goal 11: Modernize Services
Goal 12: Continue Community Outreach
Goal 13: Address Lifestyle Enhancements
Goal 1: Expand Affordable Housing

<table>
<thead>
<tr>
<th>PRIORITY</th>
<th>WHEN</th>
<th>DEPT</th>
<th>WHAT</th>
<th>COST</th>
<th>FUNDING SOURCE</th>
<th>STATUS</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>FY 2021-22</td>
<td>Community Development</td>
<td>Continue to support Permanent Supportive Housing – American Family Housing (2nd and Main - Mariposa)</td>
<td>Consultant</td>
<td>In Budget</td>
<td>On Target</td>
<td>Developer obtained funding from the State, County and Regional Housing Trust fund. As of December 2022, due to the rising costs of labor and materials, additional funding is necessary. Developer is looking at options to increase funding with additional tax credit and/or increasing equity contributions. Artwork will be reviewed and approved by the DRB.</td>
</tr>
<tr>
<td>No.</td>
<td>Fiscal Year</td>
<td>Division / Function</td>
<td>Description</td>
<td>Status Completed</td>
<td>Status</td>
<td>Notes</td>
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<tr>
<td>3</td>
<td>FY 2021-22</td>
<td>Community Development</td>
<td>Pursue Development of a New Multistory Permanent Supportive Housing on Chapel Avenue</td>
<td>Staff</td>
<td>In Budget</td>
<td>On Target</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Developer obtained funding from the State, County and Regional Housing Trust Fund and are looking for additional funding options. Plans have been submitted and estimated start of construction is Spring 2023 for approx. 17-month construction schedule.</td>
<td></td>
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</tr>
<tr>
<td>12</td>
<td>FY 2021-22</td>
<td>Management Services</td>
<td>Bring Forward a Just Cause Eviction Ordinance and Rent Stabilization Ordinance</td>
<td>Consultant</td>
<td>Unknown</td>
<td>On Target</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Staff continues to monitor this matter closely. The Board of Supervisors voted in September 2022 to launch an outreach campaign to prepare landlords and tenants for the end of the County eviction moratorium in December 2022. However, to better align with the City of Los Angeles, the County will extend</td>
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<tr>
<td></td>
<td>FY 2021-22</td>
<td>Community Development</td>
<td>Overlay Zone for Affordable Housing on Congregational Land</td>
<td>Staff and Consultant</td>
<td>Unknown</td>
<td>On Target</td>
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<td>---</td>
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</tr>
</tbody>
</table>
| 18 | protections by another month (January 31, 2023). The Board also approved an amendment by Supervisor Solis for staff to report back in 30 days the possibility of extending protections through June 30, 2023 and creating a $5M relief program for small landlords.  
This will be included with the zoning code update. Staff is currently conducting community outreach on the zoning code through the Planning Commission through January 2023. Staff will present to the City Council in March 2023. Formal adoption is |
| 25 | Community Development | Housing Element local Hire Program - The use of local skilled labor for housing development by proposing local hire program for residential projects that meet specific criteria | Consultant/Staff | Unknown | On Hold | Was approved in the Housing Element. Work on this item can begin after the Housing Element is approved. |
| 26 | Community Development | Housing Element development will include a proposal for a Workforce Housing Program that may include coordination with major employers to create Employer Assisted Housing, identification of financial resources specific to workforce housing, or other incentives and actions to preserve and produce workforce housing | Consultant/Staff | Unknown | On Hold | Was approved in the Housing Element. Work on this item can begin after the Housing Element is approved. |
### Goal 2: Increase Economic Development

<table>
<thead>
<tr>
<th>PRIORITY</th>
<th>WHEN</th>
<th>DEPT</th>
<th>WHAT</th>
<th>COST</th>
<th>FUNDING SOURCE</th>
<th>STATUS</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>FY 2021-22</td>
<td>Community Development</td>
<td>Update the Zoning Code related to West Valley and East Main</td>
<td>Consultant</td>
<td>Funding in 19/20 Budget</td>
<td>On Target</td>
<td>This will be included with the zoning code update. Staff is currently conducting community outreach on the zoning code through the Planning Commission through January 2023. Staff will present to the City Council in March 2023. Formal adoption is expected in late Spring 2023.</td>
</tr>
<tr>
<td>9</td>
<td>FY 2021-22</td>
<td>Community Development</td>
<td>Create Design Guidelines for multi-family dwellings</td>
<td>Consultants</td>
<td>ARPA</td>
<td>On Target</td>
<td>RFP will go to the Council for consideration in February 2023.</td>
</tr>
</tbody>
</table>
### January 3, 2023

<table>
<thead>
<tr>
<th>#</th>
<th>Priority</th>
<th>FY</th>
<th>Department</th>
<th>Action</th>
<th>Related Body</th>
<th>Budget Status</th>
<th>Status</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>FY 2021-22</td>
<td>Community Development</td>
<td>Complete Design Guidelines for the East Main Corridor</td>
<td>City Council</td>
<td>Appropriation in 20/21 Budget</td>
<td>On Hold</td>
<td>City Council discussed at 3/14/22 meeting that Council Members would reach out to the community.</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>FY 2021-22</td>
<td>Community Development</td>
<td>Revitalize identity of commercial corridors and pursue steps to eliminate vacant storefronts, study penalties for long term vacancies and create vacant storefront window covering program</td>
<td>Consultant</td>
<td>Unknown</td>
<td>On Target and continuous</td>
<td>Staff continues to work with the Chamber of Commerce’s Land Use and Economic Development Committee on all of these efforts.</td>
<td></td>
</tr>
</tbody>
</table>

### Goal 3: Enhance Green Space

<table>
<thead>
<tr>
<th>Priority</th>
<th>WHEN</th>
<th>DEPT</th>
<th>WHAT</th>
<th>COST</th>
<th>FUNDING SOURCE</th>
<th>STATUS</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>FY 2021-22</td>
<td>P&amp;R</td>
<td>Evaluate spaces for a dog park</td>
<td>Staff</td>
<td>ARPA</td>
<td>On Hold</td>
<td>Staff presented dog park options to the City Council on 7/25/22.</td>
</tr>
</tbody>
</table>
### Goal 4: Implement Historic Preservation

<table>
<thead>
<tr>
<th>PRIORITY</th>
<th>WHEN</th>
<th>DEPT</th>
<th>WHAT</th>
<th>COST</th>
<th>FUNDING SOURCE</th>
<th>STATUS</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>FY 2021-22</td>
<td>Community Development</td>
<td>Prepare options for a Historic Preservation Ordinance for Council consideration</td>
<td>Consultant</td>
<td>ARPA</td>
<td>On Target</td>
<td>Consultant is in Phase II of the process and is actively surveying properties to determine if they are Historical Resources. Phase II is estimated to be complete in February 2023.</td>
</tr>
</tbody>
</table>

### Goal 5: Develop Shorb Plan

<table>
<thead>
<tr>
<th>PRIORITY</th>
<th>WHEN</th>
<th>DEPT</th>
<th>WHAT</th>
<th>COST</th>
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<th>STATUS</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>FY 2021-22</td>
<td>Community Development and P&amp;R</td>
<td>Develop a plan with alternatives for Shorb Clinic</td>
<td>Consultant</td>
<td>Unknown</td>
<td>On Hold pending funding</td>
<td>Staff pursued funding though our legislators in the State budget and $25M was approved in the final funding. Staff is waiting for the State to release the funds.</td>
</tr>
</tbody>
</table>
Goal 6: Recruit and Retain Police Officers

<table>
<thead>
<tr>
<th>PRIORITY</th>
<th>WHEN</th>
<th>DEPT</th>
<th>WHAT</th>
<th>COST</th>
<th>FUNDING SOURCE</th>
<th>STATUS</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>FY 2021-22</td>
<td>Human Resources and Police Department</td>
<td>Efforts to recruit and retain Police Officers</td>
<td>Staff</td>
<td>In Budget</td>
<td>On Target</td>
<td>City has hired 3 Police Officers, 2 Recruits, 1 Dispatcher and 1 Records Clerk since September 2022. Staff attended various college campuses and hiring fairs, hosted Know Your Neighbor events.</td>
</tr>
</tbody>
</table>

Goal 7: Secure Grant Funding Opportunities

All moved to completed and continuous
### Goal 8: Improve Transportation and Mobility

<table>
<thead>
<tr>
<th>PRIORITY</th>
<th>WHEN</th>
<th>DEPT</th>
<th>WHAT</th>
<th>COST</th>
<th>FUNDING SOURCE</th>
<th>STATUS</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>FY 2021-22</td>
<td>Public Works and Management Services</td>
<td>Work with Caltrans and the County Flood Control on options for the area adjacent to the 710 if the freeway is reduced to an arterial. Proceed with public outreach and stakeholder meetings to advance improvement concepts related to the SR 710 Mobility Improvements and to comply with Caltrans requirements.</td>
<td>Staff</td>
<td>Measure M and Measure R</td>
<td>On Target</td>
<td>Staff presented an update to Council on 6/27/22 followed by a presentation to the AUSD Board on 8/16/22. Currently, staff is awaiting feedback from Caltrans on the City’s concepts specific to the Fremont improvements, after which community outreach can resume.</td>
</tr>
<tr>
<td></td>
<td>FY 2021-22</td>
<td>Public Works</td>
<td>Complete citywide ACT Bus Route and Ridership Study</td>
<td>Staff and Consultant</td>
<td>Transportation Prop A/C Funds</td>
<td>On Target</td>
<td>Consultant conducted an “Intercept Survey” of the ACT Bus to gauge community sentiment and perceptions surrounding transit user satisfaction, ideas/opportunities and demographic information. Complete survey results will be presented to Council in Spring 2023.</td>
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</tr>
<tr>
<td></td>
<td>FY 2021-22</td>
<td>Public Works</td>
<td>Complete a citywide Bus Shelter study</td>
<td>Staff and Consultant</td>
<td>Transportation Prop A/C Funds</td>
<td>On Target</td>
<td>Consultant has completed more than 50% of the study and will present findings to Council when complete.</td>
</tr>
<tr>
<td>No.</td>
<td>FY 2021-22</td>
<td>Department</td>
<td>Task Description</td>
<td>Responsible Party</td>
<td>Status</td>
<td>Notes</td>
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<tr>
<td>6</td>
<td>FY 2021-22</td>
<td>Management Services and Public Works</td>
<td>Complete a comprehensive multimodal transportation plan (Bike/Ped Plan) that includes Safe Routes to School Plan and may include diversion for bike citations</td>
<td>Consultant</td>
<td>Grants and Measure R</td>
<td>On Target</td>
<td>Council awarded a contract on 6/27/22 with Alta Planning and Design. The consultant continues with data collection via pop-up surveys through the end of January; an interactive map for community feedback (available via the City's website); and through bicycle and pedestrian audits planned for 1/21/23 and 1/28/23.</td>
</tr>
<tr>
<td>13</td>
<td>FY 2021-22</td>
<td>Public Works, Management Services and Police Department</td>
<td>Create a Vision Zero local road safety plan with a working group and work towards traffic calming on all major streets.</td>
<td>Council, staff and volunteers</td>
<td>Unknown</td>
<td>On Hold</td>
<td>Council adopted a Vision Zero Resolution and a subcommittee of 2 Council members was created and will provide further direction.</td>
</tr>
</tbody>
</table>
Goal 9: Improve Sustainability

<table>
<thead>
<tr>
<th>PRIORITY</th>
<th>WHEN</th>
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<th>COST</th>
<th>FUNDING SOURCE</th>
<th>STATUS</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>FY 2021-22</td>
<td>All Departments</td>
<td>Development of a comprehensive Sustainability Plan.</td>
<td>Staff</td>
<td>Federal Funds</td>
<td>On Target</td>
<td>Staff submitted the required Federal forms for the funding Agreement to HUD. Meanwhile, a Request for Proposals for a consultant to develop the plan was authorized by Council, with proposals expected by 2/9/23.</td>
</tr>
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</table>

Goal 10: Evaluate Boards and Commissions

All moved to completed

Goal 11: Modernize Services

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<tr>
<th>PRIORITY</th>
<th>WHEN</th>
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<th>COST</th>
<th>FUNDING SOURCE</th>
<th>STATUS</th>
<th>COMMENTS</th>
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</thead>
<tbody>
<tr>
<td>17</td>
<td>FY 2021-22</td>
<td>Community Development, Fire, and Public Works/Utilities</td>
<td>Streamline the permit process</td>
<td>Staff</td>
<td>In Budget</td>
<td>On Target</td>
<td>Planning Commission approved streamlining the process and staff will bring an item to the Council in Spring 2023.</td>
</tr>
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</table>
## Goal 12: Continue Community Outreach

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<tr>
<th>PRIORITY</th>
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<th>COST</th>
<th>FUNDING SOURCE</th>
<th>STATUS</th>
<th>COMMENTS</th>
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</thead>
<tbody>
<tr>
<td>19</td>
<td>FY 2021-22</td>
<td>Library</td>
<td>Create a program for business outreach in multiple languages using Library resources</td>
<td>Staff</td>
<td>In Budget</td>
<td>On Target and continuous</td>
<td>Staff is working on a new program for business-to-business partnerships in multiple languages with programs to be held at the library. Staff has purchased multilingual digital options.</td>
</tr>
<tr>
<td>27</td>
<td>FY 2021-22</td>
<td>Management Services</td>
<td>Translation of All City Council Agenda Materials</td>
<td>Staff and Consultant</td>
<td>Unknown</td>
<td>On Target and Continuous</td>
<td>Staff has updated website with translation widget, promoted translation via social media and is able to upload the current Agenda to the website to be translated via google translate. Translation of the full Agenda packet is not currently feasible.</td>
</tr>
<tr>
<td></td>
<td>FY 2021-22</td>
<td>Department</td>
<td>Description</td>
<td>Status</td>
<td>Notes</td>
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<tr>
<td>21</td>
<td></td>
<td>Community Development</td>
<td>Research &quot;Air B and B&quot; and short-term rental options for potential taxes and fees</td>
<td>Staff</td>
<td>On Hold</td>
<td>Staff will research registration process and &quot;good neighbor policies&quot; in addition to regulating the number of days a property may be rented.</td>
<td></td>
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<tr>
<td>22</td>
<td>FY 2021-22</td>
<td>Management Services</td>
<td>Bring forward a minimum wage ordinance for large corporations</td>
<td>Unknown</td>
<td>Unknown</td>
<td>On Hold</td>
<td>Staff continues to monitor this topic. The minimum wage requirement in California increased to $15.50 per hour on 1/1/23. The increase is part of a phased-in wage schedule that began in 2017. As this wage schedule expires, new considerations are expected to emerge in 2023 via the State Legislature.</td>
</tr>
</tbody>
</table>
January 3, 2023

2021-22 COMPLETED ITEMS
Total 26 items

Goal 1: Expand Affordable Housing

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<tr>
<th>WHEN</th>
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<th>COST</th>
<th>FUNDING SOURCE</th>
<th>STATUS</th>
<th>COMMENTS</th>
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<tbody>
<tr>
<td>FY 2021-22</td>
<td>Community Development</td>
<td>Acquire a motel for non-congregate living.</td>
<td>Staff</td>
<td>In Budget</td>
<td>Complete</td>
<td>Staff completed two appraisals for the purchase of a motel; however, these were financially out of reach.</td>
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Goal 2: Increase Economic Development

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<th>COMMENTS</th>
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</thead>
<tbody>
<tr>
<td>FY 2021-22</td>
<td>Community Development</td>
<td>Allow carve outs into the right of way with barriers for outdoor dining</td>
<td>Staff</td>
<td>In Budget</td>
<td>Complete</td>
<td>This is allowable under the current COVID-19 Orders.</td>
</tr>
<tr>
<td>FY 2021-22</td>
<td>Community Development</td>
<td>Complete an Economic Study for West Valley</td>
<td>Consultant</td>
<td>Unknown</td>
<td>Complete and continuous</td>
<td>Findings of the study were incorporated into the Zoning Code update.</td>
</tr>
<tr>
<td>FY 2021-22</td>
<td>Community Development</td>
<td>At least every 2 years, contact vacant property owners regarding</td>
<td>Staff</td>
<td>In Budget</td>
<td>Complete and continuous</td>
<td>Done in April 2021</td>
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</table>
Goal 3: Enhance Green Space

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<tr>
<th>WHEN</th>
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<th>FUNDING SOURCE</th>
<th>STATUS</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2021-22</td>
<td>Community Development</td>
<td>Complete an Economic Study for the East Main Corridor</td>
<td>Consultant</td>
<td>In Budget</td>
<td>Complete</td>
<td>Consultant completed study.</td>
</tr>
<tr>
<td>FY 2021-22</td>
<td>P&amp;R</td>
<td>City’s Tree City USA designation.</td>
<td>Staff</td>
<td>In budget</td>
<td>Complete and continuous</td>
<td>Designated as &quot;Tree City USA,&quot; and holds Arbor Day events annually.</td>
</tr>
<tr>
<td>FY 2021-22</td>
<td>Parks and Recreation</td>
<td>Increase Green Space in the community including pocket parks</td>
<td>Varies</td>
<td>Grants</td>
<td>On Target and continuous</td>
<td>City was awarded with grant funds for Story Park improvements ($850K) and released a RFP for the project. Burke Park improvements ($250K) were awarded through Measure W. Pocket Park at Hellman and Freemont were funded through Assembly Member Mike Fong.</td>
</tr>
<tr>
<td>FY 2021-22</td>
<td>P&amp;R and Public Works Department</td>
<td>Enhance the City’s forestry plan through a comprehensive forestry program.</td>
<td>Staff</td>
<td>In Budget/Grants</td>
<td>On Target and continuous</td>
<td>100 trees were planted in FY 21-22. An additional 25 will be planted.</td>
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</table>
January 3, 2023

<table>
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<tr>
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<th>FUNDING SOURCE</th>
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<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2021-22</td>
<td>All Departments</td>
<td>Secure grant funding for various strategic, program, and capital improvement efforts. Focus on Sustainability, Infrastructure, Modernization, and Programs/Services for development of a comprehensive Sustainability Plan. Look for opportunities to partner with other cities on regional grants.</td>
<td>Staff</td>
<td>Various</td>
<td>Complete and continuous</td>
<td>A Grant Specialist has been hired and is actively working with all Departments to identify grants. Submitted grants for stormwater capture, water conservation, facilities upgrades, active transportation,</td>
</tr>
</tbody>
</table>

quarterly along with hosting an Arbor Day event.

Goal 4: Implement Historic Preservation

- Item is still on Strategic Plan

Goal 5: Develop Shorb Plan

- Item is still on Strategic Plan

Goal 6: Recruit and Retain Police Officers

- Item is still on Strategic Plan

Goal 7: Secure Grant Funding Opportunities
January 3, 2023

<table>
<thead>
<tr>
<th>FY 2021-22</th>
<th>Community Development</th>
<th>Secure additional federal funds for small businesses</th>
<th>Staff</th>
<th>Federal Funds</th>
<th>Complete and continuous</th>
</tr>
</thead>
</table>

- hazard mitigation plan, SB 1383 and recycling, equipment and training for first responders, beautification, zip books, parks and urban greenery and will continue to monitor.

- The Small Business Assistance Grants ("SBAG") program began on 3/15/22 and Staff has approved 17 grants to date.

**Goal 8: Improve Transportation and Mobility**

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<th>WHEN</th>
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<th>FUNDING SOURCE</th>
<th>STATUS</th>
<th>COMMENTS</th>
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</thead>
<tbody>
<tr>
<td>FY 2021-22</td>
<td>P&amp;R and Public Works Department</td>
<td>Participate in Regional Biking Events</td>
<td>Staff</td>
<td>Grants</td>
<td>Complete and continuous</td>
<td>626 Complete Street Event was held on May 1, 2022.</td>
</tr>
</tbody>
</table>
Goal 9: Improve Sustainability

<table>
<thead>
<tr>
<th>WHEN</th>
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<th>FUNDING SOURCE</th>
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<th>COMMENTS</th>
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</thead>
<tbody>
<tr>
<td>FY 2021-22</td>
<td>Public Works</td>
<td>Evaluate options regarding the City’s fleet and conversion to non-fossil fuel vehicles.</td>
<td>Staff</td>
<td>In Budget</td>
<td>Complete and continuous</td>
<td>City has acquired 2 full electric passenger vehicles and 15 hybrid vehicles. Staff has purchased 2 electric E-transit vans and 4 new charging stations were installed at the PW Yard. Grant money from Assemblymember Fong will finance the implementation of 18 additional</td>
</tr>
<tr>
<td>FY 2021-22</td>
<td>Public Works/Utilities</td>
<td>Identify the benefits associated with rainwater collection systems</td>
<td>Staff</td>
<td>In Budget</td>
<td>Complete and continuous</td>
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Staff prepared feasibility studies for two stormwater capture projects; Burke Heritage Park & Marengo Yard along with a Green Street Demonstration Project on Main Street. Applications have been submitted to the Safe Clean Water Program for funding the design and construction costs of the projects. If approved, the projects will be included in the Safe Clean Water Stormwater Investment Plan and funded in fiscal year 2023-24.
Alhambra Recycles event was held on October 8, 2022 and the next event is scheduled for April 22, 2023. The City’s Recycling Assistant continues to work with Republic to educate the public on recycling, organics, composting and State requirements.

Goal 10: Evaluate Boards and Commissions

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<th>WHEN</th>
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<th>FUNDING SOURCE</th>
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<th>COMMENTS</th>
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<tbody>
<tr>
<td>FY 2021-22</td>
<td>Parks and Recreation Dept.</td>
<td>Pursue partnership opportunities and consider a possible Beautification Committee</td>
<td>Staff</td>
<td>In Budget</td>
<td>Complete</td>
<td>Council did not move forward with the creation of a Beautification Committee.</td>
</tr>
<tr>
<td>FY 2021-22</td>
<td>Parks and Recreation Dept.</td>
<td>Art Committee to promote student art</td>
<td>Staff</td>
<td>In Budget</td>
<td>Complete and continuous</td>
<td>The Arts Committee worked with the Academy of Special Dreams and AHS Dream Center for City Hall display and will continue to pursue</td>
</tr>
<tr>
<td>FY 2021-22</td>
<td>Parks and Recreation</td>
<td>Increase Youth Commission interaction with seniors</td>
<td>Staff</td>
<td>In Budget</td>
<td>Complete and continuous</td>
<td>The Youth Commission met and discussed new ways to interact with Senior Citizens and have begun conducting in-person &quot;tech talk&quot; workshops.</td>
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<tr>
<td>FY 2021-22</td>
<td>Management Services</td>
<td>Request direction on the restructuring of boards and commissions and consider adding new groups</td>
<td>Staff</td>
<td>In Budget</td>
<td>Complete</td>
<td>Staff brought Boards and Commissions item to Council on Sept. 27, 2021 for final adoption.</td>
</tr>
<tr>
<td>WHEN</td>
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<tr>
<td>FY 2021-22</td>
<td>All Departments</td>
<td>Extend efforts to modernize/upgrade technology to ease access of municipal services. Add programs to support improved interaction with the City.</td>
<td>Staff and consultant</td>
<td>In budget/ ARPA</td>
<td>Complete and continuous</td>
<td>Updated City and Library websites went public in July 2021. Passport reservations are now available online, overnight parking machines have transitioned to credit card, building/planning submittals and parking permits can be submitted/obtained online. Staff continues social media and website updates daily.</td>
</tr>
<tr>
<td>FY 2021-22</td>
<td>Management Services</td>
<td>Increase staff education efforts related to &quot;Innovation&quot; in the City (trainings/conferences)</td>
<td>Staff</td>
<td>Unknown</td>
<td>Complete and continuous</td>
<td>Staff attended an innovation workshop on 7/21/22 in Glendale to gain better understanding of pathways towards successful urban innovation.</td>
</tr>
<tr>
<td>FY 2021-22</td>
<td>Management Services and All Departments</td>
<td>Extend outreach efforts to keep the community informed and enhance the public participation process. Reach out to healthydemocracy.org for information on potential programs (including in residents' native language)</td>
<td>Staff</td>
<td>In Budget</td>
<td>Complete</td>
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Staff continues outreach in as many languages as possible for various projects (i.e., 710, Housing Element, RHNA, Redistricting, housing element meetings, historic preservation meetings, zoning code update meetings) and will continue to look for ways to reach all residents. Staff met with Healthy Democracy about their program which may be of more use when they incorporate multilingual staff.
January 3, 2023

<table>
<thead>
<tr>
<th>Date</th>
<th>Department</th>
<th>Project Description</th>
<th>Responsible</th>
<th>Source</th>
<th>Status</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2021-22</td>
<td>Management Services and Community Development</td>
<td>Research &quot;Citizens Housing Review Panel&quot; to potentially replace the HCDA</td>
<td>Staff</td>
<td>Unknown</td>
<td>Complete</td>
<td>Staff met with Healthy Democracy and the City of Oregon. Staff reported to the Council on August 22, 2022 for a receive and file item.</td>
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Goal 13: Address Lifestyle Enhancements

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<th>COMMENTS</th>
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<tbody>
<tr>
<td>FY 2021-22</td>
<td>Management Services</td>
<td>Guaranteed Income Program for Alhambra Residents Pursuant to State Funds</td>
<td>Unknown</td>
<td>Unknown</td>
<td>Complete</td>
<td>Staff reviewed the State's pilot program for guaranteed income offered by Governor Newsom and the Legislature through the CA Department Social Services, with emphasis on pregnant individuals and foster youth. The application period for this pilot program was in</td>
</tr>
<tr>
<td>Date</td>
<td>Task Description</td>
<td>Responsibility</td>
<td>Funding Source</td>
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<tr>
<td>September 2022. The City did not meet the criteria specific to 50% match (in-kind and staff time costs not eligible) nor the County partnership expectation.</td>
<td>FY 2021-22</td>
<td>Promote celebrations to foster community pride.</td>
<td>Staff</td>
<td>In Budget</td>
<td>Complete and continuous</td>
<td>Staff has planned/will participate in multiple celebrations throughout the year, including but not limited to: Autumn Festival, Rose Parade, Winter Around the World, Lunar New Year, Bunny Hop Walk, Fiesta Alhambra, 4th of July Fireworks and weekly summer programs.</td>
</tr>
<tr>
<td></td>
<td>FY 2021-22</td>
<td>Management Services, Community Development and Code Enforcement</td>
<td>Create a program to inspect rental properties of 2+ units every other year</td>
<td>Staff</td>
<td>CDBG</td>
<td>On Target and continuous.</td>
</tr>
<tr>
<td>FY 2021-22</td>
<td>Police Department</td>
<td>Create a Know Your Neighbor Program</td>
<td>Staff</td>
<td>In Budget</td>
<td>On Target and continuous</td>
<td>Continued Area Command neighborhood watch meetings have been conducted and will continue. The next neighborhood watch meeting is scheduled for 1/21/23.</td>
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January 3, 2023
MINUTES
Regular Meeting
ALHAMBRA CITY COUNCIL
Ruth Reese Hall, 101 South First Street
April 12, 2021
6:00 p.m.

ROLL CALL: At 6:06 p.m., on Monday, April 12, 2021 the Alhambra City Council met via video conference, and via teleconference.

COUNCIL PRESENT via video conference: LEE, MAZA, MALONEY, ANDRADE-STADLER, PÉREZ

ABSENT: NONE

Officials Present physically, via teleconference, and via video conference: City Manager Binnquist, City Attorney Montes, Assistant City Manager Garcia, Deputy City Manager Tran, City Clerk Myles, Director of Finance Lieu, Director of Public Works/Utilities Ray, Director of Parks and Recreation Macias, Director of Library LohGuan, Marketing and Communications Specialist Nguyen, Management Analyst Cuevas, Director of Community Development Castagnola, Fire Chief Phelps, Police Chief Parra, Director of Human Resources Ko

FLAG SALUTE: Mayor Pérez

CITY CLERK REPORT - NOTICE NO. N2M21-43

The City Clerk reported that she duly gave notice of the regular meeting of the City Council being held pursuant to the order of the Mayor in accordance with Section 54955 and 54956 of the Government Code of the State of California.

READING OF ORDINANCE TITLES

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

Action Taken: On motion of Ms. LEE, seconded by Ms. ANDRADE-STADLER, the City Council determined that the titles to all ordinances which appeared on this public agenda had been read, and waived further reading. Hearing no objections, the Mayor so ordered.

Vote: Moved: LEE Seconded: ANDRADE-STADLER
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

4-12-21
CEREMONIALS

1. PROCLAMATION: DONATE LIFE MONTH – F2M21-3

City Council ratified the action of Mayor Pérez in proclaiming the month of April, 2021 as DONATE LIFE MONTH in Alhambra. Mayor Pérez presented the proclamation to Ms. Rachel Rodriguez, a Donate Life Ambassador to the City of Alhambra.

2. COMMENDATIONS: ALHAMBRA HIGH SCHOOL DREAM RESOURCE CENTER’S “COMING OUT OF THE SHADOWS” WEEK EVENT – F2M21-3

Mayor Pérez and the Alhambra City Council wished to commend the Alhambra High School Dream Resource Center for hosting their Third Annual Coming Out of the Shadows Event this spring. Coming Out of the Shadows is a week-long celebration of our immigrant community and is an opportunity for the community to publicly share stories of identity and migration but to ultimately speak their truth "Out of the Shadows." The City Council commended the AHS Dream Resource Center for hosting an array of events including a Parent Forum, Ally Lunch and a Dream Allies Network Workshop in support of those coming out of the shadows in our community. The Alhambra City Council also commended the 38 Alhambra Unified School District students who shared their stories as a part of this year’s event. Participating students shared their stories in multiple ways including through art, poetry, graphic novel and podcast.

3. COMMENDATIONS: ORGANIZERS OF EVENTS TO CONDEMN ACTS OF HATE AGAINST ASIAN AMERICAN PACIFIC ISLANDERS – F2M21-3

Mayor Pérez and the Alhambra City Council wished to commend two individuals and one organization that held events to condemn recent acts of hate against the Asian American Pacific Islander community. The City Council commended Ms. Betty Hang, Mr. Raymond Tran and the Alhambra Teachers Association for taking action to organize their events, for calling attention to the harms of aggression against Asian American Pacific Islanders and for denouncing hate to help keep our community safe. Ms. Hang organized a Stop Asian Hate: SGV/LA Vigil held on March 20, 2021 at Almansor Park. Mr. Tran organized a Stop Asian Hate Rally for Unity held on March 21, 2021 at Renaissance Plaza in downtown Alhambra. The Alhambra Teachers Association organized a March to stand up against Anti-Asian hate crimes and racism which began in the City of San Gabriel and ended in the City of Alhambra.

PRESENTATIONS

4. STATE OF THE CITY ADDRESS – F2M21-16

Mayor Pérez provided insight on progress that had been made over the past year and where the City was headed in 2021. An accompanying video presentation was shown

Action Taken: City Council received and ordered filed the informational report.
5. NEEDS ASSESSMENT, FEASIBILITY STUDY, PROGRAMMING AND CONCEPT FOR THE REHABILITATION OF THE SHORB CLINIC PROPERTY INTO A COMMUNITY CENTER – F2M18-54

Director of Community Development CASTAGNOLA introduced Linda CHEU and Bob COFFEE of AECOM, who delivered a PowerPoint presentation of the feasibility study, which is on file in the City Clerk’s office. In April 2019, the City Council deliberated the Strategic Plan Objectives for fiscal year 2019-20 and adopted Goal No. 5 to develop a plan for the rehabilitation of the Shorb Clinic into a Community Center, and in May 2019, the Los Angeles County Board of Supervisors approved a return of the property to the City of Alhambra. On October 28, 2019, the City Council retained AECOM to evaluate community center programmatic needs, assess the existing building conditions, and develop and analyze alternatives for community center development. The AECOM team included engineers, architects, estimators and financing advisors. The study progressed, amid the pandemic, over the course of 14 months and included the following tasks: review of population and demographic trends for Alhambra and surrounding area; evaluation of current and past recreation programming levels and participation information; examination of key characteristics of existing Alhambra facilities; interviews with key stakeholders, including Parks & Recreation staff, instructors and City officials; conducted a community needs survey; performed on-site assessment of existing structure conditions; developed a proposed building program based on community input.

On March 8, 2021, AECOM presented the three illustrative building concepts developed and corresponding cost estimates as follows: Scheme 1: Partial Building Reuse; Scheme 2: New Construction within the bounds of the existing parcel; and, Scheme 3: New Construction with closure of Shorb Street between 6th and 7th Streets. The City Council considered the three options available and requested a fourth additional study to evaluate the feasibility of a combination of the preferred Scheme 3 while rehabilitating a portion of the existing structure.

This evening, AECOM presented the new Scheme 4 which combined elements of Scheme 1 and 3 by maintaining the 2-story portion of the existing structure and by incorporating the Shorb Street right-of-way into the overall master plan. The interior of the rehabilitated wing of the building would have to be completely gutted and seismically reinforced and all mechanical and electrical systems rebuilt to connect to the proposed network. The second level of the structure, about 4,200 SF, would not be utilized for programmable functions of the Community Center, due to the cost and operational inefficiencies, and could be dedicated to other City services or offices. The proposed adjacent new single-story construction of the community center would feature all the benefits offered by Scheme 3. Staff sought direction from the City Council to pursue one alternative for further design refinement to finalize the study.

Public Comment received via email on file in the City Clerk’s office:

1) Oscar Amaro wrote in favor of Scheme 4, suggested that Council amend the Historic Resources Group agreement to include future historic assessments of Alhambra’s landmark structures, and suggested that funds be reallocated from the Art in Public Places Fund for the historic assessments of Alhambra’s historic structures.
2) Shirley Tatsuno wrote in favor of Scheme 3.

Discussion: Councilmember ANDRADE-STADLER discussed Council’s recent site visit and potential additional funding sources with City Manager BINNQUIST. Councilmember MALONEY discussed the potential additional space for programming in the new design, including the outdoor spaces. He also discussed the rehabilitation of the historical building. Mr. MALONEY referred to Ms. Andrade-Stadler’s comments and suggested utilizing multi-benefit aspects such as water features and stormwater captures which may further qualify the project for additional grant funding. He further suggested utilizing on-street parking on 7th Street given the width of the street. Councilmember MAZA also discussed angled parking on 7th Street and discussed the historical elements which could be preserved. Ms. Andrade-Stadler, Mr. Maloney, and Mr. Maza each thanked AECOM for their work on incorporating Council’s ideas and supported Scheme 4 for development.

Councilmember LEE reported on the poor condition inside the building and the need for considerable remodeling. She supported all options, but emphasized the need to update and retro-fit the building. She expressed her hope that the building could also be used as an emergency center and the additional costs associated. She stated that while she also wanted to preserve the building, the costs were quite high and grant funding might not fully fund the project. She suggested that staff conduct an appraisal on the property to explore the potential sale of the property and build a community center elsewhere in the city from the proceeds.

Mayor PÉREZ echoed gratitude for AECOM’s work and thanked Chris Olson, Joyce and Oscar Amaro for their input. She supported Scheme 4 for development as well as the pursuit of grant funding. She stated that in order to procure grant funding quickly, she suggested Council take immediate action.

Mr. MALONEY referred to Ms. Lee’s suggestion and pointed out that the property was deed restricted as a public facility which would make it difficult to sell for profit. He motioned for staff to move forward with Scheme 4 for development.

Action Taken: City Council received and filed AECOM’s report for a needs assessment, feasibility study, programming and design concept options for the rehabilitation of the Shorb property and directed staff to proceed with Scheme 4 as a preferred alternative development plan.

Vote: Moved: MALONEY Seconded: ANDRADE-STADLER
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

6. COUNCIL DIRECTION ON STORY PARK LAND PARCELS – F2M21-22

Director of Parks and Recreation MACIAS delivered a staff report. City staff received a complaint from a resident of N. Story Place regarding leaves falling from an oak tree from an adjacent parcel creating a hazard. Code enforcement staff researched the issue and determined the parcel is, in fact, part of the Story Park property boundaries. The parcels
are landlocked and have been inaccessible for many years. Only the property owners have direct access to the land. On January 25, 2021, the City Council considered the item and requested staff to prepare an appraisal of the property for both a status quo and for sale residential land value. On February 23, 2021, staff received an appraisal report of Real Property from Robert McGraw, MAI. The appraisal was an “As Is” value of the simple interest and asset valuation of the subject properties. The assessed value of each of the seven parcels ranged from $2,313 to $12,250. Staff considered options for the Story Park parcels. At this time, staff sought direction from the City Council on the following two considerations: A) Maintain the status quo, survey and fence the property, and begin a maintenance schedule of the properties east of the San Pasqual Wash; or, B) Direct staff to reach out to all seven property owners immediately adjacent to the east of the property to inquire about potential interests in purchasing the park land. It should be noted that in this scenario, all the land would have to be sold at once to one or many adjacent residential owners in order to avoid any unsold parcels to remain land locked city owned.

Public Comment received via email on file in the City Clerk’s office: Jack and Helen Ewell, Maria Valenzuela, and Ron and Cathy Sahu wrote in support of Option B.

Discussion: Council supported Option B and discussed the merits of the option. Councilmember LEE discussed the sale options of the properties by each owner and an option to provide a credit to the property owners who have maintained the property with Mr. MACIAS. Councilmember MALONEY and Mr. MACIAS discussed the properties as park land under County assessment, city permitted improvements to the property conducted by property owners, Ms. Lee’s suggestion of credit for property maintenance, and a deed restriction for the preservation of mature trees on the property. City Attorney MONTES discussed Council’s direction and the next steps taken by staff before final Council approval.

Action Taken: City Council directed staff to reach out to all seven property owners immediately adjacent to the east of the San Pasqual Wash to inquire about potential interests in purchasing the park land.


Assistant City Manager GARCIA delivered a staff report. On February 22, 2021, the City Council received public comment and a request from staff for further direction on the restructuring of the City’s boards, committees, and commissions pursuant to the Council’s Strategic Plan and the goals of enhancing communications between Council and the residents through the role of resident volunteers and creating a more efficient and effective approach to board/committee/commission business. The Council received information on the City’s ten commission groups, including their composition, purpose, and frequency of meetings. In addition, the Council heard comment regarding potential for overlap of work for select groups. Following public comment and Council discussion of the matter, the Council directed this item return at a later date; however, to facilitate considerations, the discussion should be staggered or reduced to select groups rather than taking action on the entire ten boards and commissions at once. The Council also requested staff provide information regarding other local city board and commission data. This evening, the focus
was on changes desired by the Council for the Transportation Commission and the Civil Service Commission. Ms. Garcia reviewed various suggestions by Councilmembers included in the report. It was recommended the City Council identify what changes are requested so that the appropriate amendments to the City’s Municipal Code can be formally addressed.

**Discussion:** Councilmember ANDRADE-STADLER and City Attorney MONTES discussed the function and duties of the Civil Service Commission and the Board of Appeals. She supported the commission meeting as needed. Ms. Andrade-Stadler discussed the importance of Council engagement with their commissions and supported the Transportation Commission meeting as needed, reducing it to 5 members, and further discussed the membership requirement suggestions made by Ms. Pérez to remove elector requirements and by Mr. Maza to select commissioners by district.

Councilmember LEE disagreed with appointments made by district but supported a minimum residency requirement of 5 years and a reduction of 5 members for the Transportation Commission. She suggested no changes be made to the Civil Service Commission.

Councilmember MAZA supported maintaining 10 members of the Transportation Commission, rotating Council attendance of the commission meetings, selecting commissioners by district for better representation, and disagreed with minimum residency requirements.

Councilmember MALONEY agreed that no changes should be made to the Civil Service Commission, maintaining 10 members of the Transportation Commission, supported with monthly meetings for the Transportation Commission, requested more presentations at the Transportation Commission meetings regarding all traffic issues, supported Council attendance of commission meetings, supported removing the elector and minimum residency requirements, and was uncertain about requiring appointments be made by district.

Mayor PÉREZ addressed Ms. Andrade-Stadler’s comments regarding required voter registration as a requirement in light of being more inclusive and sensitive to residents who may not be documented citizens. She further supported removing age requirements for commissions. She suggested that Council maintain better communication from their commissioners through regular rotated presentations. She supported continued discussion regarding the selection of commissioners by district after the completion of the redistricting process. She suggested updating some of the language used in the Transportation Commission statement. She supported removing minimum residency requirements and maintaining 10 members. She supported the Civil Service Commission meeting as needed.

Council reached consensus regarding 1) the change of requirement language from “voter” to “resident;” 2) appointing commissioners at large but revisiting the subject after the redistricting process; and 3) maintaining the age requirement for the Civil Service Commission. Council further discussed the pros and cons of removing or lowering the age requirement for the Transportation Commission or allowing a floating Youth position. However, no consensus was reached at this time. The majority of Council objected to a
5-year residency requirement and to reducing the number of Transportation Commission members. Council unanimously agreed to change the Civil Service Commission to meet as needed. Council further discussed use of language referring to “complete streets” and “active transportation” for the larger objective of the Transportation Commission and agreed to exploring other language which would convey a similar definition encompassing a variety of transportation modes. Ms. ANDRADE-STADLER suggested the future creation of a Public Works Commission. Council agreed to the change of language to encompass a variety of transportation modes. Council also agreed to include more frequent presentations made by Commissioners at Council meetings.

Action Taken: City Council provided direction on structuring changes to the City’s Transportation Commission and the Civil Service Commission.

CONSENT AGENDA (Item Nos. 8 – 22)

The City Council agreed to continue discussion of Item No. 9 to the next meeting. All other items listed under the Consent Agenda were considered by the City Council to be routine and were enacted by one motion.

8. **NIB: PURCHASE OF A 7 YARD DUMP TRUCK – F2M21-6A, N2M21-44**

Staff from the Public Works and Utilities Department use vehicles and equipment daily to conduct maintenance on the City’s infrastructure and provide critical services to the residents of Alhambra. Recently, the fuel pump of the 1990 F8000 7 Yard Dump Truck suffered a catastrophic failure. Since the vehicle was over 30 years old, the manufacturers and secondary parts makers no longer provided parts for the vehicle. Maintenance and repairs were greater than the current value of the vehicle, which exceeded its expected useful life. Specifications were prepared for the purchase of a new dump truck. Staff reviewed and approved the specifications, which were available for review in addition to the bid notice and bid instructions.

Discussion: None.

Action Taken: City Council authorized the circulation of a Notice Inviting Bids for the purchase of a 7 Yard Dump Truck, with bids due no later than 10:30 a.m. on April 29, 2021; and, directed staff to undertake the steps necessary to finalize Council’s action.

Vote:

Moved: ANDRADE-STADLER  Seconded: MALONEY
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

9. **PULLED**


4-12-21
The restrooms in the Public Works and Utilities areas of the City Yard are in need of renovation and repairs. The restrooms are utilized by nearly 50 employees and are ill-equipped to handle the daily demand and maintain a sanitary working environment. In addition to achieving ADA compliance in the restrooms, the City plans to increase capacity, install water efficient fixtures, and conduct needed repairs to the facilities. On September 28, 2020, the City Council approved the distribution of a Request for Proposals for Professional Design/Build Services for Restroom Renovation at the Alhambra City Yard. There were three proposals received for the project. Staff conducted a review and evaluation of all responding proposals and found the SD Design Construction Corp. proposal the best suited for the City’s needs.

Action Taken: No action was taken by Council.


In April of 2019 West Coast Arborists (WCA) was awarded a five-year contract extension that will be in effect through June 30, 2024. The contract extension included increases of 3.2% in FY 19/20, 3.5% in FY 20/21, and 3.5% in FY 22/23, due to increases in prevailing wages. However, the contract amendment failed to include annual increases to the total amount of the contract. Trimming and planting our City trees was essential to the overall health of the City’s urban forest and staff recommended maintaining our current tree trimming and planting cycles. An increase to the total contract was needed to continue planned grid trimming and the planting of new parkway trees. Staff calculated it will completely expend the fiscal year 2020/21 contract amount for maintaining the City’s parkway trees prior to the end of the fiscal year, however, funds were available in the budget to cover an increase of $135,000 to the contract.

Discussion: None.

Action Taken: City Council approved an amendment, subject to finalize language approval by the City Manager and City Attorney, to the contract with West Coast Arborists for Tree Trimming and Planting Services (C2M10-26) to increase the total amount of the contract by $135,000 per year for the remainder of the contract; and, directed staff to undertake the steps necessary to finalize Council’s action. (M2M21-35)

Vote: Moved: ANDRADE-STADLER Seconded: MALONEY
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE


On September 28, 2020, the City Council awarded a contract to Mike Prlich and Sons Inc. for the Marguerita Avenue and Almansor Street Sewer Replacement Project in the amount
of $746,800.00. There was one authorized change order during the project. The change order was made by the City for an emergency spot repair at Benito Avenue and materials adjustment for a maintenance hole frame and cover. These items increased the total amount of the contract by $11,454.49, bringing the total project cost to $758,254.49. The project was completed in accordance with the City requirements and specifications. As such, it would be appropriate for the City Council to accept the project as complete and instruct the City Clerk that the Notice of Completion be filed with the County of Los Angeles Recorder’s Office.

Discussion: None.

Action Taken: City Council accepted the work of Mike Prlich and Sons Inc. for the Marguerita Avenue and Almansor Street Sewer Replacement Project in the amount of $758,254.49 as complete; directed the City Clerk to file a Notice of Completion with the County of Los Angeles for recordation; release the 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. (M2M21-36)

Vote: Moved: ANDRADE-STADLER Seconded: MALONEY
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

12. NOTICE OF COMPLETION: ALMANSOR COURT RESTROOM IMPROVEMENT PROJECT – F2M19-42, C2M20-8, M2M21-37

On March 9, 2020, the City Council awarded a contract to RS Construction & Development in the amount of $496,907.00 for the Almansor Court Restroom Improvement Project. There were three change orders on the project for mold abatement, installing shut-off valves in restrooms to isolate the men’s and women’s restroom, and installing a closet door, totaling $27,360.00, which brought the total amount of the contract to $524,267.00. This project was inspected by staff, and all work was completed in accordance with the City’s requirements and specifications. As such, it would be appropriate for the City Council to accept this project as complete.

Discussion: None.

Action Taken: City Council accepted the work of RS Construction & Development for the Almansor Court Restroom Improvement Project in the amount of $524,267.00 as complete; directed the City Clerk to file a Notice of Completion with the County of Los Angeles for recordation; instructed the Finance Director to release the 5 percent 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. (M2M21-37)

Vote: Moved: ANDRADE-STADLER Seconded: MALONEY
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE
13. CONTRACT AMENDMENT: ALHAMBRA CHAMBER OF COMMERCE – F2M1-51, C2M20-17, M2M21-38

On May 27, 2020, the City Council approved a contract with the Alhambra Chamber of Commerce in an amount not to exceed $111,936 for FY 2020-2021. The Chamber supported a variety of activities that have promoted the Alhambra community, including the Rose Queen and Court Luncheon, Tournament of Roses Parade, and Lunar New Year Festival. However, this year due to public health concerns and ongoing direction to avoid public gatherings to control the spread of COVID-19, the Rose Queen and Court Luncheon, Lunar New Year Festival, and State of the City (April) events were cancelled. The in-person events were cancelled due to the County of Los Angeles Department of Public Health Order restricting gatherings and large-scale activities for the public. The Chamber would provide a credit back to the City in the amount of $2,000.00 under the 2020-2021 contract between the City of Alhambra and the Alhambra Chamber of Commerce. The contract would be amended to $92,646.

Discussion: None.

Action Taken: City Council approved an amendment, subject to final language approval by the City Manager and City Attorney, to the 2020-2021 contract with the Alhambra Chamber of Commerce to credit the City an amount of $2,000.00 for the cancelled 2021 In-Person State of the City; and, directed staff to undertake the steps necessary to finalize the Council’s action. (M2M21-38)

Vote:
- Moved: ANDRADE-STADLER
- Seconded: MALONEY
- Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
- Noes: NONE
- Absent: NONE


As a designated Core City, the City of Los Angeles is eligible for additional funding through the Urban Area Strategic Security Initiative (UASI) Grant Program that is administered by the Department of Homeland Security. In addition to the Core City, individual cities that are contiguous to the City of Los Angeles are also eligible for funding. The Alhambra Police Department submitted a grant request for $212,503.00 to the Approval Authority who administers the UASI Grant Program and the request was approved. The grant funds would be used to purchase Cyber Security Enhancement, Personal Protective Equipment and Automated License Plate Recognition Equipment to enhance region security.

Discussion: None.

Action Taken: City Council approved an agreement, subject to final language approval by the City Manager and City Attorney, with the City of Los Angeles and accept the 2020 Urban Area Strategic Security Initiative (UASI) Grant in the amount of $212,503; and, directed staff to undertake the steps necessary to finalize Council’s action. (M2M21-39)

The Tournament of Roses cancelled the 2021 parade. The 2022 parade would feature elements that were planned for the 2021 parade, including the theme “Dream, Believe, Achieve,” Celebrating Education. The parade is televised worldwide and provides an opportunity for recognition and to promote a positive image for the City of Alhambra. 2022 would mark the City of Alhambra’s 94th year of participation in the Tournament of Roses Parade. Staff issued a Request for Proposals to provide Tournament of Roses Float design and build services for the 2021-2023 Tournament of Roses Parade on April 2, 2020. Three professional commercial float builders received the Request for Proposals. Two float builders chose not to participate in the bidding process. The sole bidder was Phoenix Decorating Company. On June 17, 2020, Phoenix Decorating Company submitted three renderings of float options, inspired by 10 works of art submitted by Alhambra Unified School District students during the City’s 2020 art contest, plus their cost, to the City Arts and Cultural Events Committee for review. The Committee reviewed the three options and recommended the “Education Bus” rendering as their selection.

Public Comment received via email on file in the City Clerk’s office:

1) Jose Luis Espinoza, Jr. wrote against a 3-year contract for the Rose Float and supported a 1-year contract. He further wrote against the use of the Art in Public Places Fund for the Rose Float.

2) Michael Lawrence wrote against the use of the Art in Public Places Fund for the Rose Float.

3) Sean McMorris wrote against the use of the Art in Public Places Fund for the Rose Float.

4) Chris Olson wrote against the use of the Art in Public Places Fund for the Rose Float.

5) Shirley Tatsuno wrote against the use of the Art in Public Places Fund for the Rose Float.

Discussion: Councilmember ANDRADE-STADLER spoke to the importance of continuing the tradition of participating in the Tournament of Roses Parade as well as the importance of supporting local artists in the community through exhibits in the lobby of Alhambra City Hall. She further discussed the high amount of a 3-year contract and suggested renegotiating the contract and reducing it to a 2-year contract with annual payments made with City Manager BINNQUIST and Director of Parks and Recreation.
MACIAS. She went on to discuss prior funding from the Redevelopment Agency for the parade float with City Attorney MONTES.

Councilmember MALONEY stated that the Council was committed to Alhambra’s continued participation in the Tournament of Roses Parade as the City has been one of the oldest participants. He went on to support funding the float through donations rather than public funds, but added that the planning for the design and construction had to be done several months in advance. He supported a 2- or 3-year contract with staff and Council considering alternative funding sources in the meantime. He further discussed the Arts in Public Places Fund and considering new ideas for funding.

Councilmember LEE and Ms. BINNQUIST discussed the Arts in Public Places Fund. Ms. LEE discussed the tradition of the Rose Parade Float, but supported using funds to give back to the residents through more lasting projects. She suggested using a third of the Art in Public Places Fund for projects presented by the City Arts and Cultural Events Commission which could benefit all the districts. She further discussed options to reduce costs and supported a 1-year contract for the float. She also suggested a joint effort of other local small cities to create a float together.

Councilmember MAZA supported continued participation in the Rose Float and spoke to the civic pride from participation. He supported finding alternate funding sources in the future and using art funds for other projects. He stated that for the time being, he supported a 2-year contract and reviewing alternative funding sources.

Mayor PÉREZ suggested amending the contract to state “with funding available,” to remove any liability to the City should funding not be available. She suggested that Council and City Board and Commission Members commit to fundraising activities to raise funds for the Rose Float. She spoke regarding her background in fundraising and the benefits to businesses making donations to this high-profile project. She acknowledged the challenge of time and fundraising commitments for the Councilmembers who might have upcoming elections, but stated that a fundraising commitment of $50,000 was necessary.

Mr. MALONEY agreed with Ms. Pérez’s point that additional action was needed and agreed to further discuss a fundraising plan to finance future Rose Floats. He and Mr. MACIAS went on to discuss the application process for groups wishing to participate annually versus new applications. As Alhambra has participated consistently every year, the city has paid the old application fee of about $6,000 whereas new applicants must pay $275,000. Ms. ANDRADE-STADLER agreed with Ms. Pérez’s suggestion for fundraising, but suggested that funds be raised for the Art in Public Places Fund rather than go directly to the Float due to sponsorship restrictions. She reiterated her desire for a 2-year contract and motioned for the approval of such an agreement. Ms. PÉREZ and Ms. ANDRADE-STADLER further discussed fundraising plans and goals and went on to discuss the monies allocated for the 2-year contract versus the 3-year agreement with Ms. BINNQUIST. Mr. MALONEY supported Ms. Andrade-Stadler’s motion for a 2-year agreement and suggested an amendment of including a 3rd year at the City’s option. Ms. PÉREZ and Mr. MONTES discussed the language to include a 3rd year option at no obligation to the City. Ms. LEE and Ms. ANDRADE-STADLER discussed an amendment to the motion to establish a remainder of funds to be reserved for the Art in Public Places Fund.
After further discussion, Council agreed to a motion which would approve a 2-year contract with Phoenix Decorating Company and reserve $50,000 in the Arts and Public Places Fund to be utilized by the City Arts and Cultural Events Commission for additional local art projects. Ms. BINNQUIST and Mr. MONTES elaborated on the process for the Arts Commission to seek approval for projects. Mr. MALONEY further discussed including a 3rd year option in the contract as well as further discussions regarding creating a fundraising plan for future Rose Floats.

**Action Taken:** City Council appropriated funds from the Art in Public Places Fund for a two year contract with Phoenix Decorating Company for the 2022-2023 Tournament of Roses Parade, which included design, construction, decoration and operation of the float; approved an agreement, subject to final language approval by the City Manager and City Attorney, by and between the City of Alhambra and Phoenix Decorating Company for oversight, building, and execution of the float in an amount not to exceed $107,625 in year one, and $110,315 in year two; directed that at least $50,000 be held in reserve in the Art in Public Places Fund for local art; and, directed staff to undertake the steps necessary to finalize the City Council’s action. (M2M21-40)

**Vote:** Moved: ANDRADE-STADLER  Seconded: LEE  
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ  
Noes: NONE  
Absent: NONE

16. **APPROPRIATION OF FUNDS FOR PREVENTIVE MAINTENANCE AND SERVICE REPAIR FOR ALL EMERGENCY FIRE APPARATUS IN THE FIRE DEPARTMENT FLEET – F2M16-6A, C2M17-44, M2M21-41**

On July 8, 2019, the City Council approved a Second Amendment to the Agreement (C2M17-44) between the City of Alhambra and Performance Truck Repair, Inc., in an amount not to exceed $257,000.00. Due to unforeseen major apparatus repairs, approximately $233,690.00 had been spent to date. In order to continue the necessary repairs for the remainder of the fiscal year, it would be necessary to increase the contract with Performance Truck Repair by an additional $43,000.

**Discussion:** None.

**Action Taken:** City Council approved a third amendment, subject to final language approval by the City Manager and City Attorney, to the contract with Performance Truck Repair (C2M17-44) for an additional $43,000 to reflect a not to exceed amount of $300,000.00; approved an appropriation of funds in the amount of $50,000 to the Maintenance and Repair Fire Apparatus account; and, directed staff to undertake the steps necessary to finalize Council’s action. (M2M21-41)

**Vote:** Moved: ANDRADE-STADLER  Seconded: MALONEY  
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ  
Noes: NONE  
Absent: NONE

4-12-21
17. AUTHORIZ E RFP: BROADCASTING AND VIDEO PRODUCTION OF CITY COUNCIL MEETINGS – F2M21-35, RFP2M21-9

The City sought to solicit proposals from qualified providers with professional expertise and experience to provide the City with professional-level digital recording and broadcasting of its public meetings. Alhambra’s local government channel broadcasts municipal meetings, workshops, events, news, and public service announcements. Actively managing the City’s cable channel would greatly enhance its ability to attract viewership, inform and build community trust. The City was currently working with a broadcasting vendor whose agreement was set to expire on June 30, 2021. Proposals would be due to the City Clerk’s Office by 5:00 p.m. on April 27, 2021. It was anticipated that all interested proposers would be available to start services on July 1, 2021.

Discussion: None.

Action Taken: City Council authorized the distribution of a Request for Proposals (RFP) to qualified consultants to provide video production, recording, editing, programming services for City Council meeting and support services for video and slides on the City’s cable channel.

Vote: Moved: ANDRAE-STADLER Seconded: MALONEY
Ayes: LEE, MALONEY, ANDRAE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

18. RESOLUTION AUTHORIZING THE SUBMITTAL OF FEDERAL FUNDING APPLICATIONS UNDER THE COMMUNITY PROJECT FUNDING PROGRAM – F2M21-19, R2M21-17

Staff requested that the City Council adopt a resolution to approve federal funding requests to the Office of Congresswoman Judy Chu under the Community Project Funding Program, due April 16, 2021, for the Alhambra Sustainability Plan, Electric Bus Infrastructure, and the Shorb Community Center.

Discussion: None.

Action Taken: City Council adopted Resolution No. R2M21-17 entitled: Resolution of the City Council of the City of Alhambra authorizing the submittal of funding applications under the Federal Community Project Funding Program; and, directed staff to undertake the steps necessary to finalize Council’s action.

Vote: Moved: ANDRAE-STADLER Seconded: MALONEY
Ayes: LEE, MALONEY, ANDRAE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

19. PERSONNEL ACTIONS – F2M21-2

4-12-21
Discussion: None.

Action Taken: City Council ratified the actions of the City Manager set forth in that certain Personnel Actions document dated April 12, 2021 showing the various appointments, classifications, salary changes, etc., since the last City Council meeting.

Vote: Moved: ANDRADE-STADLER  Seconded: MALONEY
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

20. DEMANDS - F2M21-1

Discussion: None.

Action Taken: City Council approved as submitted Final Check List (219867 thru 219842) in the amount of $872,987.85 for the period ending March 18, 2021; Final Check List (219843 thru 220001) in the amount of $1,450,974.80 for the period ending March 25, 2021; Final Check List (220002 thru 200116) in the amount of $598,736.56 for the period ending April 1, 2021; and, Final Check List (200117 thru 200261) in the amount of $53,366.92 for the period ending April 1, 2021.

Vote: Moved: ANDRADE-STADLER  Seconded: MALONEY
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

21. SECOND READING AND ADOPTION OF AN ORDINANCE ADDING CHAPTER 6.13 TO THE ALHAMBRA MUNICIPAL CODE PERTAINING TO DISPOSABLE FOODWARE ITEMS OPT-IN REQUIREMENT FOR RESTAURANTS AND THIRD-PARTY APP-BASED DELIVERY PLATFORMS – F2M21-7, O2M21-4783

At the March 8, 2021 City Council meeting, the City Council directed staff to return with an ordinance that would require restaurant patrons utilizing takeout or food delivery services to “opt-in” to receiving disposable foodware items (i.e., disposable plates, napkins, straws, utensils, etc.). More specifically, the proposed ordinance would require: 1) That restaurants and other food service providers only provide disposable foodware items upon the request of the customer, or in self-serve stations; 2) That third-party, app-based delivery platforms include on their platforms an option for customers to affirmatively request disposable foodware items; and 3) That City staff work with food service providers on a public awareness campaign to make customers aware of the “opt-in” program and its environmental benefits.

Public Comment received via email on file in the City Clerk’s office:

1) David Juarez, representing the California Restaurant Association wrote in support of the ordinance.
2) Shirley Tatsuno wrote in support of the ordinance.

Discussion: None.

Action Taken: Declared introduced for its second reading and adopted the following ordinance entitled:

Ordinance No. O2M21-4783: An Ordinance of the City Council of the City of Alhambra Adding Chapter 6.13 to the Alhambra Municipal Code pertaining to disposable foodware items opt-in requirement for restaurants and third-party app-based delivery platforms

Vote: Moved: MALONEY Seconded: ANDRADE-STADLER
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

22. SECOND READING AND ADOPTION OF AN ORDINANCE ADDING CHAPTER 5.85 – COVID-19 HERO PAY TO THE ALHAMBRA MUNICIPAL CODE, RELATING TO TEMPORARY HAZARD PAY REQUIREMENTS FOR EMPLOYEES WORKING FRONTLINE POSTITIONS IN GROCERY RETAIL AND DRUG RETAIL ESTABLISHMENTS IN THE CITY OF ALHAMBRA DURING THE COVID-19 PANDEMIC – F2M20-33, O2M21-4784

At the March 8, 2021 Council meeting, the Council directed that an ordinance be agendized for a First Reading. The attached draft Ordinance mirrored ordinances previously adopted by the City of Long Beach and the County of Los Angeles. The Ordinance: 1) Included recitals incorporating the findings found in the Long Beach and County ordinances, as well as the arguments and justifications in support of the Ordinance as set forth in the pleadings filed in defense of the Long Beach ordinance; 2) Included definitions setting forth the applicability of the Ordinance to grocery and drug retailers of a certain size, and to employees working in those retail stores; 3) Required the payment of a Hero Pay premium of $5 per hour (to be consistent with the County of Los Angeles amount) for 120 days from the effective date of the Ordinance (May 22, 2021 through September 19, 2021); 4) Required the posting of notification by employers of the Hero Pay benefit; 5) Provided for a credit/offset for any voluntary hazard pay otherwise provided by employers subject to the ordinance; 6) Prohibited retaliation against employees; 7) Provided a self-help remedy for employees entitled to Hero Pay.

Public Comment received via email on file in the City Clerk’s office:

1) Gerry Fagoaga wrote in favor of the ordinance.

2) Sean McMorris wrote in favor of the ordinance.

3) Ryan Allain and Rachel Michelin, representing the California Retailers Association, wrote against the ordinance.

4-12-21
Discussion: None.

Action Taken: Declared introduced for its second reading and adopted the following ordinance entitled:

**Ordinance No. O2M21-4784:** An Ordinance of the City Council of the City of Alhambra adding Chapter 5.85 COVID-19 Hero Pay to the Alhambra Municipal Code, relating to temporary hazard pay requirements for employees working frontline positions in grocery retail and drug retail establishments in the City of Alhambra during the COVID-19 Pandemic

Vote:
- Moved: MALONEY
- Seconded: ANDRADE-STADLER
- Ayes: MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
- Noes: NONE
- Abstain: LEE
- Absent: NONE

PUBLIC COMMENT FOR NON-AGENDIZED ITEMS – F2M21-4

1) Benjamin RODRIGUEZ stated that we lived in a post-Constitutional society and requested that Council protect constitutional rights to assemble in person. He further reported on a complaint he lodged against two police officers and requested an update from the Chief of Police. He continued to discuss constitutional rights and police misconduct.

2) Lewis MCCAMMON discussed the Community Satisfaction Survey results as presented to the City Council at the March 8, 2021 meeting as well as the full report of the survey. He discussed the methodology used to conduct the survey and noted some of the top responses from residents were to limit development and traffic congestion, and to create more affordable housing.

COUNCIL COMMUNICATIONS (ANNOUNCEMENTS & FUTURE AGENDA ITEMS) – F2M21-7

Councilmember ANDRADE-STADLER and City Manager BINNQUIST discussed previous agreement with the former CalTrans District 7 Director to remove the sandpile from the 710 North Terminus. Ms. Andrade-Stadler requested that Council draft a letter to CalTrans, and cc Representative Ed Chau and Senator Susan Rubio, to resubmit the request for the sandpile to be removed. She went on to discuss early morning construction on Marengo and requested that staff look into the matter. Ms. Andrade-Stadler requested a calendar of upcoming events from Ms. Binquinst to be included in the Council newsletter.

Councilmember MALONEY followed up on discussion from Item No.15 and requested staff agendize discussion of fundraising programs for the Tournament of Roses Parade Float. He went on to discuss the Clean Power Alliance (CPA), its purpose and function, and the recent trend of customers leaving Southern California Edison (SCE) due higher than anticipated rates. He reported that the Public Utilities Commission set an exit rate for customers leaving SCE and that California Senate Bill 612 was being discussed in response to this imposed rate. He further
discussed the benefits and consequences of SB 612, and the ways in which it will impact CPA customers. He requested that Council agendize discussion to draft a letter to Senator Rubio in support of SB 612. Ms. BINNQUIST and City Attorney MONTES discussed the letter and determined that it was within the scope of the previously adopted legislative platform since Council had already voted to enact the Clean Power Alliance and this letter would be in support of a reduction of rates to residents who have elected to be a part of the Clean Power Alliance. Mr. MONTES clarified that either City Staff or the Mayor could send a letter of support, but that should all 5 Councilmembers wish to sign on then the letter would have to be agendized for discussion at the next City Council meeting. Mr. MALONEY offered to assist Mayor Pérez in drafting the letter, as a director on CPA’s Board. He also suggested agendizing a full letter for discussion as well. Council agreed to Mr. Maloney’s proposal and Ms. PÉREZ agreed to submit an individual letter.

Councilmember LEE continued to report on Southern California Edison’s reimbursement to residents who suffered food loss during a power outage last year. She stated that she was alarmed at SCE’s method for replacing equipment and the ways it would affect residents. She requested continued presentations from the City’s SCE representative at future Council meetings. She went on to discuss the challenges that would be faced in the upcoming summer heatwaves.

Mayor PÉREZ discussed the decline in COVID-19 cases due to an increase in vaccinations and suggested that Council begin to discuss plans to return to in person meetings as various restrictions lift. She discussed the possibility and social distancing precautions that could be made to the Council Chambers. She stated that members of the public would not be allowed in person, but that the meetings could continue to hold virtual forums for public participation. Mr. MALONEY stated that he would be open to returning to in person meetings, but added that he still had childcare obligations which may preclude consistent attendance in person. Ms. LEE expressed concern for staff who would have to attend for long hours and stated her preference to continue virtual meetings until necessary. Ms. BINNQUIST stated that most directors continued to participate from their offices and would not have to be present in Council Chambers if preferred by Council. Ms. ANDRADE-STADLER agreed to either but expressed that it was important to return to in person meetings. Council continued to discuss the conclusion of legislation allowing for remote participation with Mr. MONTES. Councilmember MAZA stated that it was important to consider the option and plan for the logistics of it, but added that it did not have to be decided immediately. Mr. MALONEY and Mr. MONTES discussed the remote meeting guidelines under the Brown Act without the legislation that suspended several aspects of it.

CLOSED SESSION & CITY ATTORNEY ANNOUNCEMENT re SAME - F2M21-14

City Attorney MONTES identified those items listed on this evening’s agenda which would be discussed in Closed Session as follows:

**Conference with Real Property Negotiator (Govt. Code Section 54956.8):**
Properties: 2800 W. Valley Blvd. and 2826 W. Valley Blvd.; Negotiating parties: City Manager and Christina Kan at W & L Foundation. Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.

**Conference with Legal Counsel - Anticipated Litigation:** Significant exposure to litigation pursuant to Govt. Code Section 54956.9(c)(2): 1 matter.

**Conference with City’s Labor Negotiator (Govt. Code Section 54957.6):** Mariam Ko, Director
of Human Resources re: Executive Management and Confidential Employees, Alhambra Management Employees Association, Alhambra Police Miscellaneous Association, Alhambra Police Officers' Association, Alhambra Fire Management Association and the Alhambra City Employees' Association

whereupon at 10:28 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 11:10 p.m. the City Council moved out of close session with all members present.

ADJOURNMENT: At 11:10 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 the next regular meeting of the Alhambra City Council is scheduled for Monday, April 26, 2021 at 6:00 p.m.

LAUREN MYLES, CMC
CITY CLERK
by
BRIANNA LAMB MCCARTHY
ASSISTANT CITY CLERK
CITY CLERK
ROLL CALL: At 6:06 p.m., on Monday, April 26, 2021 the Alhambra City Council met in Council Chambers.

PRESENT: LEE, MAZA, MALONEY, ANDRADE-STADLER, PÉREZ
ABSENT: NONE

Officials Present physically, via teleconference, and via video conference: City Manager Binnquist, City Attorney Montes, Assistant City Manager Garcia, Deputy City Manager Tran, City Clerk Myles, Director of Finance Lieu, Director of Public Works/ Utilities Ray, Director of Parks and Recreation Macias, Director of Library LohQuan, Director of Community Development Castagnola, Fire Chief Phelps, Police Chief Parra, Director of Human Resources Ko

FLAG SALUTE: Mayor Pérez

CITY CLERK REPORT - NOTICE NO. N2M21-49

The City Clerk reported that she duly gave notice of the regular meeting of the City Council being held pursuant to the order of the Mayor in accordance with Section 54955 and 54956 of the Government Code of the State of California.

PÉREZ: Mayor PÉREZ requested that Council approve the agenda and remove Consent Items Nos. 16 and 17 for early discussion due to the number of student Public Speakers for both items.

Vote: Moved: ANDRADE-STADLER Seconded: MAZA
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

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.

4-26-21
Action Taken: On motion of Ms. LEE, seconded by Ms. ANDRADE-STADLER, the City Council determined that the titles to all ordinances which appeared on this public agenda had been read, and waived further reading. Hearing no objections, the Mayor so ordered.

Vote: Moved: LEE Seconded: ANDRADE-STADLER
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

CEREMONIALS

1. PROCLAMATION: ARBOR DAY – F2M21-3

The Alhambra City Council ratified the action of Mayor Pérez in proclaiming April 30, 2021 as ARBOR DAY in Alhambra.

2. COMMENDATION: MARK KEPPEL HIGH SCHOOL FUTURE BUSINESS LEADERS OF AMERICA CHAPTER – F2M21-3

Mayor Pérez and the Alhambra City Council wished to congratulate and commend the Mark Keppel High School Future Business Leaders of America (FBLA) Chapter for their First Place Sweepstakes finish at the FBLA Gold Coast Section Leadership Conference. Sweepstakes is an award given to the school with the highest amount of placings and the Mark Keppel High School Chapter had a record-breaking 81 members placing in their competitive events with 63 members qualifying for the California State Leadership Conference. The Alhambra City Council commended all of the members of the Mark Keppel High School FBLA Chapter for their consistent high-level of performance, hard work, dedication and for exemplifying the FBLA motto: Service, Education, and Progress.

Public Comment: Ms. Tiffany THONG, Vice President of Competitions for Mark Keppel FBLA Chapter, accepted the commendation and expressed gratitude to Council for their recognition, especially as it has helped to boost morale during the difficult times of the pandemic.

3. CERTIFICATE OF SERVICE: DIRECTOR OF COMMUNITY DEVELOPMENT MARC CASTAGNOLA – F2M21-3

Mayor Pérez and the City Council wished to commend and thank Director of Community Development Marc Castagnola for his 4 years of faithful and loyal service to the Community Development Department and the City of Alhambra. Mayor Pérez presented a Certificate of Service plaque to Director Castagnola for his outstanding work for the City.

CITY COUNCIL: The Council proceeded to Items. No 16 and 17 for discussion first, then returned the remaining agenda items in order.

4-26-21
PRESENTATIONS

4. DISCUSSION ON THE RESTRUCTURING OF THE LIBRARY BOARD OF TRUSTEES, PARKS AND RECREATION COMMISSION, AND ARTS AND CULTURAL EVENTS COMMITTEE – F2M21-36

Assistant City Manager GARCIA delivered a staff report. On February 22, 2021, the City Council received public comment and a request from staff for further direction on the possible restructuring of the City's boards, committees, and commissions pursuant to the Council's Strategic Plan and the goals of enhancing communications between Council and the residents through the role of resident volunteers and creating a more efficient and effective approach to board/committee/commission business. The Council received information on the City's ten commission groups, including their composition, purpose, and frequency of meetings. In addition, the Council heard comment regarding potential for overlap of work for select groups. In some instances, the original scope of the work as described in the Municipal Code is no longer applicable and/or is no longer in concert with what's needed today. Following public comment and Council discussion of the matter, the Council directed this item return at a later date with staggered review. On April 12, 2021, the Council addressed changes to the Transportation Commission and the Civil Service Commission. This evening, the focus was on changes desired by the Council for the Library Board of Trustees, Parks and Recreation Commission, and Arts and Cultural Events Committee. It was recommended the City Council identify what changes are requested so that the appropriate amendments to the City's Municipal Code can be formally addressed.

Discussion: Councilmember ANDRADE-STADLER expressed concerns that the suggestions made by Council would negatively impact necessary work conducted by the departments working with commissions, and specifically the Parks and Recreation Department. Ms. GARCIA expressed that this would not create more work and added that special meetings could be held to address time sensitive work. She added that much of the Parks and Recreation Department's work was already conducted on a seasonal or quarterly basis such as registration for community programs or sports programs. She stated that this would also allow staff more time to present more comprehensive staff reports to the commission. Ms. ANDRADE-STADLER further discussed concerns regarding a lack of quorum with fewer commissioner and public participation even if a quorum is not met.

Councilmember MALONEY suggested that due to the multiple park projects being pursued by the City that the Parks and Recreation Commission could be better utilized as a public forum to receive input and to provide feedback to the Council. He suggested changing to quarterly regular meetings.

Councilmember MAZA suggested that the Parks and Recreation Commission maintain monthly regular meetings, and that Councilmembers attend meetings from time to time. Mr. MAZA suggested that the Arts and Cultural Events Committee maintain 5 members plus 1 youth member, and execute more ideas for art projects in Alhambra.

Councilmember LEE suggested no change to the Library Board of Trustees but suggested future discussions regarding the age requirement. She discussed the use of Parks and
Recreation Commissioners as program volunteers with Director of Parks and Recreation MACIAS. Mr. MACIAS responded that the department’s preference was for 10 members given the active participation of the commissioners and the number of projects discussed with the commission. Ms. LEE concurred. She went on to discuss the inclusion of a youth member as well as a senior member to the commission given the number of youth and senior focused programs offered by the Parks and Recreation department. Regarding the Arts and Cultural Events Committee, she suggested that preference be given to local artists and more involvement of student artists from local schools. She also requested that all events be presented on a yearly calendar. She expressed that she would like to see the commission utilize the funding available to them to beautify the City and therefore create more opportunities for local businesses to profit from greater exposure. Ms. LEE went on to request that Mr. Macias negotiate with the contracted Rose Float vendor to create a 3D printed miniature version of the proposed float which could be displayed with subsequent models to the public and generate a point of interest for tourists. Mr. MONTES interjected that the Rose Float contract was not currently agendized, that direction could not be given at this meeting, but that if Council agreed to discuss it at a future meeting.

Mayor PÉREZ discussed the activity level and the merits of changing from monthly basis to a quarterly basis with Ms. GARCIA and Mr. MACIAS for the Parks and Recreation Commission and the Arts and Cultural Events Committee. Mr. MACIAS stated that the Arts and Cultural Events Committee currently had 3 members and 2 vacancies but assured Council that with newly appointed commissioners they could achieve quorum regularly. Ms. PÉREZ supported maintaining 5 members and changing to quarterly regular meetings for the Arts and Cultural Events Committee. She discussed the possibility of including fundraising under the Arts and Cultural Events Committee.

Mr. MALONEY agreed with Ms. Pérez’s suggestions except the meeting frequency changes for the Arts and Cultural Events Committee. They discussed the meeting frequency with Mr. MACIAS, who suggested that a quarterly basis with the ability to meet as needed in preparation for specific events.

Council made no changes to the Library Board of Trustees, directed that the Parks and Recreation Commission maintain 10 members on a monthly meeting basis, and directed that the Arts and Cultural Events Committee include fundraising projects for future projects under the Art and Public Places Fund, maintain 5 members with the ability to include a youth member, and meet on a monthly basis. Council agreed to continue discussion regarding age requirements for all commissions as well as the membership of the youth commission.

Councilmember LEE referred to fundraising discussion and suggested that Alhambra seek partnership with other neighboring cities to create a Rose Float for the San Gabriel Valley.

Action Taken: City Council received and filed the report.

CONSENT AGENDA (Item Nos. 5 – 17)

All other items listed under the Consent Agenda, with the exception of Items No.16 and 17, were considered by the City Council to be routine and were enacted by one motion.

4-26-21

On January 25, 2021, the City Council authorized a Notice Inviting Bids for the FY 2019-2020 SB1 Street Rehabilitation Project. On February 25, 2021, the City Clerk received 11 bids that ranged from $1,947,000 to $3,023,100.59. Staff reviewed the bids and found the bid received by Sully Miller Contracting Co. in the amount of $1,947,000 as the lowest responsible bid. Sully Miller had the necessary licenses to complete the work and had conducted similar projects for other local jurisdictions.

**Discussion:** None.

**Action Taken:** City Council awarded a contract, subject to final language approval by the City Manager and City Attorney, to Sully Miller Contracting Co. in the amount of $1,947,000.00 for the 2019-2020 SB1 Street Rehabilitation Project; and, directed staff to undertake the steps necessary to finalize Council’s action. (M2M21-42)

**Vote:**

- **Moved:** MALONEY
- **Seconded:** ANDRADE-STADLER
- **Ayes:** LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
- **Noes:** NONE
- **Absent:** NONE


On March 22, 2021, the City Council approved the distribution of a Notice Inviting Bids for the Sewer System Smoke Testing Inspection Project. Bids were opened by the City Clerk on April 8, 2021. There were four bids received for the project, which ranged from $38,319 to $168,455. National Plant Services Inc. submitted the lowest qualified bid. Staff reviewed their bid and found it to be in full compliance and conformance with the project specifications.

**Discussion:** None.

**Action Taken:** City Council awarded a contract, subject to final language approval by the City Manager and City Attorney, by and between the City of Alhambra and National Plant Services Inc. for the Sewer System Smoke Testing Inspection Project in an amount not to exceed $38,319.00; and, directed staff to undertake the steps necessary to finalize Council’s action. (M2M21-43)

**Vote:**

- **Moved:** MALONEY
- **Seconded:** ANDRADE-STADLER
- **Ayes:** LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
- **Noes:** NONE
- **Absent:** NONE

7. **JOINT LETTER OF SUPPORT FOR SB 612 – SENATOR ANTHONY PORTANTINO'S RATEPAYER EQUITY BILL – F2M21-19, M2M21-44**

4-26-21
On April 12, 2021, Councilmember Jeff Maloney requested the City Council sign a joint letter of support for SB 612. SB 612, the Ratepayer Equity Bill, by Senator Anthony Portantino would ensure fair and equal access to the benefits of legacy contracts resources for all customers and ensures that investor-owned utility (IOU) portfolios are managed to maximize value and reduce unnecessary costs for all customers. For the entire Council to sign off on the joint letter in support of SB 612, this matter must be placed on a Council agenda for consideration and approval.

Discussion: None.

Action Taken: City Council approved that certain joint letter of support for SB 612 by Senator Anthony Portantino, the Ratepayer Equity Bill, which aims to ensure all California ratepayers have fair and equal access to benefits associated with investor-owned utility (IOU) legacy energy resources and that the resources are actively managed to maximize their value, a copy of which letter is outlined in the Assistant City Manager’s April 26, 2021 report on file in the City Clerk’s Office; and, directed staff to undertake the steps necessary to finalize Council’s action. (M2M21-44)

Vote: Moved: MALONEY Seconded: ANDRADE-STADLER
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

8. REJECT BID FOR ALMANSOR COURT HVAC REPLACEMENT PROJECT & AUTHORIZE A NEW NOTICE INVITING BIDS – F2M21-33, N2M21-36, N2M21-51, M2M21-45

On March 22, 2021, the City Council authorized the distribution of a Notice Inviting Bids for the Almansor Court HVAC Replacement Project (N2M21-36). On April 15, 2021, the City Clerk received one bid for the Project in the amount of $83,742.00. Due to the fact that only one bid was received, staff proposed to reject and re-bid the project in an attempt to solicit more bids. Bids for the reauthorized Notice Inviting Bids (N2M21-51) would be due no later than 10:30 a.m. on Thursday, May 13, 2021 in the office of the City Clerk and would be publicly opened at 11:00 a.m. that same day.

Discussion: None.

Action Taken: City Council rejected the bid received in response to Notice Inviting Bids N2M21-36 for the Almansor Court HVAC Replacement Project; authorized a new Notice Inviting Bids for the project (N2M21-51); and, directed staff to undertake the steps necessary to finalize Council’s action. (M2M21-45)

Vote: Moved: MALONEY Seconded: ANDRADE-STADLER
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE
9. NEW LIBRARY OPERATIONAL HOURS TO THE PUBLIC – F2M21-16

Per section 2.49.010 of the Municipal Code, the public library facility hours shall be determined by the Library Board of Trustees and reported to the City Council. On Monday, April 19, the Library Board of Trustees discussed and unanimously approved the recommended hours as presented.

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<thead>
<tr>
<th>Pre-COVID Schedule:</th>
<th>New Schedule:</th>
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<tbody>
<tr>
<td>Monday 11:00 – 9:00</td>
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<td>Sunday 1:00 – 5:00</td>
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Discussion: None.

Action Taken: City Council received and filed the Library Director’s April 26, 2021 report outlining the library’s operational hours change effective May 3, 2021 as approved by the Board of Library Trustees.

Vote: Moved: MALONEY Seconded: ANDRADE-STADLER
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

10. AWARD CONTRACT: POLICE PARKING ENFORCEMENT SERVICES – F2M21-23, RFP2M21-3, C2M21-21, M2M21-46

On January 25, 2021, the City Council approved the distribution of a Request for Proposals (RFP) for Parking Enforcement Services in the City of Alhambra. On April 1, 2021 proposals were due to the City Clerk’s Office and three proposals were received. The Police Department project team reviewed and evaluated the proposals for pricing transparency, references, qualifications, experience, proposal detail, capability and fulfilling the RFP requirements. At the conclusion of the review, the project team determined the proposal from Inter-Con Security Services to be in full compliance and conformance with the RFP specifications.

Public Comment: Lewis MCCAMMON requested more information about the other proposals received in the staff report and noted residents’ concern regarding parking issues from the customer satisfaction survey. He continued to discuss parking problems and resident complaints. He also noted issues with content and condition of street signs regarding parking enforcement including conflicting language between the Alhambra Municipal Code (AMC) and the parking permit applications. He continued to discuss other AMC language which needed correction. He requested changes be made for greater clarity.

4-26-21
Police Chief PARRA reported on each of the 3 proposals received, the reasons why the other proposals were not selected, and the reason for selecting Inter-Con.

Discussion: None.

Action Taken: City Council awarded a contract, subject to final language approval by the City Manager and City Attorney, by and between the City of Alhambra and Inter-Con Security Services for Parking Enforcement Services in the City of Alhambra for a period of three years for an amount not to exceed $1,646,011.10 from July 1, 2021 to June 30, 2024 with the option of two additional one-year extensions; and, directed staff to undertake the steps necessary to finalize Council’s action. (M2M21-46)

Vote: Moved: MALONEY Seconded: ANDRADE-STADLER
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE


Longden No. 2 is a critical producer of potable water for the City, producing as much as 1,200 gallons per minute. In November of 2020, staff noticed a significant decline in water production from the Longden No. 2 well. A pump test was conducted and confirmed that the efficiency of the pump was declining. Staff obtained three quotes and issued a Purchase Order to General Pump Company to pull the pump and column piping for inspection. The inspection revealed damage to the column piping and the pump bowl assembly. On March 24, 2021 General Pump Company issued an engineering inspection report recommending a complete repair of the pump and column. Staff reviewed the report, and it complies with all City standards. General Pump Company is the sole supplier and repair facility for Byron Jackson pump assemblies. Staff recommended issuing a contract to General Pump Company to complete the repair in an amount not to exceed $58,762.02.

Discussion: None.

Action Taken: City Council awarded a contract, subject to final language approval by the City Manager and City Attorney, to General Pump Company Inc. for the Longden No. 2 Pump Repair in an amount not to exceed $58,762.02; and, directed staff to take the steps necessary to finalize Council’s action. (M2M21-47)

Vote: Moved: MALONEY Seconded: ANDRADE-STADLER
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

12. RESOLUTION: FY 2021-2022 PROJECT IDENTIFICATION FOR THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 (SB1 BEALL) – F2M21-37, R2M21-18

4-26-21
The Road Repair and Accountability Act stipulates that, prior to receiving Road Maintenance and Rehabilitation Account (RMRA) funds in a fiscal year, a city or county must submit to the California Transportation Commission (CTC) a project list pursuant to an adopted resolution. This information is due by May, 2021. Staff proposed a Street Rehabilitation Project for FY 2021-2022 that included the following areas: Palm Avenue, Raymond Avenue, Campbell Avenue, Marengo Avenue, Bushnell Avenue, Electric Avenue, Marguerita Avenue, Curtis Avenue, Ninth Street, Eighth Street, Seventh Street, Sixth Street, Fifth Street, Fourth Street, Third Street, Second Street, Stoneman Avenue, Chapel Avenue, Sierra Vista Avenue and Ramona Road, South. It was anticipated that the City would receive $1,699,039.00 from the RMRA Fund for FY 2021-2022.

Discussion: None.

Action Taken: City Council adopted Resolution No. R2M21-18 entitled: A Resolution of the City Council of the City of Alhambra, California adopting the fiscal year 2021-2022 list of projects funded by SB 1: The Road Repair and Accountability Act; and, direct staff to undertake the steps necessary to finalize Council’s action.

Vote: Moved: MALONEY Seconded: ANDRADE-STADLER
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

13. TREASURER’S REPORT – F2M21-1

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 March 2021, listing all of the City’s investments as of March 31, 2021.

Vote: Moved: MALONEY Seconded: ANDRADE-STADLER
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

14. PERSONNEL ACTIONS – F2M21-2

Discussion: None.

Action Taken: City Council ratified the actions of the City Manager set forth in that certain Personnel Actions document dated April 26, 2021 showing the various appointments, classifications, salary changes, etc., since the last City Council meeting.

Vote: Moved: MALONEY Seconded: ANDRADE-STADLER
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ

4-26-21
15. DEMANDS - F2M21-1

Discussion: None.

Action Taken: City Council approved as submitted Final Check List (220262 thru 220385) in the amount of $844,490.02 for the period ending April 8, 2021; and, Final Check List (220389 thru 220570) in the amount of $1,184,793.70 for the period ending April 15, 2021.

Vote: Moved: MALONEY Seconded: ANDRADE-STADLER
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

16. FIRST READING OF AN ORDINANCE UPDATING CHAPTER 9.18 OF THE ALHAMBRA MUNICIPAL CODE TO IDENTIFY ADDITIONAL AREAS WHERE SMOKING IS PROHIBITED – F2M21-16, O2M21-4785

At the February 22, 2021 and March 22, 2021 City Council meetings, the Council received presentations concerning the hazards of smoking and second-hand smoke. The City currently regulates smoking in certain areas in Chapter 9.18 of the Alhambra Municipal Code. After hearing the presentations, the Council gave direction to draft an ordinance modifying Chapter 9.18 to strengthen the restrictions on smoking. Based upon that direction, the attached ordinance would expand the prohibition on smoking to include outdoor dining areas, within 20 feet of any entryway or operable window of a non-public building, public events, service areas, sidewalks, private apartment and condo common areas in complexes of at least 5 units (except in landlord designated areas at least 20 feet from other prohibited areas), within 20 feet of any vent into an enclosed area and any outdoor job or work sites (except in employer designated areas at least 20 feet from other prohibited areas). The ordinance included extensive findings concerning the hazards of smoking, based upon information provided by the Public Health Law Center’s and American Lung Association’s Law and Policy Partnership to End the Commercial Tobacco Epidemic. Additionally, the definition of smoking was updated to include the most recent state law code sections, as well as expressly reference cannabis products. The penalties section of the code was also amended to allow for issuance of administrative citations.

Public Comment:

The following people spoke in favor of the ordinance:

1) Primo Castro, representing the American Cancer Society, also submitted a letter to Council which is on file, and requested that the Multi-Unit Housing Policy address further restrictions.
2) Nicolas Kiet Quach, a student at Alhambra High, a member of Alhambra Unified
School District Tobacco Use Prevention Education Student Advocates, an intern for Mayor Pérez, and a member of the Alhambra Youth Commission, also requested that the Multi-Unit Housing Policy address further restrictions.

3) Allyson Vuong, a student at Martha Baldwin Elementary School and a member of Alhambra Unified School District Tobacco Use Prevention Education Student Advocates, also requested that the Multi-Unit Housing Policy address further restrictions.

4) Sophia Gao, a student at Martha Baldwin Elementary School and a member of Alhambra Unified School District Tobacco Use Prevention Education Student Advocates, also requested that the Multi-Unit Housing Policy address further restrictions.

5) Claud Moradian, representing the Los Angeles County Department of Public Health, also requested that the Multi-Unit Housing Policy address further restrictions.

6) Elizabeth Jacoby also requested that the Multi-Unit Housing Policy address further restrictions.

7) Deanna Arthur, a member of the Smoke Free Alhambra Coalition, also submitted a letter to Council which is on file.

Public Comment received via email on file in the City Clerk’s office:

1) Nathan Miller, representing Apartment Association of Greater Los Angeles wrote to request that Council review the expanded ordinance and its impact on multi-family housing in six months to a year following implementation in combination with the results of the County’s current survey. He also requested comprehensive outreach and education to rental housing providers.

The following people wrote against the ordinance:

1) Joseph Billeter

The following people wrote in favor of the ordinance:

1) Chris Olson
2) Shirley Tatsuno
3) Christian Bueno
4) Karina Funez, representing the American Lung Association

Discussion: Councilmember ANDRADE-STADLER addressed criticism of the ordinance and stated that the ordinance was in keeping with Alhambra’s brand of being a healthy city. She further suggested that staff work on a robust education program for residents and business owners to make them aware of the ordinance. She went on to discuss the multi-unit housing residential restrictions with City Attorney MONTES and the discussions among Council at previous Council meetings regarding the number of units which be affected and the radius from public areas in which smoking would be prohibited.

Councilmember LEE requested amending the language of the ordinance to include all multi-family units. She went on to speak regarding the negative impact of tobacco products on both smokers and non-smokers, but requested that the restrictions regarding any outdoor dining area be amended to restrict smoking to outside of 20 feet of any outdoor
dining area in deference to smoking restaurant workers and their addictions. She went on request clarification from Mr. Montes regarding alleyways.

Councilmember MAZA referred to Ms. Andrade-Stadler’s comments and previous discussions that smaller multi-unit housing residences were omitted due to their lack of outdoor common areas. He stated that he was open to approving the ordinance as written and discussing future amendments. He supported Ms. LEE’s suggestion to amend language regarding outdoor dining to specify a 20-foot radius of outdoor dining areas.

Councilmember MALONEY supported approving the ordinance as written to take immediate action to protect people from second-hand smoke. He supported future amendments and discussions regarding multi-unit housing residences. He suggested future discussions regarding the ordinance’s impact on resident’s use of medicinal cannabis products within their private homes.

Mayor PÉREZ supported future discussion of a separate ordinance to govern multi-unit housing residences which might go beyond the scope of the current ordinance. She discussed the restrictions as pertaining to e-cigarettes and devices with Mr. MONTES. She addressed Ms. Jacoby’s comments and requested to expand the definition of “park” to include facilities, parks, playgrounds, athletic fields, restrooms, picnic areas, spectator/concession areas, golf courses, walking paths, parks, gardens, hiking trails, bike paths, riding trails, roller/ice skating rinks, skateboard parks, amusement parks, zoos, and aquatic areas. Mr. MONTES clarified that the comments Ms. Jacoby submitted were in reference to privately owned recreation facilities and that the City’s parks were all covered by the ordinance as defined by another Alhambra Municipal Code section which he read aloud. He stated that the City was not home to any private recreation facilities which would be included in the definition provided by Ms. Jacoby and that the Alhambra Golf Course was expressly excluded from the smoking prohibition in the City’s Municipal Code. Ms. PÉREZ requested that the Golf Course be included in the ordinance as an all ages facility, and that the expanded definition of private recreational facilities be included.

Ms. ANDRADE-STADLER and Mr. MONTES discussed smoking restrictions pertaining to school property as governed by State restrictions, as well as Moor Field. She requested future discussion regarding the regulations governing schools and school property.

Ms. LEE reiterated her amendment and continued to discuss accommodations for smoking workers. Mr. MONTES stated that identifying all smoking areas for workers under the ordinance would be difficult and referred to previous Council discussions regarding outdoor job or worksites which allowed an exception for employer designated smoking areas at least 20 feet from other prohibited areas. He added that private workplace smoking restrictions were governed by State legislation. He made suggestions which could address Ms. Lee’s concerns as they related to the temporary outdoor dining areas which were established to address the COVID-19 indoor restrictions.

Mr. MALONEY motioned to approve the ordinance with the inclusion of the expanded definition regarding privately owned recreation facilities as submitted by Ms. Jacoby and discussed by Council. Mr. MONTES further clarified that the request as submitted asked that the expanded definition be used to cover private and public recreation facilities. He reiterated that the Golf Course which was previously exempted from the ordinance would
be included under this expanded definition and that no notification was given to the golf course regarding these restrictions. Mr. MALONEY continued to discuss the Golf Course and ultimately decided to remove the golf course from the expanded definition of the recreational facilities under the current ordinance and that future discussions regarding multi-unit housing residences could also include discussion of the golf course. Ms. LEE and Ms. ANDRADE-STADLER requested an amendment to Letter D to change the language to specify restrictions to “within 25 feet of any outdoor dining area.” Mr. MALONEY, Mr. MONTES, and Ms. LEE continued to discuss the language.

**Action Taken:** City Council introduced for first reading the following ordinance entitled:

**Ordinance No. O2M21-4785:** An Ordinance of the City Council of the City of Alhambra updating Chapter 9.18 of the Alhambra Municipal Code to identify additional areas where smoking is prohibited

Amended language to expand the prohibition on smoking to include outdoor dining areas and within 25 feet of same, updated the definition of recreational facilities based on language provide by Los Angeles County with the exclusion of the golf course; and directed staff to agendize said Ordinance for a second reading and possible adoption at the next regular Council meeting.

**Vote:**

Moved: MALONEY  Seconded: LEE
Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
Noes: NONE
Absent: NONE

17. **FIRST READING OF AN ORDINANCE ADDING CHAPTER 5.90 TO THE ALHAMBRA MUNICIPAL CODE ESTABLISHING A TOBACCO RETAIL LICENSING PROGRAM AND PROHIBITING THE SALE OF FLAVORED TOBACCO PRODUCTS – F2M21-16, O2M21-4786**

At the February 22, 2021 and March 22, 2021 City Council meetings, the Council received presentations concerning the hazards of smoking and second-hand smoke. The City currently regulates smoking in certain areas in Chapter 9.18 of the Alhambra Municipal Code. The presentations also suggested that the Council consider adopting a tobacco retail license (TRL) program and ban the sale of flavored tobacco products. After hearing the presentations, the Council gave direction to draft an ordinance for a TRL and to prohibit the sale of flavored tobacco products. The attached ordinance: 1. Includes extensive findings on the health hazards and concerns associated with smoking and flavored tobacco products; 2. Requires all businesses in the City that sell tobacco products (including e-cigarette and vaping products) to obtain a tobacco retail license no later than January 1, 2022, and then to annually renew such license; 3. Prohibits the sale of flavored tobacco products and drug paraphernalia after January 1, 2022 to allow existing retailers time to sell or otherwise dispose of their existing inventory; 4. Provides for penalties for violating any of the restrictions in the ordinance including, but not limited to, fines, license suspensions and revocations. Sale of tobacco products without a valid license is itself a violation of the ordinance.
Public Comment:

The following people spoke in favor of the ordinance:

1) Annie Tegen, representing the Campaign for Tobacco Free Kids
2) Primo Castro, representing the American Cancer Society
3) Arwa Saleh, a student at Martha Baldwin School a member of Alhambra Unified School District Tobacco Use Prevention Education Student Advocates
4) Vivian Dong, a student at Mark Keppel High School a member of Alhambra Unified School District Tobacco Use Prevention Education Student Advocates
5) Kelly Chen, a student at Mark Keppel High School and a member of the Associated Student Body
6) Shandra Kwok, a student at Monterey Highlands School and a member of Alhambra Unified School District Tobacco Use Prevention Education Student Advocates
7) Ryan Qu, a student at San Marino High School and a member of International Youth Tobacco Control, also submitted a letter to Council which is on file.
8) Monty Messex, representing the Los Angeles County Department of Public Health Department of Tobacco Control and Prevention Program
9) Kima Hassibi, a student at CalTech University and a member of International Youth Tobacco Control
10) Chelsea Cheng, a student at La Salle College Preparatory and member of International Youth Tobacco Control
11) Elizabeth Jacoby, representing the Los Angeles County Tobacco Control and Prevention Program
12) Nenetzin Rodriguez, representing Day One Health Non-Profit

The following people spoke against the ordinance:

1) Mayra Bautista, representing the National Association of Tobacco Outlets
2) Jaime Rojas, representing the National Association of Tobacco Outlets
3) Natalie Ng, a small business owner in Alhambra, also submitted a letter which is on file
4) Claudia Martinez
5) Rima Khoury, who also stated that hookah should be exempted from the ordinance, also submitted a letter which is on file

Public Comment received via email on file in the City Clerk's office:

The following people wrote in favor of the proposed ordinance:

1) Raj Dhillon, representing Breathe Southern California
2) Lori Bremner, representing Parents Against Vaping E-Cigarettes
3) Lisa Lu, a student at Stanford University, an alumna of Brightwood and Baldwin Middle school, and founder of International Youth Tobacco Control

The following people wrote against the proposed ordinance:

1) Natalie Ng submitted a petition of over 270 signatures from people opposing the ordinance
Discussion: Councilmember ANDRADE-STADLER discussed the types of hookah and the cultural concerns which should be addressed. She referred to previous meetings discussing this issue in response to the surprise of opponents and stated that the various flavors are marketed to appeal to youth. She thanked the City Attorney for the ordinance and expressed that it was a comprehensive ordinance. She thanked all student speakers and the members of the various coalitions. She stated that comprehensive outreach was still needed once the ordinance has been implemented.

Councilmember LEE also requested additional information and clarification regarding hookah to make sure that the ordinance is appropriately implemented. She spoke regarding the Council’s intention to limit youth access to tobacco products and went on to offer her perspective as a former educator. She further expressed concerns regarding compliance monitoring and whether a peace officer was needed. City Attorney MONTES clarified the enforcement by either a Peace Officer or a Code Enforcement Officer as well as the enforcement and penalty procedures. Ms. LEE suggested that given the probability of immigrant business owners that the presence of law enforcement might be perceived as threatening. She requested further discussion of the monitoring procedure.

Councilmember MALONEY agreed with Ms. Lee’s comments regarding perception of law enforcement, but likened it to similar enforcement of alcohol compliance monitoring and expressed that the expertise of the Alhambra Police Department and Code Enforcement Division were necessary. He went on to discuss the presence of hookah retailers in Alhambra and Mr. MONTES clarified that California State law SB793 did make exceptions for the sale of hookah by hookah retailers and use of hookah in hookah lounges. They continued to discuss the City’s ability to be more restrictive or consistent with State law.

Councilmember MAZA addressed Ms. Lee’s concerns regarding law enforcement and agreed that the City Manager could discuss an appropriate tone with the Police Department and Code Enforcement Division. He agreed with Mr. Maloney that while there was not an abundance of hookah retailers or establishments in Alhambra, that the ordinance should be conscientious of cultural practices and that hookah should be exempted from the ordinance.

Mayor PÉREZ discussed the inclusion of menthol products with Mr. MONTES. She went on to sympathize with Ms. Ng and the difficulties imposed on small businesses. She requested a longer phase-in period to address some of the concerns of small business owners. She went on to discuss the concerns regarding hookah and added that based on her experience, hookah was commonly used by underage smokers before the prominence of vaping and e-cigarettes. She expressed that she believed hookah should still be included in the ordinance.

Council continued to discuss Ms. Pérez’ suggestion of a longer phase-in period or an additional 6 months for retailers to sell existing product. Ms. ANDRADE-STADLER opposed the lengthy period due to the continued threat to youth. Mr. MONTES clarified the timetable with Ms. PÉREZ in which she suggested the ordinance go into effect January 1, 2022 and that retailers would be required to obtain the Tobacco Retailer License, but that they would have until June 30, 2022 to sell off existing products prohibited by the ordinance. Ms. ANDRADE-STADLER stated that only flavored shisha tobacco (tobacco used in hookah) would be prohibited under the ordinance as written, but that unflavored
shisha tobacco would be exempt. Mr. MONTES confirmed this statement. She went on to discuss the prohibition and enforcement of online flavored tobacco sales.

**Action Taken:** City Council introduced for first reading the following ordinance entitled:

**Ordinance No. O2M21-4786:** An Ordinance of the City Council of the City of Alhambra adding Chapter 5.90 to the Alhambra Municipal Code establishing a Tobacco Retail Licensing Program and prohibiting the sale of flavored tobacco products

Amended the ordinance to clarify that all businesses in the City that sell tobacco products (including e-cigarette and vaping products) would be required to obtain a tobacco retail license no later than January 1, 2022, and then to annually renew such license; amended the ordinance to clarify that the sale of flavored tobacco products and drug paraphernalia would be prohibited after June 30, 2022 to allow existing retailers time to sell or otherwise dispose of their existing inventory; and directed staff to agendize said Ordinance for a second reading and possible adoption at the next regular Council meeting.

**Vote:**

- Moved: ANDRADE-STADLER
- Seconded: MALONEY
- Ayes: LEE, MALONEY, ANDRADE-STADLER, MAZA, PÉREZ
- Noes: NONE
- Absent: NONE

**COUNCIL COMMUNICATIONS (ANNOUNCEMENTS & FUTURE AGENDA ITEMS) – F2M21-7**

Councilmember ANDRADE-STADLER spoke favorably of SB91 which would continue to extend the eviction moratorium and incentivize landlords to forgive back rent using the federal relief. She requested that Council draft a letter in support. Councilmember LEE and City Manager BINNUQUIST discussed how it might affect the local governments. City Attorney MONTES clarified Council policy regarding submitting letters to other agencies. Council further discussed the policy and the timetable for approval of SB91 and Ms. ANDRADE-STADLER and Mayor PÉREZ agreed to draft a letter for the approval of Council at the next Council meeting.

Ms. ANDRADE-STADLER also commended staff for creating the Mobile Library to visit local parks and offer library services to youth. She further commended the Police Department for their partnership with local Auto Repair places to etch catalytic converters from the public. She also commended Ms. Virginia Valencia and the Police Department for their help with the homeless in Alhambra.

Councilmember MAZA reported on the ribbon cutting event for the Edwards Renaissance Theatre and wished them a full recovery after the pandemic.

Councilmember LEE requested an agendized discussion to amend the Phoenix Decorating Company contract to include the creation of a miniature float model of the proposed Rose Float design at no extra cost. Mr. MALONEY suggested that this could be first discussed by the City staff or by the Arts and Cultural Events Committee who could also generate other similar ideas. Ms. BINNUQUIST agreed to have staff discuss the matter with the Committee. Council requested the Arts and Cultural Events Committee to discuss other ways to memorialize the Rose Float,
including the creation of a model, and requested that staff discuss the possibility with Phoenix Decorating Company.

Mayor Pérez suggested an extension of the outdoor dining area setup after June 15, when the Stay At Home Order was estimated to be relaxed. She went on to report on her ride-along with the Alhambra Police Department and commended the HOME Team and their work with the homeless population. She thanked the Chamber of Commerce for resuming ribbon cutting events to inspire excitement in the community for local businesses. She further discussed the City’s high vaccination rates and expressed her pride and gratitude.

CLOSED SESSION & CITY ATTORNEY ANNOUNCEMENT re SAME - F2M21-14

City Attorney Montes identified those items listed on this evening’s agenda which would be discussed in Closed Session as follows:

Conference with Real Property Negotiator (Govt. Code Section 54956.8): Properties: 2800 W. Valley Blvd. and 2826 W. Valley Blvd.; Negotiating parties: City Manager and Christine Kan at W & L Foundation. Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.

Discussion of Personnel Matters (Govt. Code Section 54957): Public Employee Evaluation - Title: City Manager

Conference with City's Labor Negotiator (Govt. Code Section 54957.6): Mariam Ko, Director of Human Resources re: Alhambra Fire Management Association

whereupon at 10:05 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 10:55 p.m. the City Council moved out of close session with all members present.

ADJOURNMENT: At 10:55 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 the next regular meeting of the Alhambra City Council is scheduled for Monday, May 10, 2021 at 6:00 p.m.

Lauren Myles, CMC
CITY CLERK

by
Brianna Lamb McCarthy
ASSISTANT CITY CLERK
CITY CLERK

4-26-21
The information for this item is available at the City Clerk’s Office

(626) 570-5090
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