

**MINUTES  
ALHAMBRA CITY COUNCIL  
ALHAMBRA REDEVELOPMENT AGENCY  
Joint Adjourned Regular Meeting  
January 5, 2009  
5:30 p.m.**

**ROLL CALL:** At 5:30 p.m., on Monday, January 5, 2009, the Alhambra City Council and the Alhambra Redevelopment Agency (ARA) met in the Community Room of the Alhambra Civic Center Library, 101 South First Street, Alhambra, California.

**CITY COUNCIL/ARA BOARD MEMBERS:**

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

**Officials Present:** City Manager/ARA Executive Director Fuentes, Assistant City Manager/Personnel Director Bacio, Assistant City Attorney/Assistant Agency Counsel Richman, City Clerk/ARA Assistant Secretary Moore, Director of Development Services/ARA Deputy Executive Director Martin, Deputy Director of Finance Johnson, Director of Public Works Swink, Director of Utilities Montan, Director of Community Services Jarvis, Chief of Police Hudson, Fire Chief Stedman, Deputy City Manager Schultz, Assistant to the City Manager Hayashi, Library Director Hernandez, Code Enforcement Manager Bisogno.

**FLAG SALUTE:** Led by Mayor Messina

**CITY CLERK/ARA ASSISTANT SECRETARY REPORT - NOTICE NO. N2M8-145**

The City Clerk/ARA Assistant Secretary reported that she duly gave notice of the Joint Adjourned Regular Meeting of the Agency Board and City Council being held today pursuant to the order of the Mayor and ARA Chairman and in accordance with Section 54955 of the Government Code of the State of California.

**PRESENTATION**

**1. PRESENTATION: SR-710 TUNNEL TECHNICAL STUDY – F2M3-96**

Representatives from the MTA made the presentation regarding the SR-710 tunnel technical study. **Rebecca BARRANTZ**, The Sierra Group, 560 Riverdale Drive, Glendale, Project Manager, SR-710 Tunnel Technical Study, introduced an overhead

presentation of the 710 Tunnel Technical Study. MTA literature regarding the program, including the 710 Tunnel Technical Study Exploration Program Schedule, SR-710 Tunnel Technical Study Exploration Program Fact Sheet and Exploration Program Notice were on file in the City Clerk's Office. Ms. Barrantz indicated that all information pertinent to the SR-710 Tunnel Technical Study would be posted on their website: [www.710tunnelstudy.info](http://www.710tunnelstudy.info). Highlights of her presentation were consideration of all practicable route alternatives, and the project objective of tunneling through the five potential zones which included the cities of Los Angeles, Alhambra, South Pasadena, Pasadena, and cities in the east San Gabriel Valley, which were on hold pending additional information. The study would concentrate on geotechnical data. Information obtained through the study would be used for screening so that once they had the data, they could make a determination as to the best options. The final report would be presented to the Steering and Technical Advisory Committees and to the public.

**C. Yoga CHANDRAN**, Senior Principal Geotechnical Engineer and Senior Project Manager, CH2M HILL, 3 Hutton Centre Drive, Suite 200, Santa Ana, stated that his company was the contractor retained to conduct the boring for the exploration program. He discussed technical aspects of the boring program, including mapping, surveys and seismic testing. Phase I of the program would be completed at the end of March, 2009. The final summary report would be submitted between August, and September, 2009. Responding to City Manager **FUENTES**, Mr. **CHANDRAN** stated the boring work would be done in Zones 1, 2 and 3, with two borings in Alhambra as part of Phase I. Each boring would take between 7 to 10 days.

**Enrique GASCA**, Outreach Manager with The Sierra Group, discussed aspects of community outreach in Alhambra for the SR-710 Tunnel Study Exploration Program. He noted there were several channels for public communication on this project, including the [www.710tunnelstudy](http://www.710tunnelstudy) website and a toll free telephone No. 1-877-710-4111 as well as the Tuesday, January 6, 2009 Exploration Program Notice distributed in English, Spanish and Mandarin and the Exploration Program Fact Sheet, both of which were available to the public through Caltrans and on file in the City Clerk's Office.

**Discussion:** Responding to Mr. **AYALA**'s question regarding what citizens could expect as this study was undertaken in Alhambra, Ms. **BARRANTZ** remarked some noise, some dust, and some vibration on a sustained basis for short periods of time. Mayor **MESSINA** asked who would be responsible for any damages caused during the study, to which **Abdi SAGHAFI**, Caltrans District 7 Project Manager, responded they were still on this issue; however, the short answer would be that Caltrans would have to be responsible because it was their operation. The borings, about six inches in diameter, were not very large. Mr. **FUENTES** questioned the relative expense involved in selecting a longer zone alternative vs. a shorter zone alternative to which Mr. **SAGHAFI** remarked what Caltrans was trying to do with this study was to please everyone. Vice Mayor **PLACIDO** pointed out that in previous meetings we were informed that the technical group had a good team of experts that would evaluate the data. They made a presentation and stated no matter what they find underground, they can build a tunnel through it. This study should be done by 2010, or sooner.

**Action Taken:** Council received the information and ordered filed.

**RECESS:** At 6:10 p.m., **Mayor MESSINA** declared a 10-minute recess.

**RECONVENE:** At 6:23 p.m., **Mayor MESSINA** reconvened the meeting with all members present.

**ARA/COUNCIL WORKSHOP (Item Nos. 2 - 3) – F2M9-16**

The City Council and Redevelopment Agency Board then moved into a workshop format for the purpose of staff presenting to the City Council and/or Agency Board and the City Council/Agency Board discussing with staff those matters listed below. As these items were study session items only, no action was taken by the City Council and/or Redevelopment Agency Board unless otherwise indicated.

**2. 2008-09 GENERAL FUND BUDGET – F2M8-17, F2M9-17, F2M4-74**

City Manager **FUENTES** stated that staff would review with the Council/Agency Board where the City needed to be in FY 2009-2010, reporting that during FY 2007-2008, several significant adjustments were made to balance the budget for FY 2008-2009, and overall things were going somewhat as well as expected. However, staff was still concerned about slackness in the budget, particularly in the area of sales tax. The auto sales tax from this fiscal year would certainly affect the City in how we plan for FY 2009-2010. As of July 1, 2009, the City probably was going to continue struggling with revenue losses due to the economy. In order to meet its projected balance as of June 30, 2008, the City was going to have to eliminate about \$3 million in order to make the budget again. However, almost \$5 million in proposed enhancements and reductions would seem to eliminate this deficit beginning July 1, 2009. Mr. Fuentes then asked several department heads to give presentations on their respective department's FY 2009-10 proposed Fees and Adjustments.

Leading off, Director of Finance **Longballa** gave an overhead presentation and discussed aspects of the 2008-09 General Fund Budget, 2009-10 General Fund Budget Projections, as well as the 2009-10 General Fund Structural Deficit Solutions through New/Additional Revenues and Expenditure Reductions. Mr. **Fuentes** noted the Director of Finance's \$3.2 million projection for new/additional revenues for FY 2009-2010 was a conservative estimate. He also pointed out that the City needed to build and keep money in reserve. Mr. **Longballa** presented one additional overhead projection summarizing the Alhambra Redevelopment Agency's Fiscal Year 2008-09 Mid-Year Review and 2009-10 Cash forecast. He discussed Revenues and Expenditures for each of three fiscal years, June 30, 2008, June 30, 2009 and June 30, 2010.

Next followed City Engineer **Cayir** whose overhead presentation centered on Development Services' comparison of current building fees with various local agencies, and their proposed fee rates. A key point was that currently Alhambra was in the middle among agencies as far as building fees, but offered more services compared to other cities in terms of the number of hours for over-the-counter plan check and permit issuance services. Responding to Mayor **Messina's** question regarding one-stop shopping for permits, Mr. **Cayir** noted it had pretty much been implemented and with the proposed changes he had just presented one-stop permit issuance services would be close to 100 percent. He next gave an overhead presentation of the Public Works Department's 2009 proposed engineering fee schedule. Mr. **Fuentes** underscored

that the fees presented were options. If Council wished to adopt all of them, that would be great. If Council wished to “mix and match,” that would be great as well. Mr. **SHAM** suggested that proposed fees be reviewed on a regular basis so that there were no large jumps. Vice Mayor **PLACIDO** concurred, adding that these were user’s fees that citizens who did not utilize the service would not have to pay the fee for the service. Dr. Placido also thought the fees proposed for nonprofit organizations for street banners and block party closures should be reconsidered.

Using PowerPoint, Chief of Police **HUDSON** reviewed several of his Department’s revenue-producing areas, including current fees/revenue and proposed additional revenue from the overnight parking kiosk, parking citations, alarm permits, auto impound release fees, and jail lease revenues. Five specific areas were identified where the Police Department was either below or significantly below market rate with its fees. Chief Hudson also presented an overnight parking survey that demonstrated the City charged lower fees than other cities in the San Gabriel Valley for both their annual and temporary parking permits as well as for parking ticket fees.

Fire Chief **STEDMAN**, in his overhead presentation, addressed five different recommendations for revenue generation, which included: adopting the Los Angeles County Paramedic Fee schedule, establishing a “Patient Assessment Fee” for non-transport incidents, adjusting the Annual Fire Inspection Fee, establishing an illegal fireworks administrative fine, and establishing DUI Cost Recovery Process for Fire Response. Vice Mayor **PLACIDO** questioned the 40 percent recovery collection rate for paramedic calls, suggesting a lien be put against the homes of non-subscription users of the City’s paramedic service who do not pay for the service after using it.

Director of Community Services **JARVIS** presented an Alhambra Municipal Golf Course Fees proposal and a greens fee comparison chart. The Alhambra Municipal Golf Course had not changed its fees since 2000, and these fees were well overdue for adjustment. No two golf courses were alike, but some of the important things to look at when comparing golf courses are golf course size and rating. Ratings come in two categories: those under 6,000 yards and those over 6,000. Alhambra’s course is just under 6,000 yards and for that reason, Ms. Jarvis looked at fees for those courses both above and below 6,000 yards. The second category was Par rating; i.e.: how difficult was the golf course. Fees varied by category, and in most instances, Alhambra was lower than many of the other golf courses surveyed. Vice Mayor **PLACIDO** did not think golf patrons would mind the fee increases if there were concomitant improvements to the golf course which were visible by the patrons.

City Manager **FUENTES** stated staff wished to bring these items back to Council on January 20, 2009. This evening’s presentations would give Council time to digest proposed adjustments and give staff direction. Staff would like to have everything wrapped up in resolution form so Council could consider either approval or disapproval of this plan sometime in February, 2009. Staff would like the proposed adjustments in fees and service charges in place this fiscal year, so that they were ready to go by July 1, 2009.

**Note:** Copies of the PowerPoint presentations, overhead projection slides and/or hard copy reports referenced above are on file in the City Clerk’s Office as F2M8-17.

**Action Taken:** City Council/Agency Board received the information and ordered filed.

**3. FIVE-YEAR PROPOSED WATER RATE INCREASE (2009-2013) – F2M9-20, F2M3-71**

Director of Utilities **SWINK** presented an overhead projection entitled “Proposed Five Year Water Rate Increase – 2009-2014,” on file in the City Clerk’s Office. The presentation consisted of charts on the City’s water system enterprise fund financing plan, proposed bi-monthly water bills for fiscal years 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, water rates, and a list of the water projects completed in the last five years. Also included was a five-year capital improvement plan listing the projects to be completed, and a comparison of comparable cities’ average bi-monthly single-family residential water rates. Regarding the Financing Plan for the water rate increase, staff was asking for a 10% rate increase the first three years, with a 5% rate increase the last two years. The first four years would be pretty lean, but at some point the City could increase capital outlay to do more work. The goal was to increase the rates and at the same time build an ending balance.

**Discussion:** City Manager **FUENTES** stated he hoped to build the reserve fund up to \$10 million. In response to Vice Mayor **PLACIDO’s** question regarding the increase in water rates, Ms. **SWINK** responded the last time it was done was five years ago, with July 1, 2008 being the last such increase. Mr. **FUENTES** noted that whatever adjustments were made to the rates, the City would have to go back and report to the water customers, providing them with that information and giving them the opportunity to protest the rates, commenting that the last time this was done, which was five years ago, the City did not receive many protests. For the next meeting, Mr. Fuentes suggested staff bring Council back the water rate schedule presented this evening, and also a water rate schedule with a 10% rate increase across the board. Ms. **SWINK** added there was a time element with the rate increase and that staff hoped to have the public hearing the first meeting in April, thereby enabling staff to implement the increase on July 1, 2009.

**Action Taken:** Council directed staff to bring back the water rate increase schedule presented this evening as well as a 10% across-the-board water rate increase schedule for Council consideration.

**4. REVISED DRAFT SINGLE-FAMILY RESIDENTIAL DESIGN GUIDELINES – F2M6-21**

**Maryann MARKS**, Senior Project Manager, *Downtown Solutions*, 31726 Rancho Viejo Road, discussed the changes made to the revised draft of the Single Family Residential Design Guidelines, which Guidelines are on file in the City Clerk’s Office.

**Discussion:** In reference to Councilmember **YAMAUCHI’s** question on landscaping, Ms. **MARKS** stated there was a whole section on landscaping, fencing and lighting. Responding to Councilmember **AYALA’s** question on the remodeling process, Director of Development Services **MARTIN** noted the applicant would refer to the architectural details for the particular style to determine the types of things needed in the architectural plans. It was hoped that would make design work go much more quickly. The Planning

Commission had approval authority on most of these issues, subject to appeal, if they thought that the design was not adequate. Where staff may have some issues would be if and when an applicant decided to change the architectural style. That would be a more difficult evaluation as it would be more subjective. City Attorney **MONTES** stated that the Municipal Code currently has certain entitlements, noting that the Director of Development Services already has decision-making authority, others are the Planning Commission and in some instances even the City Council. Consequently, there are general terms about the exercise of that discretion, for instance, consistency in the neighborhood, or consistency with the overall style of the dwelling. The intent of the Design Guidelines is to provide a vehicle that one could look through to hopefully create more commonality in what was submitted and consistency in what was being approved. The way the Council would adopt these Guidelines would be by resolution, but there would also be a Code amendment in the Zoning Title that would indicate that where any decision maker was exercising discretion with respect to the interior appearance of a single-family residential dwelling, that person or body would refer to and use the Residential Design Guidelines. These Design Guidelines, which were not binding, would be rolled into the Code--the touchstone or the reference used by decision makers when they were trying to evaluate the aesthetics of a single-family residential property.

Mr. **YAMAUCHI** asked would the adoption of the Guidelines negate previous Planning Commission decisions, to which City Attorney **MONTES** remarked that we have that problem now. Once the Guidelines are adopted, people are not going to say, "Well, you approved that, why can't you approve this?" Councilmember **SHAM** asked how people could get a copy of the Guidelines, to which Director of Development Services **MARTIN** responded staff probably would have an article in *Around Alhambra* informing the public. Staff could also make it available on the City website, with a copy at the Library. Citizens could come into City Hall and purchase a copy, just as they can currently purchase a copy of the zoning ordinances. Mayor **MESSINA** suggested Planning staff be educated on this item as to what to advise people when they come into City Hall. Vice Mayor **PLACIDO** suggested the Guidelines be bound similar to a book so that people could not tear out the pages. He also recommended 10 copies be made available at the Planning Commission meetings for the Commissioners for their use during the meetings. Mr. **MONTES** detailed the method for adoption, stating that this item would be presented again to the City Council for its consideration at a future meeting by means of the Ordinance he had formerly referenced which states the City was going to use these Guidelines as a reference tool and a Resolution approving the Guidelines.

**Action Taken:** With the unanimous consent of the Council, staff was directed to bring back at a future meeting an Ordinance pertaining to the Single-family Residential Guidelines' use as well as a Resolution approving the Guidelines.

## **ORDINANCE – FIRST READING**

### **5. FIREWORKS PROGRAM – F2M8-26, O2M9-4534**

City Attorney **MONTES** stated that staff is requesting the City Council to amend the City's existing regulations pertaining to the permitting and sale of fireworks for the purpose of improving the process and making the program more equitable and efficient, pointing out the provision on page 3 that with the exception of veterans' organizations,

the fireworks stand must be run by and staffed at all times by members of the organization which submitted the application.

**Discussion:** None

**Action Taken:** City Attorney introduced and gave first reading to **Ordinance No. O2M9-4534** entitled:

An Ordinance of the Alhambra City Council amending Subsections 3310.1 and 3310.2 of Section 19.02.020 of the Alhambra Municipal Code regulating the permitting and sale of fireworks

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

## **AGENCY BUSINESS**

### **6. EPMC BENEFIT FOR ARA EMPLOYEES – F2M7-51, R2M9-500**

Staff requested the Agency Board to adopt a Resolution authorizing the implementation of the PERS Employer Paid Member Contribution (EPMC) Benefit for ER 0791 Alhambra Redevelopment Agency employees as more fully discussed in the Assistant City Manager/Personnel Director's January 5, 2009 report on file in the City Clerk's Office.

**Discussion:** City Attorney/Agency Counsel **MONTES** explained that this resolution was merely a "housekeeping" item required by the Public Employees Retirement System.

**Action Taken:** Agency Board adopted **Resolution No. R2M9-500** entitled: *A Resolution of the Alhambra Redevelopment Agency Board authorizing a resolution for paying and reporting the value of employer paid member contribution (EPMC) benefit for the Alhambra Redevelopment Agency Employees.*

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

**ORAL COMMUNICATIONS:** None

### **CLOSED SESSION & CITY ATTORNEY ANNOUNCEMENT re SAME - F2M9-14**

City Attorney/Agency Counsel **MONTES** identified those items listed on this evening's agenda which would be discussed in Closed Session as follows:

**Conference with Real Property Negotiator (Govt. Code Section 54956.8):**

- a) Property: 30 West Main Street, Negotiating parties: Kristin Lee and City Manager/ARA Executive Director Julio J. Fuentes & Director of Development Services Michael Martin, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both;
- b) Property: 2121 West Main Street #100, Negotiating parties: Panattoni Development and City Manager/ARA Executive Director Julio J. Fuentes & Director of Development Services Michael Martin, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.

**Conference with Legal Counsel--Existing Litigation (Govt. Code Section 54956.9(a):** None

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

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

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

whereupon at 9:25 p.m., the Agency Board and 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 Assistant Agency Counsel/Assistant City Attorney.

**RECONVENE & ADJOURNMENT:** At 10:00 p.m., the Agency Board and City Council moved out of closed session with all members present; and, as there was no further business for the Council/Agency Board to transact, with the unanimous consent of the City Council and the Agency Board, the Mayor and Chairman adjourned their respective meetings.

**FRANCES A. MOORE, CMC  
CITY CLERK & ARA ASSISTANT SECRETARY  
and  
CRAIG ROGERS, CMC  
ASSISTANT CITY CLERK**