

**MINUTES
ALHAMBRA CITY COUNCIL
ALHAMBRA REDEVELOPMENT AGENCY
Joint Adjourned Regular Meeting
February 2, 2009
5:30 p.m.**

ROLL CALL: At 5:35 p.m., on Monday, February 2, 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, City Attorney/Agency Counsel Montes, City Clerk/ARA Assistant Secretary Moore, Director of Development Services/ARA Deputy Executive Director Martin, Director of Finance Longballa, Director of Public Works Swink, Director of Utilities Chavez, 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. N2M9-15

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.

CITY BUSINESS (Item Nos. 1 - 4)

1. ADJUSTMENT TO CITY FEES & SERVICE CHARGES – F2M4-74, F2M8-17, R2M9-1

City Manager **FUENTES** reported that at the January 5, 2009 meeting, staff presented to the City Council for its consideration various increases and/or adjustments to existing City fees and service charges as well as the imposition of new fees. Based upon the

direction given by the City Council at that meeting, staff had prepared a Resolution setting forth the proposed fees and service charges adjustments for the Council's consideration. To more systematically implement future fee and charge adjustments, it was recommended that these adjustments be made annually based upon the most recent prior 12-month CPI rate history utilizing the *U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for All Urban Consumers (CPI-U)*. He noted that staff had not made any changes to what had been offered at that meeting, but a revised copy of the fees and service charges was being provided to Council because Utilities Department fees had been inadvertently left off along with Library fees.

Library Director **HERNANDEZ** presented revisions to Library fees, specifically, an adjustment to overdue book fees from 20 cents per day per item for adult materials to 25 cents per day charge, and for juvenile materials from 10 cents to 15 cents per day. She also discussed proposed Library Community Room usage fees of \$35 per hour for Alhambra nonprofit organizations, with a reservation fee of \$10, a cancellation fee of \$25 and a refundable deposit of \$100 required for use of the room. A kitchen use fee of \$25, a projector use fee of \$20, and audio-visual equipment fee of \$25, and a \$50 an hour charge for after-hours use of the Community Room were also discussed. Responding to Vice Mayor **PLACIDO's** question, Ms. **HERNANDEZ** stated these fees were similar to those of other cities. These fees likewise would increase annually based on the Consumer Price Index. Currently, the Community Room was used only for City and Library events and by local nonprofit organizations.

Director of Utilities **SWINK** presented her department's proposed *Adjustments to Service Fees and Charges*, a copy of which is on file in the City Clerk's Office. Some of the adjustments highlighted were as follows: The fee for delinquent account tagging would change from the flat fee of \$10 to \$10 for the first time, with an additional \$10 increase for subsequent tags. A \$50 fee would be levied for delinquent accounts which involved customers tampering with the water meter to obtain unauthorized water service plus doubling their deposits for such water service. For those tampering incidents in which the meter was actually damaged, the customer would be billed the actual cost of the meter plus doubling the water service deposit. For customers requesting a field consumption survey, the first survey in one year would be free; however, a \$185 fee would be charged on the second and subsequent customer-requested surveys. Also, on new and redevelopment plans requiring review by Utilities staff/City Engineer, a fee of \$110 per hour is being proposed.

Responding to Mayor **MESSINA's** and Mr. **AYALA's** questions, Ms. **SWINK** stated that the City has not charged for plan review services before, and that single-family homes, at the most, had water meters and sewer connection. Consequently, the charge for plan reviews would be for bigger projects with water mains and multiple meters. She concluded by stating that staff was also proposing a \$35 permit issuance fee, \$100 insurance processing fee, and \$3 per plan or attachment processing fee to Email PDF files to developers.

Citizen Input: **Lola ARMENDARIZ** questioned the \$1 increase of temporary overnight parking permits sold at the kiosk, suggesting that such overnight fees be increased. She also felt the increase from \$35 to \$60 for the annual overnight parking

was excessive. Mayor **MESSINA** responded the kiosk was to assist people staying overnight and that \$60 for an annual overnight permit was within a reasonable range of what other cities were charging.

Discussion: Responding to Mayor **MESSINA**'s concerns about the \$250 charge for Paramedic Assessment Dispatch Non-Transport, Fire Chief **STEDMAN** stated the fee related to all the medical incidences to which the Fire Department responded and included a dispatch fee on every telephone call as well as fees related to Code 3 responses, including wear and tear on the vehicles, and the additional risk to the firefighters responding to such calls. Additional costs included disposable medical supplies, oxygen and oxygen masks, ice packs, bandages, and EKG pads. This was the industry standard, an average cost. Councilmember **SHAM** pointed out that citizens enrolled in the Paramedic Subscription Program did not have to pay the \$250. Chief **STEDMAN** stressed that the annual Paramedic Subscription enrollment fee was only \$48 per family. Also, Medi-Cal would pay \$118 that the Department was not currently collecting and many insurance companies will pay the entire \$250. City Manager **FUENTES** stated this only related to a call for a medical emergency that the Fire Department did not transport. Vice Mayor **PLACIDO** asked what the City's liability would be if there were no medical assessment and serious medical consequences resulted, to which Chief **STEDMAN** stated the firefighters would still do an assessment; they would not just leave the victim. In response to Councilmember **AYALA**, Chief **STEDMAN** responded the Fire Department does have a paramedic subscription database.

Responding to Vice Mayor **PLACIDO**, Director of Utilities **SWINK** noted that currently Utilities has a permit issuance fee but not an hourly rate for checking the plans before the permit is issued. City Attorney **MONTES** added there were two issues with the Plan Check Fee. If the plans were good, checking could go very quickly and the fee would not be very much. Going back and forth involved a lot more staff time. Staff time was incurred during the plan check and was expended without recovering any of the costs if an applicant got frustrated or lost financing and did not come back to pull the permit. That was why typically a plan check fee was not a flat fee, but usually an hourly fee.

Dr. **PLACIDO** proposed taking the banner fee out of consideration and recommended the \$50 to \$100 fees be included in permits for events. Director of Public Works **CHAVEZ** stated not all nonprofits that hang banners would pull a permit to close down a street. The event could be on private property and the City would not have an opportunity to recoup the cost by charging it elsewhere. Dr. **PLACIDO** then suggested in those cases that the banner be hung for free. Mr. **SHAM** suggested waiving the charge to an organization for a first banner, but charge that same organization for further banner hangings within the year. Ms. **CHAVEZ** noted there are currently 3 locations used to hang banners; however, adding that while we discourage the hanging of more than one banner by the same organization, we do put up two banners should the organization so request.

Mr. **AYALA** asked for clarification regarding the proposed fee for a request to change street names to which Director of Public Works **CHAVEZ** remarked she could not remember, in 24 years with the City, anyone asking for it. However, it was in the report should the issue ever come up.

City Manager **FUENTES** asked if the Council wished to put a cap on the Consumer Price Index, as it was not unreasonable to do a CPI with no more than a 5% cap. Dr. **PLACIDO** suggested it be the other way around. If the CPI goes up and needs to be reduced, then it comes before the Council. If the CPI went higher than 5%, he would rather reduce a fee than increase it, and felt it should be at the discretion of the Council or the City Manager to ask for the lower adjustment. Director of Development Services **MARTIN** brought up the point that because we adopt the County Codes, we likewise adopt the County's building fees, which are part of those codes; consequently, we should include language to state that such fees are not subject to the CPI so there is not an increase upon an increase whenever the County adjusts its fees.

Regarding annual renewal options and exemptions for shopping carts, Code Enforcement Manager **BISOGNO**, responding to Vice Mayor **PLACIDO's** question stated the current fee was \$130 for a full program. The fee for a company with less than 10 shopping carts was \$60. Those stores with a full containment system; i.e., an electronics system that prevented shopping carts from leaving parking lots, were given an exemption. They paid a one-time fee for a three-year exemption. However, there were only three stores in the City currently with full containment systems. Others paid on a yearly basis. Stores were required to submit programs by January 1, 2008. Dr. **PLACIDO** suggested that if stores paid their fair share in collecting carts, they might consider getting into a full containment system. He recommended the annual fee be adjusted to reflect the costs the City incurs. Mayor **MESSINA** questioned the number of carts collected last year, to which Mr. **BISOGNO** responded approximately 35,000. Dr. **PLACIDO** recommended leaving the shopping cart issue off to be re-visited with an adjusted fee reflecting the actual costs the City incurred. Mr. **SHAM** noted the overlap of carts from neighboring cities and how difficult it was to control their carts in Alhambra.

Dr. **PLACIDO** motioned to keep Item #2 on **Resolution No. R2M9-1** the same, eliminate the banner fee for the first event for a nonprofit, and take out the shopping cart fee this evening for revisiting as a separate item at a subsequent meeting. City Attorney **MONTES** suggested, before Council voted on Dr. Placido's motion, that Council leave in the shopping cart fee as Council could re-visit it later, if needed.

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 F2M4-74.

Action Taken: With the exception of shopping cart fees, City Council approved the Dr. Placido proposed modifications and adopted **Resolution No. R2M9-1** entitled: *A Resolution of the Alhambra City Council modifying Resolution No. R2M6-38 approving certain adjustments (increases and decreases) to various City fees and service charges.*

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

2. FIVE-YEAR PROPOSED WATER RATE INCREASE (2009-2013) – F2M9-20, N2M9-17

City Manager **FUENTES** stated that staff is requesting the City Council to review two proposed water rate increase schedules, select a rate increase for the next five years and set the matter for public hearing, noting the Council discussion at the January 5, 2009 workshop of the 10%, 10%, 10%, 5%, 5% proposed water rate increase as well as Council's suggestion that staff look at a possible 10% increase across the board over the next five years. Staff has prepared the original and amended water rate increase schedules and was looking for direction from Council as to how they wished to proceed.

Discussion: Mayor **MESSINA** asked if the previous adjustment to the water rate increase had netted enough money to do all that needed to be done, to which Director of Utilities **SWINK** responded the Utilities Department did have an ending balance, but the Department wished to have a reserve fund of \$5 million for emergencies. Ms. **SWINK** stated that the 10%, 10%, 10%, 5%, 5% increase would get the Department where it needed to be, but staff was looking for direction as to which of the rates Council preferred, and from there staff would notify the consumers of the proposed increase, then set a public hearing for Tuesday, May 26, 2009, the day after Memorial Day.

City Attorney **MONTES** stated this item did not need a motion, but rather Council consensus as to which notice staff should be sending out in the water bills. Council could not make a decision on water rates until after a public hearing had been held. Mayor **MESSINA** asked why the City could not do the lesser rather than the higher rate? Councilmember **SHAM** thought that by the fourth and fifth year, increases in costs would probably be more than anticipated. Vice Mayor **PLACIDO** remarked that, if necessary, in three years the Council could always come back and decrease the rate. Councilmember **YAMAUCHI** agreed with Council Members Placido and Sham. For clarification, City Manager **FUENTES** stated Council's direction was for staff to pursue a 10% per year increase across the board.

Action Taken: City Council discussed the two proposed water rate increase options and determined a 10% per year rate increase over the five year period appeared to be the better of the two options presented whereupon they directed the City Clerk to set the matter for public hearing on May 26, 2009. (**Notice No. N2M9-17**)

3. GOLF COURSE GREENS FEES INCREASE (2009-2013) – F2M9-30, F82-57, F2M4-74, R2M9-2

Staff requested the City Council examine the current greens fee schedule of the Alhambra Municipal Golf Course, compare Alhambra's greens fees to other similar golf courses' greens fees and adopt a new greens fee rate which would incrementally increase greens fees over the next five years as more fully discussed in the Director of Community Services' February 2, 2009 report on file in the office of the City Clerk.

Discussion: City Manager **FUENTES** noted a presentation regarding the five-year plan for a proposed increase in golf fees had been made by the Director of Community Services at the January 5, 2009 workshop. That proposal had not changed and was

available for review this evening. Vice Mayor **PLACIDO** moved to approve the resolution and recommended that along with the fee increase, staff should also prepare a schedule of projects, just a short list of things staff would like to accomplish in the next year or two years.

Action Taken: City Council adopted **Resolution No. R2M9-2** entitled: *A Resolution of the Alhambra City Council revising the Golf Course Greens Fees Schedule and rescinding all other Resolutions, or portions thereof, contrary to the Resolution, all to be effective as of March 1, 2009.*

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

4. SUMMER JUBILEE 2009 – F2M9-32, F99-42

Using PowerPoint, Director of Community Services **JARVIS** presented to the Council a cost breakdown for an abbreviated *Summer Jubilee*, consisting of estimates for 1, 2, and 3 evening cost schedules, for its determination concerning the possibility of producing a *Summer Jubilee 2009*, stating that staff was seeking direction as to how the City Council wished to proceed.

City Manager **FUENTES** reported that the City did not have a cost center or identifiable revenue for this year's *Summer Jubilee*. He discussed the possibility of reducing the program from six nights to three nights, cutting set-up costs to \$100,000, bringing the cost, with the talent contracted, to between \$140,000 to \$170,000 per night. A "mythical" overview of a three-night *Summer Jubilee* could cost under \$600,000. Although the Redevelopment Agency could provide several hundred thousand dollars, currently the City did not have the money from the General Fund. The *Jubilee* required decisions now, as staff would have to contract with the vendors. If the money were to come from the recently established reserve fund, Mr. Fuentes did not know if the City could make it up by the end of the year. That depended on how revenues were and whether or not the City hit its target and had savings. If the City could not find the money, he guessed the *Jubilee* could be suspended for a year.

Discussion: In response to Mr. **SHAM's** question regarding sponsors, Mr. **FUENTES** noted the amount of money needed was substantial to offset the costs and that the commercial and retail communities were hurting now. Staff did not feel they would have much success in getting help. Mr. **YAMAUCHI** congratulated Ms. Jarvis and her staff for past *Summer Jubilee* efforts. The *Jubilee* has become an Alhambra trademark. He did not wish to see anything happen to it, even a reduction. Mr. **AYALA** asked if using local talent might cost a lot less, to which Ms. **JARVIS** remarked the *Jubilee* had begun with lesser known artists but then it was a much smaller event. Mr. **FUENTES** stated the known artists provided a much larger draw into the City.

Vice Mayor **PLACIDO** thought the City had to maintain its level of excellence. If Council did not have the event this year, he suggested a note on the City's web site indicating its suspension this year, but that the *Summer Jubilee* would be back. Mayor **MESSINA** agreed with Dr. Placido. She could not vote to have the *Summer Jubilee* this year, and hated to see it scaled down. She hoped the City, in 2010, could save the money and do it properly.

Action Taken: City Council consensus was to suspend *Summer Jubilee 2009*.

ORAL COMMUNICATIONS: None

COUNCIL COMMUNICATIONS (ANNOUNCEMENTS & FUTURE AGENDA ITEMS) – F2M9-7

Councilmember **SHAM** commented on his appearance on Channel 11 Sunday morning to talk about this year's (18th annual) Chinese New Year Parade and Festival which will be held on Saturday, February 7. The parade route is along Valley Boulevard from Del Mar Avenue (San Gabriel) to Almansor Street (Alhambra), with the Festival to take place in Alhambra on Valley Boulevard between Garfield Avenue and Almansor Street. He invited residents to watch the Parade starting at 11:00 a.m. as well as attend the Festival between the hours of 10:00 a.m. and 5:00 p.m.

Having attended several city conferences recently, Councilmember **AYALA** remarked that it appeared that Alhambra was in a better financial situation than most cities. He complimented staff cutting expenses within the departments and for their efforts in figuring out how to raise another \$2.5 million in fees.

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: 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.
- b) Property: 410 West Main Street, Negotiating parties: Panattoni Development and City Manager/ARA Executive Director Julio J. Fuentes & Director of Development Services Martin, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.
- c) Property: Third & Main, Negotiating parties: Sam Wong and City Manager/ARA Executive Director Julio J. Fuentes & Director of

Development Services Martin, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.

- d) Property: 100 West Main Street, Negotiating parties: Mike Fata and City Manager/ARA Executive Director Julio J. Fuentes & Director of Development Services Martin, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.
- e) Property: 2500 West Commonwealth Avenue, Negotiating parties: Stephen Chan and City Manager/ARA Executive Director Julio J. Fuentes & Director of Development Services 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):

Yehoshua (Josh) Goldberg vs. City of Alhambra, Case No. GC040254

whereupon at 7:08 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 7:30 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**