

MINUTES
ALHAMBRA CITY COUNCIL
ALHAMBRA REDEVELOPMENT AGENCY
Joint Regular Meeting
April 27, 2009
5:30 p.m.

ROLL CALL: At 5:30 p.m., on Monday, April 27, 2009, the Alhambra City Council and the Alhambra Redevelopment Agency (ARA) met in the Council Chambers of the Alhambra City Hall, 111 South First Street, Alhambra, California.

CITY COUNCIL/ARA BOARD MEMBERS:

PRESENT: SHAM, YAMAUCHI, PLACIDO
ABSENT: MESSINA, AYALA

Officials Present: Assistant City Manager/Personnel Director/Risk Manger Bacio, City Attorney/Agency Counsel Montes, City Clerk/ARA Assistant Secretary Moore, Director of Development Services/ARA Deputy Executive Director Martin, Deputy City Manager Schultz, Assistant to the City Manager Hayashi, Sergeant-at-Arms Flanagan

FLAG SALUTE: Led by Chairman Yamauchi

RESOLUTIONS BY TITLE ONLY

On motion of Dr. PLACIDO, seconded by Mr. SHAM, and carried unanimously (SHAM, YAMAUCHI, PLACIDO [MESSINA, AYALA, absent]), the City Attorney/Agency Counsel was instructed to read by title only all resolutions appearing in these minutes which are required by law to be read in their entirety.

Action Taken: Hearing no objections, so ordered.

HEARINGS:

1. **CONTINUED JOINT PUBLIC HEARING: DDA BTWN ARA & ZEN DEVELOPMENT COMPANY, LLC, FOR DEVELOPMENT OF MIXED USE PROJECT AT N/E CORNER OF MAIN & THIRD STREETS (SITE 6) – F2M9-508, F2M5-511, N2M9-21, C2M9-502, M2M9-1002**

This was the time and place set by **Notice No. N2M9-21** for the Alhambra Redevelopment Agency and the City Council to hold a joint public hearing to consider the approval of a Disposition and Development Agreement (DDA) by and between the Agency and Zen Development Company, LLC, for the development of a mixed-use project and summary report as required under State of California Health and Safety Code Sections 33431 and 33433 for the real property identified as Assessor's Parcel Nos. 5337-015-007, 008, 901, 909 and 910, generally located at the northeast corner of

Main and Third Streets and collectively referred to as Site 6 of the *West Main Corridor Master Plan*. On March 9, 2009, the Agency Chairman opened the public hearing and the Agency Board and City Council duly continued the same to their March 23 meeting, again to the April 13th meeting, and then to this evening.

Director of Development Services **MARTIN** reported that on March 5, 2007, the Agency purchased the now vacant properties identified as Assessor's Parcel Nos. 5337-015-909 and 910 which were formerly occupied by D'Arcy Coachworks, W&H Services and Fashion Cleaners and Laundry. On November 29, 2008, the Agency obtained legal title and possession of the parking lots at Assessor's Parcel Nos. 5337-015-007 and 008 on North Third Street. Agency staff has received a proposal from Sam Wong to purchase and develop a mixed-use project on said Site 6 consistent with the *West Main Corridor Master Plan* comprising no greater than 5,000 square feet of retail commercial or restaurant space on the ground floor and up to 94 for-sale residential condominium units.

He further reported that the project will include no fewer than 25 additional parking spaces to be made available for the general public during normal business hours at no cost to the public. The Project's total cost to the Developer is \$30,500,000 (\$4,000,000 land acquisition & \$26,500,000 improvements) while the total cost to the Agency is \$3,575,995. The project is anticipated to generate approximately \$339,000 per year in property tax revenue to the Redevelopment Agency. The Agency will receive approximately \$4,746,000 in property tax increment and the City will receive approximately \$140,000 in sales tax revenue during the anticipated life of the project. The total net income for this project is estimated to be approximately \$1,310,005. Mr. Martin added that within one week the developer is required to provide a \$500,000 nonrefundable option purchase. DDA provides that escrow is to close within one year, with construction to start in spring, 2012 to be completed by no later than fall, 2013.

Opened & Closed Public Hearing: Chairman **YAMAUCHI** opened the public hearing; and, as there was no one desiring to speak, he closed the same.

AYALA: At 5:35 p.m., Mr. Ayala entered the room.

Action Taken: Agency Board/City Council jointly and severally adopted **Minute Order No. M2M9-1002** as follows:

RESOLVED by the Alhambra Redevelopment Agency Board and Alhambra City Council that this Agency Board and City Council hereby

- 1) Approve that certain *Summary Report pursuant to Sections 33431 and 33433 of the California Community Redevelopment Law on the Disposition and Development Agreement by and between Alhambra Redevelopment Agency and Zen Development Company, a Limited Liability Company, doing business as "Zen Development Company, LLC."*, for the real property identified as Assessor's Parcel Numbers 5337-015-007, 008, 901, 909 and 910, generally located at the northeast corner of Main and Third Streets (also identified as Site 6 of *West Main Corridor Master Plan*), dated February 19, 2009 (the "Report"), a copy of which Report is on file in the City Clerk's Office as F2M9-508 and

incorporated herein by reference and made a part hereof as though fully set forth herein; and,

- 2) Approve that certain DISPOSITION AND DEVELOPMENT AGREEMENT (the "DDA"), by and between the ALHAMBRA REDEVELOPMENT AGENCY (the "Agency"), and ZEN DEVELOPMENT COMPANY, LLC., a California Limited Liability Company, (the "Developer"), pertaining to the mixed-use project to be developed on the northeast corner of Main and Third Streets (the "Project"), a copy of which DDA is on file in the office of the City Clerk as **Contract No. C2M9-502** and by this reference incorporated herein and made a part hereof as though fully set forth herein; and, after such DDA has been duly executed by said Developer, the Chairperson is hereby authorized to execute said DDA for and on behalf of the Agency and the Secretary is hereby authorized to attest the same and to affix the Seal of said Agency thereto; and,

BE IT FURTHER RESOLVED by the Alhambra Redevelopment Agency Board that this Board hereby finds and determines that said Project is within the scope of the *West Main Corridor Master Plan's* Environmental Impact Report, and, therefore, no further CEQA review is necessary nor required to be made with respect to this Resolution.

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

2. HEARING: 2008-2009 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CBDG) & HOME PROGRAMS - F2M9-42, N2M9-31, M2M9-22

This was the time and place set by **Notice No. N2M9-31** for the City Council to hold a public hearing on the City of Alhambra's proposed 2009-2010 Annual Action Plan regarding Community Development Block Grant (CDBG) and HOME funding to receive comment pursuant to and in compliance with the Federal Department of Housing and Urban Development (HUD) pre-submission requirements as outlined in Section 24 Part 91 of the Code of Federal Regulations.

On March 16, 2009, the City of Alhambra made available its draft 2009-10 Annual Action Plan for 30-day public review and comment. The document was available for review during normal business hours until April 15, 2009, at the following locations or on the City's website at www.cityofalhambra.org:

111 S. First St., Alhambra, CA 91801 (City Hall)
101 S. First St., Alhambra, CA 91801 (Library)

The primary objective of the CDBG program is the development of viable communities, decent housing and expanding economic opportunity for persons of low and moderate

income. The objective of the HOME program is the development of decent, affordable housing.

Proposed Work Program (CDBG)

Section 108 Loan Payment	\$390,181
Administration	200,549
Fair Housing Services	25,000
Exterior Grants	250,000
Code Enforcement	300,000
Public Services	206,599
Economic Development	5,000

Proposed Work Program (HOME)

Administration	\$ 78,179
CHDO (New Construction)	117,268
Home Buyer Program	290,000
Owner Occupied Loans/Grants	296,341

Deputy City Manager **SCHULTZ** explained that although HUD has not yet released the allocations for each individual city, the Annual Action Plan for the City of Alhambra is due despite the fact that we do not know how much money we will actually receive. Therefore, the allocation numbers for last year were used in preparation of this year's plan. There is a scheduled increase for funding of roughly one percent, however, depending on if the amount goes up or down, we will make the necessary adjustments once the actual allocation is received. Money from last year was reallocated to the programs already in existence that we continue to offer. There are really no changes other than to the Section 108 loan that was refinanced last year to decrease the payment for this year. The additional money available due to this decrease was distributed to the areas of Code Enforcement, Administration and Housing.

Opened & Closed Public Hearing: Chairman **YAMAUCHI** opened the public hearing; and, as there was no one wishing to speak, he closed the same.

Discussion: Mr. **SHAM** asked whether unused money for CDBD and HOME programs could be rolled over into next year funds. Deputy City Manager **SCHULTZ** answered that the program works just off of the annual allocation and that any left-over money is available to use; however, as in the past, the proposed use would have to be brought back to the Council for approval as an amendment to the Annual Action Plan.

Action Taken: City Council adopted **Minute Order No. M2M9-22** as follows:

RESOLVED by the Alhambra City Council that this Council hereby certifies that it has reviewed the proposed *2009-2010 Annual Action Plan* for the use of its Community Development Block Grant and HOME programs funds as more fully described in that certain April 27, 2009 report of the Deputy City Manager on file in the Office of the City Clerk as F2M9-42 and by reference incorporated herein and made a part hereof as though fully set forth herein; and, in connection therewith, hereby approves that certain *2009-2010 Annual Action Plan* for the Community Development Block Grant and HOME programs, copies of which likewise

are on file in the City Clerk's Office as F2M9-42 and by this reference incorporated herein and made a part hereof as though fully set forth herein; and,

BE IT FURTHER RESOLVED by the Alhambra City Council that this Council hereby authorizes staff to file the said *2009-2010 Annual Action Plan* with the United States Department of Housing and Urban Development (HUD).

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

PRESENTATION

3. ALHAMBRA PARK VETERANS' MEMORIAL PROJECT – F2M6-70

Director of Utilities **SWINK** reported that staff wished to review with the City Council a proposed change for the Alhambra Park Veterans' Memorial Project, reporting that the design for the Alhambra Park Veterans' Memorial did not anticipate that the newly constructed quote wall would be blocked from view along Alhambra Road and other areas due to the existing monument rock located right in front of it. The rock is between 12-15 feet tall and weighs 35 tons including its foundation. To solve the problem, staff proposes moving the monument rock 50-75 feet west from its current location so it no longer obstructs the view of the quote wall but still remains a part of the Memorial as a whole. The existing flag pole, currently located by the water fountain, would be moved into the area from where the rock is removed to maintain the sense of a gathering place. A copy of Ms. Swink's PowerPoint presentation is on file in the City Clerk's Office.

Citizen Input: **Lola ARMENDARIZ** expressed concern about the cost to move the rock and potential damages to the rock itself if it were to be moved. She asked about the additional costs to the City to move the rock, questioned how the City's plan for the project was approved without anticipation of this issue, and suggested that it might be easier and more cost effective to move the quote wall rather than the rock.

Director of Utilities **SWINK** responded that the designer did not realize that the size of the rock in conjunction with its close proximity to the quote wall would affect the view of the quote wall from the street. She noted that the quote wall could be moved, but that to do so would just create additional issues with where to move it so as to fit in with the project's overall aesthetic.

Discussion: Mr. **YAMAUCHI** commented that the City wants the Memorial to be as successful as possible, and if changes are needed to make it better, then that was what the City would do to honor our veterans. He announced that the Memorial's dedication will be held at 9:30 a.m., on Saturday, June 6, 2009.

Action Taken: City Council approved staff's proposal to relocate the monument rock.

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

AGENCY/COUNCIL CONSENT: (4 – 10)

All items, except Item Nos. 7 and 10, listed under the Consent Agenda were considered by the City Council to be routine and, therefore, were enacted by one motion.

4. IRS REGULATION: TREATING PERS CONTRIBUTION AS DEFERRED COMPENSATION – F2M9-34, R2M9-501

Staff requested the Agency Board adopt a Resolution authorizing the implementation of provisions of Section 414(H)(2) of the Internal Revenue Code to allow the Agency to report both employee and employer PERS contributions together as tax deferred for income tax purposes as more fully discussed in the Assistant City Manager/Personnel Director's April 13, 2009 report on file in the City Clerk's office.

Discussion: None

Action Taken: Agency Board adopted **Resolution No. R2M9-501** entitled: *A Resolution of the Alhambra Redevelopment Agency Board implementing the provisions of Section 414(H)(2) of the Internal Revenue Code to allow the Agency to report both employee and employer PERS contributions together as tax deferred for income tax purposes.*

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

5. NOTICE OF COMPLETION: DEMOLITION OF EXISTING BUILDINGS AT 231, 239 AND 249 WEST MAIN STREET - F2M7-508, F2M5-511, N2M8-29, M2M9-503, C2M8-509

Staff requested the Agency Board accept the work of Interior Demolition, Inc., for the demolition of the existing buildings at 231, 239 and 249 West Main Street, as more fully discussed in the Deputy Executive Director's April 27, 2009 report on file in the City Clerk's Office.

Discussion: None

Action Taken: Agency Board adopted **Minute Order No. M2M9-503** as follows:

RESOLVED by the Alhambra Redevelopment Agency Board that this Board hereby

- 1) Accepts as being fully complete, the work of INTERIOR DEMOLITION, INC., for the Demolition of Existing Buildings at 231, 239 and 249 West Main Street Project, (the "Project") under Contract No. C2M8-509;
- 2) Authorizes payment forthwith of the remaining unpaid balance, not to exceed 90 percent of the contract price, to said contractor, or assigns;
- 3) Authorizes the Executive Director to sign the Notice of Completion and the Secretary to record the same with the Los Angeles County Recorder; and,
- 4) Authorizes payment of the balance of the contract price to said contractor, or its assigns, on or about 35 days after recordation of said Notice of Completion; provided there have been no mechanic's lien or stop notices filed against said work which have not been paid, withdrawn or eliminated as a lien against said work.

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

6. 4th OF JULY FIREWORKS DISPLAY – F2M7-50, C2M9-12, M2M9-29

Staff requested the City Council award a contract to Zambelli Internationale Fireworks MFG.CO., INC., for the supply and presentation of a fireworks show at the annual Fourth of July Celebration held at Almansor Park on July 4, 2009. Funding is available in account #04-701-PO4 in the amount of \$16,500.

Discussion: None

Action Taken: City Council adopted **Minute Order No. M2M9-29** as follows:

RESOLVED by the Alhambra City Council that this Council hereby approves that certain AGREEMENT FOR 2009 FOURTH OF JULY PYROTECHNICS DISPLAY (the "Agreement"), by and between the CITY OF ALHAMBRA and ZAMBELLI FIREWORKS MANUFACTURING CORPORATION dba ZAMBELLI INTERNATIONALE FIREWORKS MFG. CO., INC., in the total amount of not to exceed \$16,500, a copy of which Agreement is on file in the office of the City Clerk as **Contract No. C2M9-12** and by this reference incorporated herein and made a part hereof as though fully set forth herein; and, after such Agreement has been duly executed by said contractor, the Mayor is hereby authorized to execute said Agreement for and on behalf of the City of Alhambra and the City Clerk is hereby authorized to attest the same and to affix the Seal of said City thereto.

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

7. DECISION RESOLUTION: APPEAL FROM THE DECISION OF THE PLANNING COMMISSION DENYING CONDITIONAL USE PERMIT FOR TEMPORARY HOUSING FOR AIRLINE FLIGHT CREWS ON REAL PROPERTY AT 422 NORTH THIRD STREET – F2M9-43, R2M9-14

City Attorney **MONTES** reported that at their March 23, 2009 meeting, the Alhambra City Council duly heard the Appeal filed by China Eastern Airlines from the decision of the Alhambra City Planning Commission, which denied the Appellant's application for Conditional Use Permit CU-08-10 to use as temporary housing for airline flight crews an existing five-unit apartment building on an approximate land area of 8,225 square feet in the R-3 (Multiple Family Residential) zone located at 422 North Third Street, Alhambra, California. At the conclusion of the hearing, the City Council by a 3-2 vote denied the Appeal and directed the City Attorney to prepare a Resolution memorializing this decision for the Council's consideration at a future meeting. He added that after reviewing the Resolution additional changes would be in order before Council approval.

Discussion: None

Action Taken: By unanimous consent matter was continued by the City Council to the next meeting.

8. ACCOUNTS PAYABLE – F2M9-500

Agency staff submitted for the Agency Board's review and approval Accounts Payable for the period ended March 13, 2009, Check Nos. 10479 – 10495, in the total amount of \$72,413.87; for the period ended April 2, 2009, Check Nos. 10496 – 10522, in the total amount of \$883,193.19; and for the period ended April 15, 2009, Check Nos. 10523 – 10541, in the total amount of \$349,748.95.

Discussion: None

Action Taken: Agency Board approved as submitted.

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

9. TREASURER'S REPORT - F2M9-1

The Director of Finance prepared the Treasurer's Report for the month of March, 2009, listing all of the City's and the Alhambra Redevelopment Agency's investments as of

March 31, 2009, a copy of which is on file in the office of the City Clerk as File No. F2M9-1.

Discussion: None

Action Taken: City Council/Agency Board approved as submitted.

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

10. MINUTES

The Minutes of the February 23, 2009 Joint Regular Meeting of the Alhambra Redevelopment Agency and Alhambra City Council and the Regular Meeting of the Alhambra City Council; March 9, 2009 Joint Regular Meeting of the Alhambra Redevelopment Agency and Alhambra City Council and the Regular Meeting of the Alhambra City Council; March 23, 2009 Joint Regular Meeting of the Alhambra Redevelopment Agency and Alhambra City Council and the Regular Meeting of the Alhambra City Council; April 13, 2009 Special Meeting of the Alhambra City Council; and the April 13, 2009 Joint Regular Meeting of the Alhambra Redevelopment Agency and Alhambra City Council and the Regular Meeting of the Alhambra City Council were ready for review and approval by both the Agency Board and/or the City Council.

Citizen Input: **Lola ARMENDARIZ** stated that under Item No. 3 (Strategic Plan Update) at the March 23, 2009 Council Meeting she had specifically asked about adjustments to the Public Works and Police Facility Assessment Districts, requesting that the Minutes be amended to more accurately reflect her inquiry.

Discussion: None

Action Taken: Agency Board/City Council approved the correction to the Minutes of the March 23, 2009 Regular Meeting of the Alhambra City Council as noted above, after which the Minutes for all of the meetings listed above were approved as submitted.

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

ORDINANCE – FIRST READING

11. R-1 SINGLE-FAMILY RESIDENTIAL GUIDELINES – F2M6-21, M2M9-30, O2M9-4531

Staff requested the City Council consider approval of the Single Family Residential Design Guidelines and direct the City Attorney to give first reading to an Ordinance incorporating the Design Guidelines into the Alhambra Municipal Code, as more fully

discussed in the Director of Development Services' April 27, 2009 report on file in the City Clerk's Office.

Citizen Input:

- 1) **Christine OLSON**, 915 North Curtis Avenue, endorsed the approval of the Residential Design guidelines and commented that as a Board of Directors member of the Alhambra Preservation Group, she thought they would provide clearly written design guidelines that would help in the process of change and development in the single-family neighborhoods of Alhambra. On behalf of all the members of the Alhambra Preservation Group, she looked forward to their ratification as a way to address key issues of neighborhood context and compatibility during the planning process. She expressed confidence that they would be a useful tool for property owners, City staff, Design Review Board and Planning Commission to utilize in making decisions that affect the character of residential neighborhoods in Alhambra. She thanked the Council for their help and support in the development and approval of the guidelines. Finally, she noted that the guidelines were not a substitute for a historic preservation ordinance and that the Alhambra Preservation Group would continue to work towards the goal of municipal protection of the City's historic resources, both publicly and privately owned.

- 2) **Michael LAWRENCE**, 1136 South Monterey Street, also spoke on behalf of the Alhambra Preservation Group and thanked the Council for listening to the input of his organization in drafting the design guidelines. He noted that the ratification of the guidelines tonight was an example of good government. He also thanked City staff for carrying the weight of the work necessary to develop the guidelines being approved this evening. He noted the guidelines would also help eliminate the confusion for builders and residents remodeling within the City. He also announced the Alhambra Preservation Group would be holding its annual home tours event on June 28, 2009 from 11:00 a.m. to 4:00 p.m. and that tickets for the event were available through the group's website www.alhambrapreservation.org

- 3) **Lola ARMENDARIZ** asked whether the Council had considered holding a joint meeting with the Planning Commission and the Design Review Board to discuss the new residential guidelines as new board members and commissioners were appointed at the end of March and they may need to be brought up to speed.

Responding, Director of Development Services **MARTIN** explained that joint meetings were held at the beginning of the process and these meetings set the tone, direction and goals for the entire process, adding that the Design Review Board and Planning Commission have looked at the guidelines that are substantially similar to what is before the Council this evening. Immeasurable

Discussion: Vice Mayor **PLACIDO** pointed out that the development of the guidelines was a long process and a lot of work. The guidelines will be a big improvement for residents looking to build in R-1 neighborhoods as they will be able to use them for direction during their planning process and know what the City expects with respect to conformity and building standards. He thanked City staff along with all the

commissioners that worked on this issue. He also asked for clarification with respect to the second reading of the proposed Ordinance and the proposed Minute Order.

City Attorney **MONTES** responded that the Council was being requested to take two actions this evening: Approve the guidelines by adopting a Resolution (Minute Order) and instruct the City Attorney to give first reading to an Ordinance which was the mechanism for implementing the guidelines. This Ordinance would then come back for a second reading at the next Council meeting. The Ordinance amends the Municipal Code to indicate that where there is a reviewing body exercising discretion on the exterior appearance of a single-family residential unit, they are to use the design guidelines for the purpose of making those evaluations. This allows the City Council to expeditiously make future changes or modifications to the guidelines by adopting a Resolution rather than by an Ordinance which requires both a first and second reading.

Mr. **AYALA** thanked City staff, the consultants and everyone involved with the process including his fellow Councilpersons for having in-depth discussions on the matter. He also thanked the Alhambra Preservation Group for being involved in every step of the process and pushing the issue all the way along to the adoption of the design guidelines this evening. Mr. **SHAM** thought the guidelines were a wonderful first step and a great starting point with the potential to be amended and further developed as time goes on. He noted that Dr. Placido, Mr. Yamauchi and himself were all former Planning Commissioners and therefore understood the frustrations that can surround the approval of plans for applicants when they do not have clear rules to follow. The adoption of the guidelines tonight would be a positive step towards helping with that confusion and frustration. Mr. **YAMAUCHI** thanked all those involved with the development of the guidelines and stressed that while the guidelines would be a great tool for the Council, Planning Commission and Design Review Board, it was most important for the staff at the City's planning counter to understand the intentions of these R-1 guidelines as they make the first contact with residents that will be affected by them.

Action Taken: City Council adopted the following **Minute Order No. M2M9-30:**

RESOLVED by the Alhambra City Council that this Council hereby approves those certain *City of Alhambra Single Family Residential Design Guidelines*, dated April, 2009, prepared by Downtown Solutions, a division of Civic Solutions, Inc., a copy of which is on file in the City Clerk's Office as F2M6-21 and incorporated herein by reference and made a part hereof as though fully set forth herein;

and, in connection with said approval, directed the City Attorney to introduce and give first reading to **Ordinance No. O2M9-4531** entitled:

An Ordinance of the Alhambra City Council modifying Chapters 2.37 and 23.14 of the Alhambra Municipal Code regarding Single-Family Residential Design Guidelines for R-1 neighborhoods and the Design Review Board

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

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):

- 1) Property: 33 West Main Street, Negotiating parties: David Yost 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.
- 2) Property: 2 East Main Street, Negotiating parties: The Festival Companies 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):

City of South Pasadena vs. Slater, District Court Case No. 98-CV-6996-DDP.

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

whereupon at 6:10 p.m., the Agency Board and 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 Agency Counsel/City Attorney.

MESSINA: At 6:50 p.m., Mayor Messina entered the room whereupon she immediately moved into closed session to join the other Agency Board Members/Councilpersons and City Attorney/Agency Counsel already in closed session

RECONVENE & ARA RECESS: At 7:15 p.m., the Agency Board and City Council moved out of closed session with all members present, whereupon the ARA Chairman recessed the Agency's meeting until such time as the City Council had completed the public portion of its agenda.

**MINUTES
ALHAMBRA CITY COUNCIL
Regular Meeting
April 27, 2009
7:00 p.m.**

RECONVENE & ROLL CALL: At 7:15 p.m., on Monday, April 27, 2009 the Alhambra City Council met in the Council Chambers of the Alhambra City Hall

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

Officials Present: City Manager Fuentes, Assistant City Manager/Personnel Director Bacio, City Attorney Montes, City Clerk Moore, Director of Development Services Martin, Director of Public Works Chavez, Deputy City Manager/Director of Utilities Swink, Director of Community Services Jarvis, Chief of Police Hudson, Fire Chief Stedman, Library Director Hernandez, Deputy City Manager Schultz, Assistant to the City Manager Hayashi, Code Enforcement Manager Bisogno, Sergeant-at-Arms Flanagan

FLAG SALUTE: Led by Mayor Messina

RESOLUTIONS BY TITLE ONLY

On motion of Mr. SHAM, seconded by Mr. YAMAUCHI, and carried unanimously (SHAM, YAMAUCHI, PLACIDO, AYALA, MESSINA), the City Attorney was instructed to read by title only all resolutions appearing in these minutes which are required by law to be read in their entirety.

CEREMONIALS:

1. COMMENDATIONS: HEALTH FAIR 2009 – F2M9-3

On March 29, 2009 the WSGV YMCA and the Rotary Club of Alhambra, together with the USC School of Pharmacy, co-sponsored a Health Fair at the WSGV YMCA, 401 E. Corto Street, which offered free health screenings for diabetes, cholesterol, blood pressure, asthma, and other ailments as well as educational booths on pain management, nutrition and exercise for the residents of Alhambra. Mayor **MESSINA** presented **COMMENDATIONS** recognizing the following organizations and persons for their contributions in making **HEALTH FAIR 2009** such a successful event: **WEST SAN GABRIEL VALLEY YMCA** (President **Joe Pavon** accepted), **ROTARY CLUB OF ALHAMBRA** (Past President **Dr. Tim Siu** accepted), Alhambra Rotarian and USC Alumnus **RAYMOND T. POON**, and the **USC SCHOOL OF PHARMACY**, including 75 of their student Pharmacists (**Bonnie Hui** accepted).

2. CERTIFICATES OF SERVICE – F2M8-33, F2M9-3

The City Council, on behalf of the citizens of Alhambra, wished to recognize the

following Board and Commission members who had either termed out, transferred to another Board or Commission or were ineligible to serve:

Alhambra Design Review Board:
MONICA KAO 8 years

Alhambra HCDA Citizen Advisory Committee:
STEVEN SUN 2 years

Mayor MESSINA presented the **CERTIFICATES OF SERVICE**.

3. PROCLAMATIONS – F2M9-3

Ratified the action of **Mayor MESSINA** in proclaiming the month of **May, 2009**, as **OLDER AMERICANS' MONTH** in Alhambra. **Mayor MESSINA** presented the **PROCLAMATION** to **Director of Community Services JARVIS**.

PUBLIC HEARINGS:

4. CONTINUED PUBLIC HEARING: EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) – F2M5-41, F2M9-37, N2M9-38, M2M9-26

This was the time and place set by Notice No. N2M9-38 for the City Council to hold a public hearing, which had been duly continued from April 13, 2009, to receive community input concerning the use of funds received under the United States Department of Justice, Bureau of Justice Assistance, Recovery Act *Edward Byrne Memorial Justice Assistance Grant* (JAG) Program. Uses being proposed include, but are not limited to, the purchase of Mobile Digital Video recording equipment for the Police Patrol Vehicles.

Chief of Police **HUDSON** explained that the grant funds were a part of President Obama's stimulus package. The amount of the grant is \$143,000 which will be used for the installation of a completely new digital camera system for all of the City's patrol cars. The new cameras will act as an objective observer of all of our police officers' activities that take place out in the field, help in the training of new officers and ensure accountability to the community for officers' actions.

Opened & Closed Public Hearing: Mayor **MESSINA** opened the public hearing; and, as there was no one wishing to speak, he closed the same.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M9-26** as follows:

RESOLVED by the Alhambra City Council that this Council hereby authorizes the City Manager, or his designee, to apply for United States Department of Justice, Bureau of Justice Assistance, Recovery Act -- *Edward Byrne Memorial Justice Assistance Grant* (JAG) Program funds in the amount of \$143,000; and,

BE IT FURTHER RESOLVED by the Alhambra City Council that this Council hereby ratifies the action of the City Manager in designating the Chief of Police as the administrator for said Grant.

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

5. CONTINUED PUBLIC HEARING: URGENCY ORDINANCE EXTENDING MORATORIUM ON THE ESTABLISHMENT AND OPERATION OF NEW MASSAGE SERVICES & BUSINESSES – F2M8-71, O2M9-4540, N2M9-39

This was the time and place set by **Notice No. N2M9-39** for the City Council to hold a public hearing to consider whether or not an urgency ordinance should be adopted pursuant to California Government Code Section 65858 further extending the term of Ordinance No. O2M8-4532 adopting a moratorium on the granting of business licenses, land use entitlements, occupancy permits, or massage permits to any person subject to Chapter 9.44 of the Alhambra Municipal Code entitled *Massage Services and Massage Establishments* within the City of Alhambra (the "Project") on an interim basis for an additional period of not to exceed twelve (12) months, pending the completion of the studies by the City's Development Services Department and consideration and recommendation by the Alhambra City Planning Commission regarding the adoption of an amendment to the City's Zoning Ordinance (AMC Title 23). This public hearing had been duly continued from the April 13, 2009 meeting to this evening.

City Attorney **MONTES** explained that currently in effect in the City is a moratorium on these businesses. The State passed legislation last year that will create a State entity to administer permits based on certain standards. This entity is supposed to be up and running by September 1, 2009 and most jurisdictions are re-tooling their massage ordinances to incorporate references to the State processes; however, given the State's current budget, we are not sure exactly whether or not the permitting authority will be active by September 1, 2009. Accordingly, staff is requesting that the current moratorium be extended while we continue to work on the revisions to the Municipal Code. At such time as those revisions are complete, and the State permitting process is in place, we will be prepared to bring the Code revisions before the Council. However, pending those circumstances, we thought it best to not issue permits under our existing regulations if in several months it may have to redone due to the State finally implementing its standards through a permitting entity.

Opened & Closed Public Hearing: Mayor **MESSINA** opened the public hearing; and, as there was no one wishing to speak, he closed the same.

Action Taken: Directed the City Attorney to introduce and give first reading to **Ordinance No. O2M9-4540** entitled:

An Urgency Ordinance of the City Council of the City of Alhambra, California, enacted pursuant to California Government Code Sections 36934, 36937, and 65858, further extending a moratorium on the granting of business licenses, land use entitlements, occupancy permits, or massage permits to any person subject to Chapter 9.44 of the Municipal Code, entitled "Massage Services and Massage Establishments"

after which the Council, by a 4/5ths vote, adopted the same whereupon it immediately took effect.

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

PRESENTATION:

6. STRATEGIC PLAN UPDATE – F2M8-58

On December 4, 2008, the City Council and Executive Staff met to review the current three-year goals (2008-2011) and six-month objectives to implement the City's strategic plan. Approximately every six months, the City Council and Executive Staff meet to update the objectives. During the strategic planning process, it was determined that the staff will review the progress of the goals and objectives and present to the City Council the status on a monthly basis, Deputy City Manager **SCHULTZ** updated the Council regarding the Strategic Plan, which progress was more fully discussed in the Deputy City Manager's April 27, 2009 report on file in the City Clerk's Office.

Discussion: Mr. **AYALA** asked whether any of the City's projects that are dependent on grant money from the State were being impacted by the current situation with the State budget. City Manager **FUENTES** responded that the City is expecting reimbursements from the State and currently is working on applications to ensure that they are submitted in a timely fashion. The City is also synchronizing the work that needs to be done with the applications for reimbursement so that when a project is completed, we will be getting the money back into the reserve funds so we can move on to the next project. This method should allow the City to keep working on its scheduled projects.

Vice Mayor **PLACIDO** commended staff on the plan to put up more signs identifying the residential neighborhoods throughout the City noting that as the signs continue to go up in each neighborhood, it will help to bring local pride to the City. Dr. Placido also asked for an update on the Almansor Park Lower Lake Renovation Project to shed some light on the activity residents may have observed at the golf course. Director of Community Services **JARVIS** responded that the project was progressing very nicely. The bags that contained all of the muck which had been drained from the lake have been completely removed off of the golf course. The cement that surrounded the lower lake has been taken out and the ground underneath has been leveled. No substantial sinkholes were discovered and currently the contractor is working on putting in the geotech layer on the floor of the lake and binding it to the ground. After that process is complete, a vinyl coating will be placed over the geotech layer. Ms. Jarvis also presented photos of the geotech layer installation to the Council which are on file in the City Clerk's Office.

Mayor **MESSINA** commented on the area of improving the pride, character and quality of neighborhoods and encouraged residents to spruce up their yards and homes for the month of May as the Ambassadors at the Chamber of Commerce are gearing up for the Alhambra Beautiful Awards to help improve the overall appearance of the community.

Action Taken: Received and ordered filed the informational report presented.

CONSENT AGENDA (Item Nos. 7 – 11)

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

7. NIB: PHOTOCOPY MACHINES FOR USE BY THE POLICE DEPARTMENT – F2M9-50, N2M9-48

Staff requested City Council authorization to distribute a Notice Inviting Bids to solicit bids for the lease of four photocopier machines for use by the Police Department, as more fully discussed in the Chief of Police's April 13, 2009 report on file in the City Clerk's Office. Funds for the lease of these photocopier machines will be available in the Police Department FY 2009/10 Account 101.20.2010.68010.

Discussion: None

Action Taken: Authorized the City Clerk to advertise **Notice Inviting Bids No. N2M9-48** to solicit bids for the lease of four photocopier machines for use by the Police Department, with bids to be received on or before 10:30 a.m., on Thursday, May 7, 2009, in the office of the City Clerk, and publicly opened at 11:00 a.m. that same day.

Vote: Moved: AYALA Seconded: YAMAUCHI
Ayes: SHAM, YAMAUCHI, PLACIDO, AYALA, MESSINA

Noes: NONE
Absent: NONE

8. NOTICE OF COMPLETION: WELL 13 REPAIR AND REHABILITATION PROJECT - F2M8-65, C2M8-39, N2M8-100, M2M9-28

Staff requested the City Council to accept the work of General Pump Company, Inc., in the amount of \$304,200 for completion of the Well 13 Repair and Rehabilitation Project. There were no change orders associated with this Project. The work has been inspected by staff and all work has been completed in accordance with the City requirements and specifications.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M9-28** as follows:

RESOLVED by the Alhambra City Council that this Council hereby

- 1) Accepts as being fully complete, the work of GENERAL PUMP COMPANY, INC., for the Well 13 Repair and Rehabilitation Project (the "Project") under Contract No. C2M8-39;
- 2) Authorizes payment forthwith of the remaining unpaid balance, not to exceed 90 percent of the contract price, to said contractor, or assigns;
- 3) Authorizes the City Manager to sign the Notice of Completion and the City Clerk to record the same with the Los Angeles County Recorder; and,
- 4) Authorizes payment of the balance of the contract price to said contractor, or its assigns, on or about 35 days after recordation of said Notice of Completion; provided there have been no mechanic's lien or stop notices filed against said work which have not been paid, withdrawn or eliminated as a lien against said work.

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

9. FY 2006 URBAN AREA STRATEGIC SECURITY INITIATIVE GRANT – PURCHASE OF SELF-CONTAINED BREATHING APPARATUS – F2M1-106, C2M7-46, M2M9-31

The Los Angeles Operational Area (OA) Approval Authority and the State of California Office of Homeland Security has approved the Alhambra Fire Department as a Los Angeles area contiguous city for the replacement of SCBAs (Self-Contained Breathing Apparatus) that meet the new National Fire Protection Association (NFPA) guidelines. Staff requested re-approval (a “piggyback” purchase related to this bid was approved by Council July 14, 2008 under City of Alhambra Ordinance No. O2M8-4517) from the City Council for the “piggyback” purchase of the approved Self-Contained Breathing Apparatus (SCBA) for the Fire Department, and approve the allocation of the reimbursable funds in the amount of \$168,870.00 for the replacement of Departmental Self-Contained Breathing Apparatus, as more fully discussed in the April 13, 2009 joint report of the Fire Chief and Director of Finance, a copy of which is on file in the City Clerk’s Office.

Discussion: None

Action Taken: Adopted **Minute Order No. M2M9-31** as follows:

RESOLVED by the Alhambra City Council that this Council hereby

1. Re-approves that certain FIRST SUPPLEMENTAL TO AGREEMENT NUMBER C-112569 OF THE CITY OF LOS ANGELES CONTRACT BETWEEN THE CITY OF LOS ANGELES AND THE CITY OF ALHAMBRA by and between the CITY OF ALHAMBRA and the CITY OF LOS ANGELES accepting the Supplement to FY 2006 Urban Area Security Initiative (UASI) Grant in the amount of \$168,870.00, a copy of which First Supplemental to Agreement is on file in the City Clerk’s Office as **Contract No. C2M7-46** and by this reference incorporated herein and made a part hereof as though fully set forth herein; and, the Mayor is hereby authorized to execute said Agreement for and on behalf of the City of Alhambra and the City Clerk is hereby authorized to attest the same and to affix the Seal of said City thereto;
2. Directs the Director of Finance to adjust the funding to FY 06 Urban Area Strategic Security Initiative line accounts for the Fire Department in the amount of \$168,870.00 for equipment purchases;
3. Authorizes the Fire Chief to make a “piggyback” purchase on the Los Angeles County Fire Department’s existing contract for the purchase of the upgraded Self-Contained Breathing Apparatus (SCBA’s) as submitted to the Los Angeles City Urban Area Approval Authority.

Vote: Moved: AYALA Seconded: YAMAUCHI

Ayes: SHAM, YAMAUCHI, PLACIDO, AYALA, MESSINA
Noes: NONE
Absent: NONE

10. PERSONNEL ACTIONS – F2M9-2

Two lists of Personnel Actions had been prepared showing the various appointments, classifications, salary changes, etc., since the March 23, 2009 City Council meeting. It would be appropriate to ratify those actions by the City Manager

Discussion: None

Action Taken: Ratified the actions of the City Manager set forth in those two certain Personnel Actions documents dated April 13, and April 27, 2009.

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

11. DEMANDS - F2M9-1

Final Check List (106231 thru 106421) in the amount of \$1,938,389.25 and Schedule of Wire Transfers in the amount of \$718,851.58 for the period ended March 12, 2009; Final Check List (106422 thru 106594) in the amount of \$848,281.51 for the period ended March 19, 2009; and Final Check List (106595 thru 106860) in the amount of \$2,101,358.94 and Schedule of Wire Transfers in the amount of \$379,730.73 for the period ended March 26, 2009 were submitted for Council's approval.

Discussion: None

Action Taken: Approved as submitted.

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

ORDINANCE – URGENCY & FIRST READING

12. SEWER MANAGEMENT PLAN: DISCHARGE OF SUBSTANCES INTO SEWER SYSTEM – F2M7-92, O2M9-4541, O2M9-4542

On October 22, 2008, the City Council adopted the Sewer Management Plan (SSMP) Development Plan and Schedule in compliance with the State Waste Discharge Requirements. The Plan laid out nine specific milestones that the City must accomplish on or before May 1, 2009. The final component of the Plan requires the City to review the legal authority of the City and to ensure that the City has the legal authority to ensure that the laws comply with the Water Discharge Requirements. The City Attorney had reviewed the Alhambra Municipal Code and recommended amending the Code to meet all of the Water Discharge Requirements.

Discussion: None

Action Taken: Directed the City Attorney to (1) introduce and read by title only **Ordinance No. O2M9-4541** entitled:

An Urgency Ordinance of the City Council of the City of Alhambra amending Alhambra Municipal Code Sections 16.24.010 and 16.08.100 pertaining to the discharge of substances into the sewer system

after which such ordinance was adopted by a 4/5ths vote of the Council as it was an urgency measure; and, (2) introduced and gave first reading to **Ordinance No. O2M9-4542** entitled:

An Ordinance of the City Council of the City of Alhambra amending Alhambra Municipal Code Sections 16.24.010 and 16.08.100 pertaining to the discharge of substances into the sewer system

which ordinance shall return for a second reading and adoption at the next Council meeting.

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

ORDINANCE – SECOND READING

13. YOUTH COMMISSION: NUMBER OF MEMBERS – F2M1-103, F2M9-41, O2M9-4539

Discussion: None

Action Taken: Directed the City Attorney to give second reading by title only to **Ordinance No. O2M9-4539** entitled:

An Ordinance of the Alhambra City Council amending Sections 2.30.030A

and 2.30.080B of the Alhambra Municipal Code to provide that the Youth Commission shall consist of fifteen members and that five voting members of the Youth Commission shall constitute a quorum

after which such Ordinance was adopted by the following vote:

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

ORAL COMMUNICATIONS – F2M9-4, F2M6-70, F2M9-38, F2M3-96

1. **Lola ARMENDARIZ** clarified that while she was concerned about the movement of the rock and the project's cost and delays, she has never been opposed to the Alhambra Park Veterans' Memorial as a whole. She asked about what items would be discussed at the May 5, 2009 Council meeting.
2. **Lillian ANAYA**, 423 South Electric Avenue, asked about several matters including how the requirement that the Federal economic stimulus money be used immediately would affect the City's plans to use that money on its projects; how the City was progressing with the audit of business licenses and whether the City would consider using CDBG funds to help fund programs for the homeless in Alhambra.

City Manager **FUENTES** responded that with respect to the use of stimulus package money, the Police Department's deadline was September 31, 2009. The Public Works Department had to spend 50% of its money within a year of receipt and the second 50% within the next year. The Utilities Department was not set to receive its money until January 25, 2010. With respect to homelessness, he explained that as part of the Federal stimulus package, the City would receive money to help with the prevention of homelessness when a family member has recently lost his or her job and is unable to afford making various payments. The City has a homelessness program that it is preparing to present to the Council at the May 5, 2009 meeting. Code Enforcement Manager **BISGONO** responded that the business license audit had found 200 businesses operating without licenses and brought them into compliance.

3. **Marie SMITH**, 1700 South Ninth Street, discussed in detail an overnight parking citation that she received which she felt was frivolous as she followed the required procedure as closely as possible. Mayor **MESSINA** asked that Chief of Police Hudson look into the matter and speak with Inter-Con Security, the company that issues the overnight citations.
4. **Dr. Clyde WILLIAMS**, 4115 Barrett Road, Los Angeles, again discussed the *SR-710 Tunnel Technical Study*. He spoke about the community of El Sereno mobilizing on the issue and adding an additional route to the route neutral study that would pass entirely

through Alhambra, South Pasadena and Pasadena. He invited the Council to attend the presentation being held by Caltrans and MTA about the 710 freeway in Pasadena on April 28, 2009.

COUNCIL COMMUNICATIONS (ANNOUNCEMENTS & FUTURE AGENDA ITEMS) – F2M9-7, F2M3-96, F2M9-38

Mr. **YAMAUCHI** commented that with respect to the issue of the homeless in Alhambra, he had a difficult time with the grouping of people defined as homeless. Within that grouping of people considered homeless, there should be subgroups depending on each individual's actual circumstances. Currently there are too many characteristics within the grouping of those considered homeless. Mr. Yamauchi hoped that when the time came for the Council to vote on the distribution of CDBG funds or other tax dollars for the homeless, that we define exactly for whom the money will be spent. Mr. **SHAM** announced that the YWCA was going to hold its annual *Women of Achievement Gala and Awards Luncheon* and wanted to be the first to congratulate Director of Utilities Mary Swink as she will be one of the honorees. Director Swink has done a fantastic job and he wanted to thank her for her work on behalf of the City.

Vice Mayor **PLACIDO** noted that one of the programs to help the underprivileged the City has implemented for many years is the Free Summer Lunch Program. This program provides free meals to those under the age of the 18 years old at 3 park locations throughout the City. He mentioned that the City is offering many summer classes and programs for children including swimming lessons and a junior golf program. Summer school classes are also available for kids looking to earn college credit or simply learn something new and fun. Finally, he encouraged residents to come out to watch the 4th of July fireworks display put on by the City, as the fireworks are spectacular.

Mayor **MESSINA** explained that she had just returned from Sacramento where today she had testified on a bill that Assembly Member Anthony Portantino had sponsored which would immediately sell off all of the properties acquired for the 710 freeway. Fortunately, as of the time Mayor Messina left Sacramento, the bill did not have enough votes to get out of committee as the bill was premature. The intention of the bill was to have all of the funds gained from the sale of the acquired properties not stay in transportation, but instead be put into the State's general fund to help fill the State's enormous budget deficit. This is unacceptable. Mayor Messina further explained that she was joined in Sacramento by the Mayors of San Marino and Monterey Park, by Caltrans officials, and by representatives of the Southern California Association of Governments (SCAG), all of whom testified that the bill was premature. She commented that while we all support the idea of a tunnel to complete the 710 freeway gap, studies are still being conducted and it is unknown as to which properties will still be needed for whatever route is finally designated as being acceptable.

ARA RECONVENE & ADJOURNMENT: At 8:05 p.m., the ARA Chairman reconvened the Agency Board with all members present; and, as there was no further business for the City

Council or the Agency Board to transact, the Mayor and Agency Chairman, with the unanimous consent of the Council and Agency Board, adjourned their respective meetings to **3:00 p.m.**, on **Tuesday, May 5, 2009**, in the Community Room of the Alhambra Civic Center Library, 101 South First Street, Alhambra, California for the purpose of meeting jointly (**Notice No. N2M9-55**).

**FRANCES A. MOORE, CMC
CITY CLERK & ARA ASSISTANT SECRETARY
and
LAUREN MYLES
SENIOR DEPUTY CITY CLERK**

BARBARA A. MESSINA, MAYOR

ATTEST:

GARY YAMAUCHI, ARA CHAIRMAN

**FRANCES A. MOORE, CITY CLERK &
ARA ASSISTANT SECRETARY**