

**MINUTES
ALHAMBRA CITY COUNCIL
ALHAMBRA REDEVELOPMENT AGENCY
Joint Adjourned Regular Meeting
May 5, 2009
3:00 p.m.**

ROLL CALL: At 3:15 p.m., on Tuesday, May 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, MESSINA
ABSENT: AYALA**

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, Director of Public Works Chavez, Director of Utilities Swink, 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. N2M9-55

City Clerk/ARA Assistant Secretary **MOORE** reported that she duly gave notice of the Joint Adjourned Regular Meeting of the Agency Board and City Council being held this evening 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.

ARA/COUNCIL WORKSHOP (Item Nos. 1 - 5) – F2M9-16

The City Council and Redevelopment Agency Board 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.

1. **HOMELESS SHELTERS: DISCUSSION OF DRAFT HOUSING ELEMENT LANGUAGE – F2M7-87**

Director of Development Services **MARTIN** reviewed with Council possible modifications to the Draft Housing Element relative to designating a zone or area for homeless shelters, as more fully discussed in the Director of Development Services' May 5, 2009 report on file in the City Clerk's Office.

City Manager **FUENTES** noted staff was at a point where they were ready to present the Housing Element to the City Council for their final considerations. One of the proposed items in the Housing Element involved the City identifying the potential for emergency homeless shelters to address Alhambra's homeless population needs. Mr. Fuentes identified the homeless population in Alhambra at 16. Director of Development Services **MARTIN** stated that SB 2 required that the City designate an area where homeless shelters were permitted without a special Conditional Use Permit. The City was not required to identify specific properties within that area, but merely identify an area that was large enough for potential properties that would fit the homeless housing criteria. The City would also be able to set certain standards to go along with that topography to address the City's need for 16 to 18 units.

Discussion: Mayor **MESSINA** asked if the City did not comply with SB 2, would the Housing Element be approved to which Mr. **MARTIN** remarked that the Housing Element was reviewed by the State Department of Housing and Development to make sure it was in compliance with all the regulations and policies. They would not certify the City's Housing Element unless it was consistent with State law as it addressed this issue. The City had to identify at least one geographic area as a potential area. It did not have to be a location that ultimately became that area. Vice Mayor **PLACIDO** asked how long a "temporary" shelter was temporary to which Mr. **MARTIN** responded he did not think there was a set time limit.

Action Taken: City Council continued this item so that Councilperson Ayala who was unable to be present this evening could participate in the deliberation.

2. **PINE STREET - F2M8-81**

City Engineer **CAYIR** updated the City Council on the status of the Pine Street traffic circulation plan and reviewed those recommendations outlined in the Director of Public Works' May 5 report that staff felt would minimize traffic currently taking shortcuts from Huntington Drive to Atlantic Boulevard and sometimes Garfield Avenue. Included in the City Engineer's recommendations were a "stop ahead" sign with legends and installing an eastbound stop sign at Pine Street and Dos Robles Place, installing stop signs for eastbound and westbound traffic on Pine and Curtis, restoring an eastbound exclusive right-turn lane on Pine and Atlantic with a "no right turn on red" restriction at all times, installing stop signs on northbound and southbound Curtis and on westbound Spruce, and the addition of speed cushions on Electric Avenue, Dos Robles Place, Marguerita Avenue, Curtis Avenue and Olive Avenue.

Discussion: Mr. **YAMAUCHI** asked if the City of South Pasadena had agreed to the City of Alhambra's traffic recommendations, to which City Engineer **CAYIR** responded they had agreed. Mr. Cayir also noted that South Pasadena's City Council would still

Planning Commission if such home met all of the respective city's codes and building standards. Alhambra was unique in that respect. What was the definition for a demolition? That was tied to what triggered going before the Planning Commission and also payment of the new Parks and Recreation tax, and would also require an entire level of review by the Public Works Department as to potential for dedication needs in the event of widening alleys or streets. With the R-2 zone, the Planning Commission was required to make a finding that a single-family residence existed at the time. The single-family home was to be retained unless the Planning Commission made a determination that such a demolition would not impair the integrity of the neighborhood.

Citizen Input:

- 1) **Mary Louise BUNKER**, 132 South El Molino, and a member of the Alhambra City Planning Commission, discussed how the Design Review Guidelines had been developed to preserve the character of Alhambra. She suggested any changes made to the front or the side of one's house not be considered a re-model, but require the same process as a demolition.

- 2) **Eleanor CARTER**, 1113 South Fourth Street, discussed demolition of a home at the corner of San Marino and Fifth Streets, a project which was contrary to the wishes of the neighborhood. She agreed demolition was an aspect of our Municipal Code which needed to be revisited.

Discussion: Mayor **MESSINA** stated she had raised this issue because of concerns, not with what other cities were doing, but what we were doing in Alhambra. She felt Alhambra was unique. She remarked that the project Ms. Carter discussed was, technically, not a demolition but a re-model, that did not go to the Planning Commission because it did not involve more than 50% of the existing square footage, and did not have anything on the second floor. Director of Development Services **MARTIN** noted the project in question was done because even if a modification had not been required, it still could have been done. The modification was five square feet in the back. It did not have to go before the Planning Commission because the addition did not exceed 50% of the original square footage. Mayor **MESSINA** remarked on the City's high number of total demolitions even though many houses were still in good shape. Before someone was allowed to demolish something, she thought they should go through the process and now that the City had new design standards and many hoops to jump through, perhaps a total demolition was not going to be as easy as some people thought.

City Manager **FUENTES** suggested creating a definition of what would trigger a demolition and what would trigger it going before the Planning Commission and/or Design Review Board. In response to Mr. **SHAM**'s question regarding new tax assessments and a different tax base for renovating or remodeling a home, Director of Development Services **MARTIN** stated the tax he had mentioned before was a new construction fee. It was \$2,000 per unit which would go to Community Services to maintain parks and recreation facilities. The County Assessor applied a different re-assessment. The process involved staff sending a copy of every building permit application and final building permit to the County Assessor's Office. Mr. **SHAM** thought the concern of the Planning Commission was for the integrity of the neighborhood. He suggested restrictions regarding tear-downs as well as which could be done with the exception of the front and perhaps the side. Other things might trigger going to the Planning Commission and Design Review Board.

Mayor **MESSINA** noted that the cities of Pasadena, South Pasadena and San Marino did have definitions of demolition, which were the same; i.e., demolition was defined as the removal of 50% or more of the exterior walls that were not specifically defined in the zoning code. She asked if that was what Alhambra had, to which Director of Development Services **MARTIN** stated that Alhambra did not have that as a policy. Alhambra had 50% of the square footage of the home. If you have a 1,000 square-foot home and you added 500 or more square feet to it, you had to go before the Planning Commission. He further explained that his example was for a four-sided home; consequently, if two walls were to be demolished, such removal would constitute and be defined as a demolition.

Mr. **YAMAUCHI** asked what the difference was between demolition and new construction as the difference related to 50% of walls. He felt the term “walls” required further breakdown. A wall vs. a structural wall were two completely different issues. Mr. **MARTIN** noted this issue would probably be addressed in the Building Plan Check process to make sure the building stood up properly. Changes from the building one sees from the street would trigger a priority with the Planning Commission.

Regarding Dr. **PLACIDO**'s question as to changes to the interior design of a house, Mr. **MARTIN** replied such changes would not go before the Planning Commission, adding that such changes would have to touch an outside wall or have an outside skin. Regarding knocking all the stucco off the outside of the house but building the house exactly as it was before, Mr. **MARTIN** remarked that such a re-stucco was not really changing the character of the house. As to knocking down a house and appearing before the Planning Commission and Design Review Board before demolishing a home, Mr. **MARTIN** stated typically staff wished to see an approved plan before giving a demolition permit. Dr. **PLACIDO** thought that if it was a complete knock-down the Design Review Board and Planning Commission should approve the new plans before a house was demolished as it would sit there until they went through all the processes again. Mr. **MARTIN** reiterated that his department's policy was not to issue a demolition permit unless someone had an approved project to put back in its place. If you were going to tear down your house, it would at least go before the Design Review Board. Dr. **PLACIDO** suggested this was no different from someone building on an empty lot. It should go before the Planning Commission even before they were given a permit to knock the house down. In that way, the Design Review Board and the Planning Commission could see if the home was compatible with the neighborhood. That was the time for community input, not after the house was knocked down. He requested staff to come back with recommendations to change the demolition policy. Mr. **MARTIN** added it sounded as if there was a Council consensus that more needed to go to the Planning Commission and that staff should develop language to require Planning Commission approval.

Action Taken: Council directed staff to consider the comments made this evening and provide Council with an enhanced demolition definition for its consideration.

4. **PLANNING COMMISSION'S ANTI-MANSIONIZATION POLICY & CITY STANDARD FOR SINGLE-FAMILY FLOOR AREA RATIO – F2M7-101**

Director of Development Services **MARTIN** presented to the City Council for discussion the Planning Commission's anti-mansionization policy and the City standard for single-family floor area ratio (FAR). He stated the anti-mansionization policy comes into play in those neighborhoods where someone wants to add on to their home, but not necessarily to the maximum allowable by the Code. He thought that some percentage above the size of the average size of the area would be acceptable. In terms of square footage, he felt between 50% - 75% was probably compatible, with the higher end of that range design probably more important to the specific location. Something above 75% was probably incompatible based on the sheer size and square footage of the building. There were exceptions, such as a lot much bigger than the rest of the lots. The typical home in Alhambra is under the 10,000 square-foot range and the FAR will allow for a build-on. Continuing, Mr. Martin hypothetically asked, what the issues were for potential change to the FAR to which he responded, One was an anti-manisonization range of 50% to 75%. Another suggestion was lowering that range to 65%. A third issue was how to apply the FAR, such as, would it apply to a storage area or a pool room? In almost all accounts it would not apply to the garage when compared to other cities. Another issue was whether or not Council wished to change the FAR itself. Finally, what should the anti-mansionization range be and did the City need to change the FAR?

Citizen Input:

- 1) **Maria MURRAY**, 1708 South Stoneman Avenue, and Planning Commissioner, remarked her main concern was that garages, storage and swimming pools were not counted in the Floor Area Ratio (FAR). The Planning Commission had asked applicants to go back and bring the size down. There was a lot of confusion among Planning Commissioners as they tried to figure out what was required of them to make determinations on this issue.
- 2) **Mary Louise BUNKER**, 132 South El Molino, and Planning Commissioner, remarked that in the 1980s there was a large portion of the City zoned R-3 and R-4 even though it had been developed R-2 or R-1. Because of the desire to reduce potential density, the City underwent a major re-zoning. Mrs. Bunker spoke in favor of including in the Floor Area Ratio such places as lofts, attics that were six feet high, basements, activity rooms, and patio areas.
- 3) **Stan YONEMOTO**, 416 North Ethel Avenue, Planning Commissioner, stated he thought the current Floor Area Ratio was the correct FAR.

Discussion: Mayor **MESSINA** stated she was not looking to reduce the FAR, but rather take into account what was suggested. Mr. **SHAM** remarked that Council should take into consideration what was desirable living space for someone with their current accommodations versus keeping more open space. Not counting garages or other types of accessory buildings would not give true lot coverage. If Council took into account accessory buildings, such as the garage, they would have to increase the FAR to justify the percentage, perhaps having a different number for a one-story versus two-story structure. If Council were to include garages, they would need to alter the FAR and also consider the second story where the City could have open space requirements.

Regarding Dr. **PLACIDO's** question on accessory buildings attached to the house being considered part of the FAR, Director of Development Services **MARTIN** responded if you entered it from inside the house, yes; but typically they were not. Regarding Dr.

PLACIDO's question as to addressing a workshop converted into permanent living space, Mr. **MARTIN** remarked there was no way to address that. As to the process of an accessory building coming before the Planning Commission, Mr. **MARTIN** responded that it required a zoning clearance with a site plan showing the house, but it did not go before the Planning Commission but rather was done at the staff level. Dr. **PLACIDO** thought a livable space should be considered as if it were attached to the house and suggested one way to stop such conversions would be to have Code Enforcement make home inspections to inspect for illegal additions to the house to compare it with what had been approved, suggesting a City inspection before close of escrow to prevent people from trying to sell a house bigger than what had originally approved.

Mr. **YAMAUCHI** stated a key percentage was impossible. The current FAR number -- 0.35, was pretty good. As long as the City kept reasonable, clear-thinking, intelligent Planning Commissioners, all that was needed were the three numbers. If Council tried to come up with a specific number to suit all kinds of situations, they could deliberate for three or four days without the right number. Lifestyles in Alhambra did not fit the lifestyles of 30 years ago with one, two, three generations living in homes now. Mr. Yamauchi stated he had no solution, just that it would be difficult to come up with a particular number.

Mayor **MESSINA** thought the reasonable solution was if the Council left the FAR as it was, but include in the FAR all accessory buildings, excluding garages. This would take care of many of the situations and problems the City was encountering. Direction needed to be given to the Planning Commission because common sense on their part was a large part of the successful implementation of the FAR, but they could only follow what the City Codes are. She thought Council needed to be more specific. A lot was left up to the interpretation of staff. She felt simply tweaking; i.e., leaving the Floor Area Ratio as it was, including accessory buildings and excluding garages, would go a long way toward addressing the Council's concerns.

Action Taken: Council directed staff to consider the comments made this evening and provide Council with recommendation(s) for addressing their concerns.

RECESS: At 5:05 p.m., **Mayor MESSINA** declared a 10-minute recess.

RECONVENE: At 5:15 p.m., **Mayor MESSINA** reconvened the meeting with all members present except Mr. Ayala.

5. HOMELESS PROGRAM PRESENTATION – F2M9-38

Management Services Intern **PAULSON** gave a PowerPoint presentation to the City Council on a homeless program, a copy of which is on file in the City Clerk's Office. The Homelessness Prevention and Rapid Re-Housing Program is part of the American Recovery and Reinvestment Act of 2009, with an anticipated allocation from the Federal Department of Housing and Urban Development of which the City of Alhambra is anticipating an allocation of \$567,605. The purpose of the program is to provide temporary financial assistance and stabilization services to individuals and families that were homeless or would be homeless if not for this assistance. This was not a mortgage

assistance program. Payments were to be made through third-parties, such as landlords and utility companies, and not to the actual participants of the program.

He discussed the contract status of the City as Program grantee and the proposed collaboration with the Los Angeles County Department of Consumer Affairs for services that the City of Alhambra would be unable to provide, such as Case Management, and also collaboration with local Continuum of Care agencies, such as the cities of Los Angeles and Pasadena as well as the County of Los Angeles. He then dealt with specifics of the Program, including the Program's not charging any sort of fee to participants and requirements necessary for participation in the Program. This Program was not for the chronically homeless, but rather those who were homeless or on the verge of becoming homeless due to the downturn in the economy.

Further City involvement, Mr. Paulson indicated, would involve counselling for housing issues; such as, home preservation, pre-foreclosure issues, renters in foreclosure and landlord-tenant issues. The four main areas of eligible activities would include: financial assistance, housing relocation and stabilization services, data collection and administrative costs. Short-term rental assistance could last for 3 months, after that, participants would be evaluated by a Case Manager to determine if more assistance was needed. Such assistance could not be extended beyond 18 months. There was also the option of providing motel and hotel vouchers used for up to 30 days and only for reasonably priced motels and hotels and only available if there were no appropriate shelter beds available and housing had been found, but was not ready to be moved into yet. Moving cost assistance was for a maximum of 3 months.

Discussion: Regarding Dr. **PLACIDO's** question on foreclosure assistance to renters, but not to those with a mortgage, Mr. **PAULSON** stated if you were a homeowner and about to lose your home because you could not pay your mortgage, the City would help you find rental housing for a year and a half, but they would not be able under the Federal guidelines to give you assistance to help save your house. City Manager **FUENTES** noted that according to the guidelines, this program was supposed to be for someone who would lose their home and be on the streets. The City would love to use some of this money to help some people stabilize themselves, but this program was not set up for that. Mr. **SHAM** asked how the City would go about identifying people in need of assistance, to which Deputy City Manager **SCHULTZ** remarked staff was looking into that and had been in contact with our Police and Fire Departments as well as organizations that would have information on people who were looking for shelter. City Manager **FUENTES** added that staff would also use traditional means, such as publicizing the program in *Around Alhambra*. He also suggested contacting mortgage companies and banks in Alhambra as well as other institutions that might know of people on the verge of losing their homes. The City would also work with housing groups to get the information out.

Ms. **SCHULTZ** added the \$567,000 was for a three-year program; provided, however, that 60% of the money was spent in the first two years. Mr. **FUENTES** noted there was internal staffing for this program, and as the City restructured with the City Clerk retiring shortly and Deputy City Manager Schultz assuming new responsibilities, we would hire the new assistant and there is a position in our budget, for an entry level analyst. Providing everything survives the budget, those two positions would spend a certain amount of time on this program. Dr. **PLACIDO** asked if there were any way to distinguish between deadbeats and the truly needy to which Ms. **SCHULTZ** remarked

that would be determined by their finances and their income level which staff would be able to check during the evaluation process.

Action Taken: Council received the information and ordered filed.

YAMAUCHI: At 5:15 p.m., Mr. Yamauchi left the room.

OLD BUSINESS

6. 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

Discussion: None.

Action Taken: Council continued matter to May 11 meeting so that the entire Council may participate.

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

ORAL COMMUNICATIONS: None

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

Mayor **MESSINA** requested Director of Development Services Martin to look into phasing out chain-link fences and possible subsidized funding to remove all such chain-link fences over a five-year period. City Manager **FUENTES** noted this was a budgetary issue.

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

Assistant City Attorney/Assistant Agency Counsel **RICHMAN** 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: 827 South Eighth Street, Negotiating parties: Treeline Realty & Investment 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: 421 East San Marino Avenue, Negotiating parties: Century 21 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.
- 3) Property: 2411 Florentina Avenue, Negotiating parties: Century 21 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.
- 4) Property: 3204 Poplar Boulevard, Negotiating parties: Century 21 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.
- 5) Property: 320 West Ramona Road, Negotiating parties: Century 21 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 5:35 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 Assistant Agency Council/Assistant City Attorney.

RECONVENE & ADJOURNMENT: At 6:00 p.m., the Agency Board/City Council moved out of closed session with all members present except for Messrs Yamauchi and Ayala; and, as there was no further business for either the Agency Board or City Council 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**