

**MINUTES  
ALHAMBRA CITY COUNCIL  
ALHAMBRA REDEVELOPMENT AGENCY  
Joint Adjourned Regular Meeting  
June 3, 2009  
5:30 p.m.**

**ROLL CALL:** At 5:40 p.m., on Monday, Wednesday, June 3, 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, MESSINA, YAMAUCHI, AYALA, PLACIDO  
ABSENT: NONE**

**Officials Present:** City Manager/ARA Executive Director Fuentes, Assistant City Manager/Personnel Director Bacio, Assistant City Attorney/Assistant Agency Counsel Richman, City Clerk/ARA Assistant Secretary Moore, Director of Development Services/ARA Deputy Executive Director Martin, Director of Finance Longballa, 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, Assistant to the City Manager Keating, Library Director Hernandez, Code Enforcement Manager Bisogno.

**FLAG SALUTE:** Led by Mayor Placido

**CITY CLERK/ARA ASSISTANT SECRETARY REPORT - NOTICE NO. N2M9-70**

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 BUSINESS (Item Nos. 1 - 6)**

On motion of Mayor **PLACIDO**, seconded by Mr. **YAMAUCHI**, and carried unanimously, the order of the agenda was changed so that Item Nos 6 and 5 were respectively considered before Item No. 1.

**1. PROPOSED 2009-10 BUDGET – F2M9-17**

Staff proposed that the City Council and the Agency Board move into a workshop format  
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for the purpose of discussing with staff the FY 2009–2010 proposed Budget, which budget document was presented by the Director of Finance at the meeting and on file in the City Clerk's Office.

City Manager **FUENTES** covered highlights of the proposed 2009-10 Budget; namely, that it was a balanced budget with a total appropriation of \$131,000,000. The budget did not advocate any layoffs, furloughs, program elimination or significant reductions. It did call for a General Fund Reserve increase of \$6.8 million. With repayment the figure was expected to go over \$7 million, possibly before the beginning of the new fiscal year. Driven by a public works/infrastructure type of budget, a significant amount would be spent on streets, water and sewer upgrades and repairs. Much of the spending was from Enterprise Fund money with stimulus money for which the City is applying. The budget continued to emphasize overall economic development. In addition to the reductions in the budget, Alhambra needs to build its way out of our state's and nation's dismal financial situation. Alhambra has always had an aggressive building plan with a program in place to build in hard economic times, so that when things get better, the City and Redevelopment Agency could do well economically. The budget, because of five-year agreements, does provide cost-of-living adjustments (COLA) for fire and police safety employees. The proposed budget has no COLA allocations for general, non-sworn police, and middle and executive management employees.

Continuing, Mr. **FUENTES** stated the City's projections were conservative, but much that occurs was out of the City's hands. Outside purchasing and economic development are factors not in the control of the City of Alhambra, but involved the private sector. As goes the private sector, so goes government. The auto industry was of concern, as the City was heavily dependent on sales tax and auto sales. The possible loss of revenue from one auto dealer could range from \$150,000 to \$170,000 a year in annual sales tax. Numbers in the budget would obviously change. The State's financial difficulties could affect the City. Under Prop 1A, the State could be borrowing \$1.5 million in City property tax revenues. They are able to borrow two times the revenue from this source, paying a first loan back within a three-year period with interest, before they can borrow a second time. Staff had cut costs and downsized revenue to where the City was balanced. Beyond the \$6.8 million in reserve was over \$1.5 million of additional revenue saved from this fiscal year because of significant cuts. Unfortunately, any "softness" in revenues beyond that projected amount did not permit the cushion the City has had in the past. Any "backfill" would come from the \$6.8 million reserve. Staff was looking to save additional revenues this next fiscal year to avoid dipping into the \$6.8 million. Over the next several years that \$6.8 million should be built into a \$10 million reserve.

Mr. **FUENTES** noted the City was able to do a little restructuring due to the upcoming retirement of the City Clerk. Although, it was going to be difficult to replace her, losing a valuable employee opened opportunities for others. The restructuring would consolidate some services in the Management Services Department with the City Clerk's Office, creating an Administrative Services Department. The City would have three very capable people in that Department with Tara Schultz overseeing the operation, Lauren Myles as Acting City Clerk handling daily responsibilities for the Clerk's operations, and Craig Rogers, who is well qualified, helping in the mix. Among the three of them the City would be in excellent shape. Additionally, Management Services had several part-time positions they wished to turn into full-time positions: A Clerical I position and a Management Analyst position. Both were entry level. The Management Analyst was 50% General Fund through the Manager's Department, with the balance from the

Utilities Department. The Police Department had made application for economic stimulus money to re-activate three sworn police officer positions; consequently, staff was confident they would be able to re-activate three of six positions on hold. The stimulus funding was for three years, with the City required to fund a fourth year.

Mr. **FUENTES** added that this was a very austere budget and as such situations went among cities, Alhambra was lucky to be balanced where many communities were in horrible shape. Alhambra at the end of June 30, 2010 was balanced and projecting a very small carryover of \$320,000. Other than restructuring changes previously identified there were no real changes. The City cut about \$4 million. Overall, staff had done a terrific job.

Director of Finance **LONGBALLA** then gave an overhead presentation of the proposed budget. Highlights included a summary of the budget, including the balanced budget and \$1.5 surplus. He then repeated City Manager Fuentes qualification that if the State exercised its borrowing power under Prop 1A that \$1.5 million surplus would disappear. There were no tax increases. The City increased its permanent emergency reserve from \$4.5 million to \$6.8 million with no cuts in major programs and services.

Mr. **LONGBALLA** reported on some of the City's major street projects at Valley Boulevard, New Avenue, Poplar Boulevard, Alhambra Road, and also sidewalk repairs. The financial management computer system – Phase II was a carryover project staff hoped to finish during FY 2009-10. He then listed equipment the City was replacing, including two CNG Alhambra Community Transit buses, a diesel street sweeper, four Senior Ride paratransit vehicles, two police patrol vehicles, and one police motorcycle. Among significant projects were the renovation of restrooms near the golf course pro shop, ongoing water and sewer main replacement work, pro-active water well reservoir improvements, and water reservoir security vulnerability improvements.

Mr. **LONGBALLA** reported that on the expenditure side, from last year's budget there were no layoffs, but a hold was put last year on six sworn police officers, six sworn firefighters, three public works positions, one finance department position and various part-time positions carried over to the 2009-2010 budget. The Fire Department re-structured itself by collapsing the relief crew, and adding more overtime money for flexibility to add more personnel on a truck company in three out of the four fire houses as well as more flexibility on staffing shifts. That worked out much better. Even though six sworn fire fighters were put on hold, the level of service was actually enhanced by adding more personnel on a truck company. We carried those over into 2009-10 and also eliminated a police captain's position due to a recent retirement. We are putting further holds on a police management analyst, four full-time equivalent police cadets, a Assistant Fire Chief/Operations, a Park Crew chief, and a Park Worker II. Additional part-time employee hours were also reduced.

Regarding the economy, Mr. **LONGBALLA** thought the data was mixed. Consumer confidence and home sales were up, the stock market was improving, manufacturing was downsizing inventories. All these were economic positives. Yet unemployment remained high, medium home sale prices continued to drop, retail sales were sluggish, and the yield on ten-year Treasury notes – a benchmark for home mortgage rates, was stubbornly high. The U.S. economy, not yet healthy, was nearing a bottom, with the recession beginning to ease.

Commenting on the General Fund, Mr. **LONGBALLA** noted four revenue sources made up almost 70% of General Fund revenues: Sales tax, property tax, vehicle license fees, and utility users' tax. He covered the FY 2009-2010 C.I.P. highlights, remarking on those projects tied to funds that, if not received, would not be undertaken, such as an UASI Grant for the Fire Department and the State Park Bonds/County Prop A Grants/New Construction Tax for Senior Ride vehicles. City Manager **FUENTES** added, regarding the Joslyn Center HVAC replacement at \$60,000, that the City was getting stimulus money back from the federal government for our energy efficiency program. The application to be submitted by no later than June 25 would allow the City to rebuild the Joslyn Center's air-conditioning and heating system along with energy efficient windows. If that happened, the City may not have to use the \$60,000 and might re-appropriate it somewhere else. Mr. **LONGBALLA** also reported the Budget provided for a lot of public works projects, which utilized non-General Fund grants and taxes, as did the Utilities Department's projects.

**Citizen Input:** **Nina SHARKY**, 1027 South Atlantic Boulevard, requested the Council give priority to the purchase of Senior Ride buses over Alhambra Community Transit buses, citing the poor condition of the existing Senior Ride fleet. She noted the City was spending only \$250,000 to replace Senior Ride buses vs, \$750,000 for only two more ACT buses.

**Action Taken:** Report received and filed, with the public hearing on the budget scheduled for the June 22, 2009 Regular City Council meeting.

## **2. REORGANIZATION & CREATION OF ADMINISTRATIVE SERVICES DEPARTMENT-F2M9-59, F2M9-17, M2M9-44**

Upon the retirement of the City Clerk and as part of the budget process and in the best interests of governmental efficiency and economy, the City Manager proposed the consolidation of the City Clerk's Department with some services currently offered in the Management Services Department by creating a new Administrative Services Department and, in connection therewith, to appoint personnel thereto and to authorize the City Manager to approve a consulting agreement with the retiring City Clerk as more fully discussed in the City Manager's June 3, 2009 staff report (the "Report") on file in the office of the City Clerk as F2M9-59.

City Manager **FUENTES** stated staff wished to consolidate the City Clerk's operation with Building Maintenance, Public Information, Community Promotions, and Customer Services as well as house the City Attorney program's cost center. There was no increase in the overall cost of the Department. Mr. Fuentes recommended Lauren Myles as Acting City Clerk effective July 1, 2009. The City Clerk, Frances Moore, would be leaving the City on June 30, 2009, with Ms. Myles assuming her responsibilities effective July 1, 2009. Ms. Myles salary package had been identified. What remained was to restructure by ordinance or reclassify her job as a middle manager position. Mr. Fuentes also recommended Deputy City Manager Tara Schultz as the head of the newly created Administrative Services Department. Her cost center had been identified as well, with all these costs contained in the City Clerk's existing budget. Mr. Fuentes further recommended hiring Jessica Keating as Assistant to the City Manager to fill the vacancy created in his office by Ms. Schultz' promotion. An analyst with the City of San Marino,

Ms. Keating was very well qualified, having accomplished capital work and served as project manager for the construction of the new library on Huntington Drive in San Marino. Her cost center had been identified and, if Council approves, would begin employment with the City on July 13, 2009.

Since it would be difficult to replace Ms. Moore as City Clerk during the restructuring transition, Mr. **FUENTES** recommended retaining Ms. Moore as a consultant. Staff had identified her hourly rate, plus expenses. With an election coming up November, 2010, she has offered to help the City work through the election and give more on-the-job training to staff. Assistant City Attorney **RICHMAN** stated that with the actions recommended, the City Attorney's Office would bring forward some ordinances and resolutions before the Council at the June 22, 2009 City Council meeting to allow those actions to be fulfilled. Mr. Fuentes added that they would have companion ordinances, an urgency ordinance so that all of this goes into effect, July 1, 2009, and then all the normal ordinances, with the first reading and second readings on July 22, 2009.

**Discussion:** None.

**Action Taken:** City Council adopted **Minute Order M2M9-44** as follows:

RESOLVED by the Alhambra City Council that this Council hereby approves that certain reorganization and creation of a new Administrative Services Department effective as of July 1, 2009 pursuant to the said June 3, 2009 Report of the City Manager, a copy of which is on file in the Office of the City Clerk as F2M9-59 and by this reference incorporated herein and made a part hereof as though fully set forth herein; and, in connection therewith, this Council hereby directs the City Manager and/or the City Attorney to take any and all actions necessary to effect such reorganization and Administrative Services Department creation as outlined under Item Nos. 2 through 5 of said Report, including, but not limited to, the appointments by the City Manager of the Acting City Clerk, Deputy City Manager/Administrative Services Director and Assistant to the City Manager and the retaining by the City Manager of the City Clerk for election and other services on an as-needed basis.

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

**3. STATE FISCAL IMPACT ON CITY re SEIZURE OF LOCAL PROPERTY TAX– F2M9-39, R2M9-18**

Staff wished to review with the City Council the League of California Cities' campaign entitled "Save Your City," which campaign supports cities against the State of California's planned seizure of local property tax and redevelopment agency funds, as more fully discussed in the Assistant to the City Manager's June 3, 2009 report on file in the City Clerk's Office.

Assistant to the City Manager **HAYASHI** and Management Assistant **PAULSON** presented the report on the fiscal impact on the City regarding the State's seizure of local property tax. Mr. Paulson noted the City's opposition to the State's taking any local money. During the State's current fiscal crisis, they wanted to take roughly 8% of the City's money, \$1.4 million. Beginning in the early 1990s, the State has taken roughly \$26.4 million from the City of Alhambra alone. Alhambra was asking the State to reconsider this option and not take any of the City's money, especially given the difficult economic times.

**Discussion:** None

**Action Taken:** City Council adopted **Resolution No. R2M9-18** entitled: *A Resolution of the Alhambra City Council finding a severe fiscal hardship will exist if additional local property tax funds are seized and additional unfunded mandates are adopted by the State of California*, and direct staff to send copies of this resolution to the Governor, our State Senator, State Assemblymember, and the League of California Cities.

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

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

Director of Development Services **MARTIN** reported that SB 2 requires that cities designate a zone or area that will permit a homeless shelter(s) to meet the community's needs. The updated Housing Element must address this requirement in order to receive certification from the California Department of Housing and Community Development (HCD). Staff wished to review with Council possible modifications to the Draft Housing Element relative to designating a zone or area for homeless shelters. City Manager **FUENTES** added that staff was almost finished with the draft Housing Element. However, the City had a legal requirement to identify an area for possible development of a homeless shelter. Staff estimated the need at 6 to 18 people homeless people overall. The City would identify an area, Council would adopt the Housing Element, and the following year staff would re-zone an area. The Planning Commission had reviewed this and had concerns. They were looking for more options.

Mr. **MARTIN** further reported the draft Housing Element would return to Council for a public hearing and final adoption, then go to the State Department of Housing and Community Development for certification. Once adopted, the State had 90 days to review for certification. Addressing the requirements of Senate Bill 2, a city was responsible for identifying an area or areas within their city where homeless shelters were allowed. Over the next year, City staff would study the subject in more detail to develop standards, including such items as maximum beds, length of stay, security, lighting, parking, onsite management. He identified five potential areas as potential sites for future consideration that could be listed in the draft Housing Element. The Housing Element did not establish any one or all of these as the actual site(s); that would come later with the adoption of the actual zone in an amendment going first to the Planning

Commission and then the City Council in public hearings. Staff was hoping to get direction from Council as to their preference in picking one, two, three or all areas Council wished to see identified in the draft Housing Element.

**Citizen Input:** **Lillian ANAYA**, *Residents for a Better Alhambra*, defined “homeless” according to a report published by a *Los Angeles Urban County Action Plan*. She remarked that there were 1,497 homeless children, 2,363 homeless families, and 8,985 unsheltered individuals living in the San Gabriel Valley, with 2,515 of these chronically homeless. Forty percent of the homeless she identified as being women and children. Ms. Anaya did not think the homeless population in Alhambra, identified as 18 in the City’s Housing Element, was accurate. She took issue with how the City calculated the total number of homeless in the City. She discussed the criteria for the use of additional resources that were not shelters and the criteria for admittance into homeless shelters. She suggested the City do additional “homework” to find out not only the true homeless population in Alhambra but the shelter and resource needs of homeless people. She also requested public input for the areas the City had selected as potential locations since they would affect many of Alhambra’s citizens.

**Discussion:** Dr. **PLACIDO** asked was the Council accepting six potential areas to which Director of Development Services **MARTIN** stated staff was only presenting options--the choice was the Council’s as to how many they wished included in the draft Housing Element. When it returned to the Council from the Planning Commission in the next 12 months, there would be detailed analysis of each of the identified areas. More areas could be included or deleted at that time. These options were not meant to identify the site ultimately designated, but to demonstrate to the State Department of Housing and Community Development that the City has given it some thought and that at least one or more areas would be worthy of study for designation as a future site.

Regarding Mrs. **MESSINA** question as to how sites were picked, Mr. **MARTIN** responded these were rough designations. The City would be looking for buildings to accommodate this use. The exercise was not a final conclusion, but to identify potential areas the City might wish to look at later. Mr. **FUENTES** added Council did not have to accept the five locations. Other locations could be considered this evening as well. Mr. **MARTIN** noted the commitment was to the State Department of Housing and Community Development that the City had considered locations. Mr. **FUENTES** noted that time-wise the City was falling behind on this issue. He suggested leaving the suggested areas in. Once the Housing Element was adopted by the State, staff would bring this item back. They had a year to identify a location and change the zoning. Mayor **PLACIDO** thought map locations going to the State should be the best proposal the City had to show them.

Responding to Mr. **AYALA**'s inquiry on the next step, Mr. **MARTIN** reiterated it has already been to the Planning Commission, but the Council had the prerogative to make changes. Staff was looking for language in the Housing Element identifying how the City would potentially address SB 2 requirements and looking to demonstrate at least one area, if not many, with the potential to be selected to allow one or more homeless shelters. It was the City’s commitment to study these areas. Responding to Mr. **YAMAUCHI**'s question regarding number of areas needed, Mr. **MARTIN** stated one area would satisfy the City’s legal obligation under the Housing Element, but as Mr. Yamauchi had suggested, more areas would be nicer.

Mr. **YAMAUCHI**, not familiar with all the areas, recommended selecting three: 1) The northwest corner by Huntington Drive where Huntington Drive and Main Street came together, 2) The freeway termination point on Valley Boulevard, 3) The southeast corner on Valley Boulevard. He moved Council adopt those three areas: two on Valley Boulevard and one near Huntington and Main. Mrs. **MESSINA** noted there was only one on Valley Boulevard and Mr. **MARTIN** clarified that it was the one originally in the draft, basically Valley Boulevard and Fremont Avenue to the 710 Freeway. Mrs. **MESSINA** supported and seconded Mr. Yamauchi's motion.

**Action Taken:** After considerable further discussion regarding the desirability of each of the five proposed areas, Council designated three areas that would permit a homeless shelter(s) to meet the community's needs to meet the requirements of SB 2, as follows: (1) an area on the northwest corner by Huntington Drive, where Huntington Drive and Main Street meet, (2) the freeway termination point on Valley Boulevard, and (3) the southeast corner on Valley Boulevard.

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

**5. CITY OF ALHAMBRA TOWING SERVICES: CONTRACT ANALYSIS OF PROPOSALS RECEIVED – F2M3-79, RFP2M9-3**

Chief of Police **HUDSON** provided the City Council with an in-depth review and analysis of the proposals received from the three tow companies (*Al's Towing*, *J & M Towing*, and *Henry's Towing*) that responded to the City's Request for Proposal for Official Police Towing Services No. RFP2M9-3 (RFP). He stated that all three companies qualified for consideration through the RFP, that the vehicles were physically inspected at all locations, and all three bidders met minimum requirements. Staff was seeking direction from Council as to whether Council wished to go with a monthly nonexclusive contract, an exclusive contract or whatever was the pleasure of the City Council.

**Citizens' Input:**

1. **Gabriela PAVON**, 905 Westminster Avenue, gave a detailed comparison of the features offered by Al's Towing as they related to the two other companies responding to the City Towing RFP. Highlights included the "first" rating received by *Al's Towing*, the purchase of \$300,000 in additional equipment for ADA compliance and heavy tow trucks, not owned or readily accessible to the other two companies, a larger than specified vehicle storage lot with specially designed security alarm camera and cages, 24/7 dispatch and driver RFP requirements providing a level of service that may or may not have been met by the other companies bidding, and a greater than required \$3 million liability insurance policy.

Mrs. **PAVON** also noted that no company could provide the level of service and equipment spelled out in the RFP with the exclusive franchise fee of 15%, which gave the City a third of their revenue. In addition to *Al's Towing* civic involvement

she underscored their additional services to the City which included free towing of City vehicles, a proposal to extend that service to the Alhambra Unified School District, vehicles Al's Towing donated and picked up for disposal to the Alhambra Fire Department for training purposes, and a proposed offer of free DUI rides home from Alhambra establishments on several specific holidays. She urged the City Council to look deeper into the entire process during their deliberations on this project, rather than percentages on paper which appeared to be too good to be true.

2. **Eric NISHIZAWA**, Counsel to Al's Towing, 14028 Tahiti Way. #P-46, believed there was a significant difference between *Al's Towing* over the other towing services. The current system with two vendors one month on, and one month off, led to disparities in service in any given month. With two different towing services the City would have a different system in place for impounded vehicles. *Al's Towing* had a state-of-the-art computer system to manage impounded vehicles that could track vehicles from the impound site to where they were stored. *Al's Towing* had made a significant investment in anticipation of the new Police Department contract that would provide a higher level of service to the community. He likewise submitted a letter on behalf of his client, a copy of which is on file in the City Clerk's Office as F2M9-36.

**Discussion:** Mr. **AYALA** asked about returned revenue under the various options, to which Chief **HUDSON** responded staff had asked tow service vendors what gross revenues for both exclusive and nonexclusive use they would provide the City. He added the criteria for selection was not exclusively low bid, but entailed physical inspection of vendor facilities. Mr. **YAMAUCHI** asked if the vendors preferred one contract or a shared situation. Chief **HUDSON** noted the question had not been asked and staff had not sought their preference.

Mr. **SHAM** requested vendor responses to the Request for Proposals. City Manager **FUENTES** remarked it was Council's decision to act on this item this evening or, if they wished more information, that information would be provided. Towing service revenue to the City was a possible method to increase revenue to enhance City services. The City could keep the status quo, but Mr. Fuentes thought it only fair there be some discussion about the franchise fee. Mr. **SHAM's** thought a dedicated company would service the customer better. He felt making money from the residents was not a priority and preferred selecting someone who could provide better service over someone who could provide the City with \$20,000 additional revenue. Regarding his question on the length of contract, Chief **HUDSON** stated three years, with an optional one year at the end of the contract. Mr. **FUENTES** added that the towing service was paid for by the owner of the vehicle. It was not a free service. Owners get their car back if they pay the towing fees. If someone were charged for a tow, the City was making a referral, the company chosen was making money off that referral. There should be some return back to the City on that.

Mrs. **MESSINA** asked where the percentages for the franchise fees came from, to which Chief **HUDSON** noted that *Al's Towing* said 15% on the exclusive, *J & M Towing* said 25%, and *Henry's Towing* said 33%. Those numbers came directly out of the bids from those companies. Mrs. **MESSINA** thought it unrealistic that a business would be able to give back that much and still make a profit.

Mr. **YAMAUCHI** cautioned Council to look at the whole package when looking at service-related companies. Mr. **AYALA** asked if the City could hold a company accountable for revenues earmarked for the City, to which Chief **HUDSON** stated amounts were staff estimates based on current tows on an annual basis and based upon the percentage numbers provided by the companies on their RFPs. City Manager **FUENTES** added the only thing binding the vendors was the percentages they had identified, for *Al's Towing*, 6%, for *J & M Towing*, 15%, for *Henry's Towing*, 15%. Chief Hudson remarked that the Police Department would have a manager monitoring this on a monthly basis. Regarding heavy duty and ADA tow trucks, Mr. **YAMAUCHI** asked wouldn't the City want a company to have all the necessary equipment, to which Chief **HUDSON** remarked if they did not have an ADA vehicle, they would not be able to provide the same level of service as someone who did.

Mr. **SHAM** did not wish to make a determination this evening, requesting staff provide additional information, including the RFP Towing Service package. Mr. **FUENTES** suggested that since City Council had options A and B, staff could look at the current arrangement as the City splits the business between two companies and run those numbers to see what could be generated, then talk with the two companies to see if it made sense to them economically; that is, staff would go back under a third option to look at the arrangement the City currently has, then allow the Chief of Police and his staff to run the numbers based on the vehicles per year to see what those two companies could generate in terms of a franchise fee back to the City and judge what was reasonable and made economic sense. Staff could then provide that as a third option as well as provide Council with the backup for the RFP.

**Action Taken:** City Council gave direction to staff to provide additional information, including the three Towing Services RFPs to the Council and staff to review the arrangement with current vendors to evaluate what franchise fees might be generated back to the City.

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

**6. DONATION: THE DEMOCRATIC CLUB – F2M9-12, M2M9-43**

Staff requested that the City Council accept a gift of \$300 from the Democratic Club to purchase one or more trees to be planted in City of Alhambra Parks, as more fully discussed in the Director of Community Services' June 3, 2009 report on file in the City Clerk's Office.

Mayor **PLACIDO** presented a certificate of appreciation to **CHRIS MENDEZ** and **NINA SHARKY** representing the Democratic Club of Alhambra who then presented to the City an oversized check representative of the \$300 the Democratic Club had donated to the City.

**Discussion:** None.

**Action Taken:** City Council adopted **Minute Order No. M2M9-43** as follows:

RESOLVED by the Alhambra City Council that this Council hereby accepts with gratitude the gift of \$300 from the Democratic Club to purchase one or more trees to be planted in City of Alhambra Parks, and directs the Director of Finance to allocate the funds as follows: Community Services Park Operations Horticultural Supplies (101.60.6130.64320); and

BE IT FURTHER RESOLVED by the Alhambra City Council that this Council hereby directs the City Clerk to send a copy of this Resolution to the Democratic Club.

**OLD BUSINESS** (Item Nos. 7 & 8)

**7. ALHAMBRA PARK PARKWAY - F2M9-58, M2M9-42**

At their May 26, 2009 meeting the Council reviewed water conservation and safety measures around Alhambra Park. Staff provided additional information to the City Council to assist exploration of the future disposition of the parkway on Palm Avenue along Alhambra Park, as more fully discussed in the Director of Community Services' June 3, 2009 report on file in the City Clerk's Office.

Director of Community Services **JARVIS**, with the assistance of Library Director **HERNANDEZ**, gave a slide presentation on the Alhambra Park Parkway on file in the City Clerk's Office. Ms. Jarvis discussed the water waste issue, modification of the current irrigation system at the Parkway, and difficulties that might be encountered with the mature trees and tree roots in that area. She then discussed various options that Council might wish to pursue; such as, planting ice plants, ivy or flowers along the Parkway, decorative stone, gravel or bark, raised beds, sidewalk expansion, clearance of existing roots, plant material and irrigation, leveling the ground and installing a new irrigation system, new trees and grass, or just leaving the Parkway as it was. Ms. Jarvis discussed in some detail each of the options and the difficulties each might present.

**Citizen's Input:** **Lola ARMENDARIZ** spoke to the issue of maintenance at the Parkway. She suggested restricting parking at the Parkway location for one or two hours on those days when maintenance was performed, rejected the option of using concrete, discussed safety and conservation and accessibility issues as they related to Alhambra Park, the Parkway and along curbs, and suggested Council give themselves more time on this project to look at other options.

**Discussion:** Mr. **YAMAUCHI** asked, of the 9 or 10 options presented, how many could the City currently afford? Ms. **JARVIS** indicated the City had the option to leave the Parkway as it was, and the option, through the Utilities Department if the money were available, to pursue the cement option. Other than that, the City did not have the funding.

City Manager **FUENTES** commented that staff in the short run was going to "green it up" as much as could be and maintain it until a viable option and more money could be

found. Direction from Council at the last meeting was to come up with more options, but realistically what staff needed to do was look at putting turf down and trying to recapture some of the irrigation.

In reference to Mr. **AYALA**'s question on a grant timeline for the cement option, Ms. **JARVIS** responded there was no grant. The cement option was something staff was looking at because the coming event at the park this weekend.

Dr. **PLACIDO** wished to know if the sprinklers were on timers, to which Ms. **JARVIS** stated they were not. He did not like the cement option and understood the limitations with the use of other materials. He preferred "greening it up." Mr. Fuentes added that if the City did not have to use the \$60,000 in the draft budget for an HVAC system at Story Park, the City could possibly use that stimulus grant money to fix the irrigation along the street, add turf, and just maintain the area.

**Action Taken:** Council moved to table this issue and look into it further.

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

#### **8. REORGANIZATION: ALHAMBRA CITY COUNCIL APPOINTMENTS – F2M9-54**

As required by the Alhambra City Charter, the City Council reorganized itself on May 26, 2009. However, in order to complete the reorganization, the following actions were required to be taken in connection with the reorganization; i.e., the appointment of Director or Delegate and Alternate to the following organizations for the period commencing May 26, 2009 to and including February 22, 2010:

- a) Board of Directors, League of California Cities, Los Angeles: Director – Luis Ayala, Alternate – Gary Yamauchi.
- b) San Gabriel Valley Economic Partnership: Representative – Stephen Sham, Alternate – Dr. Steven Placido.
- c) Independent Cities of Los Angeles County: Representative – Gary Yamauchi, Alternate – Stephen Sham.
- d) San Gabriel Valley Council of Governments (SGVCOG): Governing Board Representative – Barbara A. Messina, Alternate Governing Board Representative – Dr. Steven T. Placido.
- e) Southern California Association of Governments (SCAG): Representative – Barbara A. Messina, Alternate – Luis Ayala.
- f) Alhambra Museum Board of Directors: Representative – Dr. Steven Placido, Alternate – Barbara A. Messina.

- g) Independent Cities Risk Management Authority (ICRMA): Representative – Gary Yamauchi.
- h) City Selection Committee: Representative – Luis Ayala, Alternate – Gary Yamauchi.

**Discussion:** Mr. **YAMAUCHI** stated that the Independent Cities of Los Angeles County (ICA) would not allow a rotation on their Board. So if Ms. Messina were allowed to take over the representation for ICA, Alhambra would lose its position on the Board of Directors. City Clerk **MOORE** indicated that no vote was necessary, unless a Councilmember objected to the stated appointments.

**Action Taken:** No action required other than Item C, Gary Yamauchi designated Independent Cities of Los Angeles County representative and Stephen Sham alternate.

#### **ORAL COMMUNICATIONS – F2M9-4**

**Steve SCHNEIDER**, 1419 South Curtis Avenue, stated that he was going to suggest the City raise the current monthly overnight parking rate to \$50, but noted the City Council had reached the conclusion to raise the rates on their own. He also suggested the Council ask City employees take a voluntary 5% cut in salary for six months with a possible six month renewal; that the City ask contractors doing business with the City for a rebate or reduce their rates by 7 to 8%; and that the City's law firm reduce their hourly billing rate by 15%.

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

Mayor **PLACIDO** commended **Director of Utilities Mary Swink** upon being honored as the **2009 San Gabriel YMCA's Woman of the Year**. The City was very proud of the work and commitment to the City. The honor was well deserved. Mayor Placido also reminded citizens that this Sunday on Second Street was the *Taste of Alhambra*, the proceeds from the event would benefit the Alhambra Education Foundation and the West San Gabriel Valley YMCA. It has been a great event for the past six years.

#### **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 Legal Counsel - Anticipated Litigation:*** Significant exposure to litigation pursuant to Govt. Code Section 54956.9(b): 1 matter.

whereupon at 8:15 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 Counsel/Assistant City Attorney.

## RECONVENE & CITY ATTORNEY'S REPORT re CLOSED SESSION – F2M9-14

At 8:30 p.m., the Agency Board and City Council moved out of closed session with all members present, whereupon Assistant Agency Council/Assistant City Attorney **RICHMAN** reported that based upon the potential of possible conflicts of interest, Item No. 4 pertaining to the discussion of draft Housing Element language relating to homeless shelters, the Agency Board/City Council has decided to now reopen the matter for further consideration.

### 4. HOMELESS SHELTERS: CONTINUED DISCUSSION OF DRAFT HOUSING ELEMENT LANGUAGE – F2M7-87

**Action Taken:** The City Council unanimously voted to reconsider the information and report received under No. 4 earlier this evening; consequently, the Council unanimously rescinded its previously adopted motion designating those certain three areas set forth in the motion for inclusion in the City's draft Housing Element, which motion is no longer of any force or effect.

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

The Council next discussed further each of the possible areas for homeless shelters designated in the Director of Development Services' June 3, 2009 report on file in the City Clerk's Office, which discussion included the proximity of each area to within 1,000 feet of any Councilperson's real property or business interest, after which the following actions were taken:

**Action Taken:** The Council adopted the following motions pertaining to those areas which had been proposed for consideration as designated areas for homeless shelters in the City's draft Housing Element for submission to the State of California Department of Housing and Community Development:

1. Staff was directed to **NOT include** as a designated area in the draft Housing Element the area described as **Garfield Avenue between Los Higos Street and Mission Road.**

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

2. Mayor **PLACIDO** stated for the record that his residence may be within 1,000 feet of the site presently being considered; therefore, he would not participate in this matter. Council then directed staff to **NOT include** in the draft Housing Element as a designated area **Main Street/Huntington Drive between Hampden Terrace and the West City Limits.**

**Vote:** Moved: YAMAUCHI Seconded: AYALA  
Ayes: SHAM, MESSINA, YAMAUCHI, AYALA  
Noes: NONE  
Not Participating: PLACIDO  
Absent: NONE

3. Staff was directed to **NOT include** in the draft Housing Element as a designated area **Valley Boulevard from Fremont to West City Limits.**

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

4. Mayor **PLACIDO** stated for the record that his place of business may be within 1,000 feet of the site presently being considered; therefore, he would not participate in this matter. Council then directed staff to **NOT Include** in the draft Housing Element as a designated area **Garfield Avenue between Elgin Street and Alhambra Road.**

**Vote:** Moved: YAMAUCHI Seconded: AYALA  
Ayes: SHAM, MESSINA, YAMAUCHI, AYALA  
Noes: NONE  
Not Participating: PLACIDO  
Absent: NONE

5. Councilperson **YAMAUCHI** stated for the record that his place of business may be within 1,000 feet of the site presently being considered; therefore, he would not participate in this matter. Council then directed staff to **Include** in the draft Housing Element as a designated area the area bounded by **Palm Avenue, Orange Street, Raymond Avenue and Mission Road** (industrial area).

**Vote:** Moved: SHAM Seconded: AYALA  
Ayes: SHAM, MESSINA, AYALA, PLACIDO  
Noes: NONE  
Not Participating: YAMAUCHI  
Absent: NONE

**ADJOURNMENT:** At 9:00 p.m., there being no further business for either the Agency Board or City Council to transact, with the unanimous consent of the Agency Board and City Council, the ARA Chairman and Mayor adjourned their respective meetings.

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