

MINUTES
Joint Regular Meeting
ALHAMBRA CITY COUNCIL
ALHAMBRA REDEVELOPMENT AGENCY
August 8, 2011
5:30 p.m.

ROLL CALL: At 5:34 p.m., on Monday, August 8, 2011 the Alhambra City Council and Alhambra Redevelopment Agency met in the Council Chambers of the Alhambra City Hall.

CITY COUNCIL/ARA BOARD MEMBERS:

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

Officials Present: Assistant City Manager/Personnel Director Bacio, Agency Counsel/City Attorney Montes, ARA Assistant Secretary/City Clerk Myles, Deputy City Manager/Director of Utilities/Interim Director of Development Services Swink, Deputy City Manager/Administrative Services Director Schultz, Chief of Police Yokoyama, Director of Finance Espinoza, Director of Community Services Jarvis, Assistant to the City Manager Hayashi, Assistant to the City Manager Keating, Sergeant-at-Arms Garay

READING OF ORDINANCE TITLES

Government Code Section 36934 requires that all ordinances be read in full prior to Agency Board/City Council taking action on the ordinance. By listing the ordinance title on the Agency Board/Council agenda, Agency Board/Council may determine that the title has been read.

Action Taken: On motion of Mr. SHAM, seconded by Mr. AYALA, the Agency Board/City Council determined that the titles to all ordinances which appear on this public agenda have been read, and waived further reading. Hearing no objections, the Chairman so ordered.

AGENCY/COUNCIL CONSENT AGENDA (Item Nos. 1 - 8)

All items listed under the Consent Agenda, except Item Nos. 2, 3, 4, 5 and 6, were considered by the Agency Board/City Council to be routine and, therefore, were enacted by one motion.

YAMAUCHI: After the Motion by Mr. Sham to approve the Agency/Council Consent Agenda and the Second by Mr. Yamuachi, Mr. Yamauchi announced that he would abstain from participation in Item No. 2 due the fact his wife was employed by Southern California Edison.

1. AMENDMENT TO THE SALE OF THE AFFORDABLE HOUSING PROJECTS AT 3001 FRONT STREET & 501 SOUTH SIXTH STREET – F2M9-510, M2M11-80

Staff requested that the City Council approve amendments to the sales of the affordable housing projects at 3001 Front Street and 501 South Sixth Street.

Discussion: None

Action Taken: 1) City Council approved the sale of 501 South Sixth Street for the appraised sale price of \$451,000 to Mr. and Mrs. Bu, decreased the City silent second to \$285,752 and authorized the Director of Finance to transfer the proceeds from HOME account 252.22290 to HOME Entitlement account 252.40.4030.65996; and, 2) City Council approved the sale of 3001 Front Street in the amount of \$508,250 (subject to appraisal) to Mr. and Mrs. Hannanto and Widjaja and a silent second in the amount of \$323,250 and authorized staff to reduce the sale price and City second by up to 15% to equal the lender appraisal price and authorized the Director of Finance to transfer the proceeds from HOME account 252.22290 to the HOME Entitlement account 252.40.4030.65996. **(M2M11-80)**

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

YAMAUCHI: Mayor Yamauchi left the Council Chambers at 6:07 p.m. before Item No. 2 was considered by the City Council.

2. RENEWAL OF EDISON EASEMENT LICENSE AGREEMENT - F2M1-44, F85-62, C2M11-36, M2M11-76

In 1986, the City entered into a License Agreement with Southern California Edison Company (SCE) to lease the easement on Raymond Avenue across the street from Alhambra Park for the purposes of maintenance and future development of the property. In March 2006, the license agreement was renewed for a five year period and expired on March 31, 2011. Therefore, it is in the best interest of the City to renew the agreement for an additional five years with an expiration date of March 2016. An annual license fee of \$412 is due and payable to SCE to continue use of the property.

Director of Community Services **JARVIS** reported that the easement was on Raymond Avenue between Alhambra Road and Cedar Street. Southern California Edison's license agreement contains certain stipulations which include adequate access for their vehicles as well as noninterference by City property with existing power lines or poles. She added that the City has improved upon a portion of the property adjacent to Park School by constructing a parking lot with landscape improvements and this lot can be used by the public during the hours that Alhambra Park is open. The City has also landscaped the northern section of the property but it is not currently designation for any specific use.

Citizen Input: **Lola ARMENDARIZ** explained that she did not understand how the agreement could be renewed if it had already expired and asked why the agreement was not attached to the staff report as an exhibit so that it could be referenced to see if the conditions are the same as the previous agreement. She requested that the matter be continued and brought back with the properly dated agreement attached to the staff report. She suggested that the City Council consider holding a community meeting with the residents whose properties border the easement to gather input as to any concerns

they may have had over the years. She noted that although the license agreement indicates future development and park use, the intent of the easement was to provide a buffer zone between the park and the nearby property lines. Currently, there was no sign on the easement to indicate that it was not for park use. Finally, she asked if the City was going to request that the Alhambra Unified School District (AUSD) help pay for maintenance of the parking lot because during the school year, they used the parking lot almost 100% of the time for pickup and drop off purposes.

Discussion: Chairman **PLACIDO** asked if it would require a separate agreement if the City wished to use any of the property north of Cedar Street and Raymond Avenue. Responding, Ms. **JARVIS** explained that this agreement included the property on Raymond Avenue from Alhambra Road to Cedar Street and that the Council would have to get Edison's approval. Mr. **AYALA** asked about original intent of the license agreement and imagined that the reason was due to the fact that Edison did not take responsibility for the upkeep of the property. Ms. **JARVIS** affirmed Mr. Ayala's comment that the reason for the agreement was to allow the City to maintain the property. The City wanted to be able to enter the property to make it look nice, being that it is adjacent to Alhambra Park and Edison agreed to this. Mr. **AYALA** asked whether the City could have Edison maintain the property through the Code Enforcement department. Mr. **MONTES** noted that there was a difference between weed abatement and the landscaping and watering that the City currently provides on the property. The City could ask for weed abatement if the area became overgrown, but it could not force Edison to landscape or irrigate the property. Mr. **AYALA** noted that this was a good explanation for the license agreement because it allows the City to landscape and water the property adjacent to Alhambra Park to ensure that it looks decent because Edison was not required to make the property look nice. He asked whether the license agreement was limiting in the sense that the City would be prohibited from transforming the area for a park-related use such as a dog park or a playground. Ms. **JARVIS** explained that the City would have to work with Edison as it is still their property. Any potential uses could not interfere with Edison's electrical lines or their ability to enter the property for maintenance of the lines. This may make a playground or a dog park unsuitable uses; in addition to the fact that the easement is located under electrical lines.

Dr. **PLACIDO** remarked that the City worked with Edison to build the parking lot near Park School because parking was needed for the Little League and other activities at the school. He added that if the City did not have this agreement with Edison, the parking lot never would have been built. Ms. **JARVIS** added that this parking lot was also available for residents using Alhambra Park. Mrs. **MESSINA** added that the construction of this parking lot was a good example of the City working to help accommodate other City organizations such as the AUSD.

Action Taken: City Council approved the renewal of the license agreement with Southern California Edison Company, subject to final language approval by the City Manager and City Attorney, for the use of the easement on Raymond Avenue adjacent to Alhambra Park for the purpose of park use for a period of five (5) years, commencing on April 1, 2011 through March 31, 2016, with an annual fee payable to Southern California Edison in the amount of \$412.00. (**M2M11-76**)

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

Absent: NONE
Abstained: YAMAUCHI

YAMAUCHI: Mayor Yamauchi re-entered the Council Chambers at 6:21 p.m. after the vote on Item No. 2 was concluded.

3. CONTRACT APPROVAL: ALHAMBRA CENTRAL BUSINESS DISTRICT ASSOCIATION – F2M-55, C2M11-34, M2M11-75

The City has maintained agreements with the Alhambra Central Business District Association (ACBDA) to provide promotional support to the merchants in the Central Business District of Alhambra since 1974. An assessment, collected by the City from these merchants, is allocated for marketing and promotion activities specific to the District area. According to the ACBDA agreement, a maximum of 90% of the total funds collected each year by the City may be allocated to the ACBDA. The FY 2011-2012 minimum allocation total is estimated to be \$85,500.

Citizen Input: **Dr. John KRAFT**, representing *Vanguardians*, asked the City to increase transparency and stated that he would like to hear discussion and analysis regarding agenda items. He also felt that Agency Board business and City Council business should be separated on the agenda.

Action Taken: City Council approved that certain Agreement, by and between the City of Alhambra and the Alhambra Central Business District Association (ACBDA), in the total minimum amount of \$85,500, for certain promotional activities within the Central Business District for a one-year period commencing on July 1, 2011 and continuing to and including June 30, 2012, a copy of which Agreement is on file in the office of the City Clerk as **Contract No. C2M11-34** and incorporated herein by reference and made a part hereof as though fully set forth herein; and, directed staff to undertake the steps necessary to finalize Council's action (**M2M11-75**)

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

4. CONTRACT EXTENSION: ADMINISTRATION OF THIRD PARTY CLAIMS – F85-115, F2M10-58, C2M10-34, M2M11-81

Staff requested that the City Council approve a contract with Carl Warren & Company for third party claims administration. Assistant City Manager/Personnel Director **BACIO** reported that Carl Warren & Company was the City's long-standing liability claims administrator and that they were proposing no increase in fees in this contract renewal for FY 2011-2012. He noted that a 2009 Liability Claims Audit initiated by the Independent Cities Risk Management Authority indicated that Carl Warren & Company continues to effectively administer claims and is complying with industry standards for all areas of claims handling.

Citizen Input: Dr. John KRAFT, representing *Vanguardians*, again stated that he would like to hear discussion and analysis regarding agenda items because he felt the discussion was critical to the public interest. He also stated that it was his belief that staff reports should be posted on the City's website to provide access to residents for their own analysis of the item.

Discussion: Responding to Mr. Kraft's comments, Mrs. MESSINA stated that it was insulting for him to presume that the City Council does not "do their homework" before they vote to approve an item because the City Council does review the analysis/background on each item that is provided before they cast a vote. Mr. AYALA asked whether staff reports were currently posted on the City's website. Responding, City Clerk MYLES reported that while staff reports were not posted on the website, they were posted and available for review at the City Clerk's Office the Friday before each City Council meeting and were also posted outside of the City Council Chambers. Mr. AYALA commented that perhaps staff should look into whether it was feasible to have the extra documentation placed online.

Action Taken: City Council approve that certain First Amendment to Third Party Claims Administration Contract with Carl Warren & Company for FY 2011-2012, subject to final language approval by the City Manager and City Attorney, a copy of which Amendment is on file in the office of the City Clerk as **Contract No. C2M10-34** and by this reference incorporated herein and made a part hereof as though fully set forth herein; and, direct staff to undertake the steps necessary to finalize Council's action. **(M2M11-81)**

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

5. RETIREMENT INCENTIVE PROGRAM: SUPPLEMENTAL MEDICAL INSURANCE – F2M11-2, M2M11-82

Staff requested that the City Council offer eligible employees a retirement incentive upon their retirement. This retirement incentive will be in the form of a Supplemental Medical Insurance Upon Retirement benefit. This benefit would be offered only to Miscellaneous, Fire, Police Non-Sworn, Police Management and Management employees of the City.

Citizen Input: Dr. John KRAFT, representing *Vanguardians*, asked that the staff reports for the items on the agenda be placed on the internet. He believed that it was important for the public to be able to review the retirement incentive program before the meeting. He stated his belief that if the public is better informed then government will be better and asked that Alhambra be better about putting public information, such as City Council agenda staff reports, on the internet for review. He also stated his belief that when voting on a City Council item, it was necessary for the Mayor to call the vote for the Council and when voting on an Alhambra Redevelopment Agency item, it was necessary for the Agency Board Chairman to call the vote for the Alhambra Redevelopment Agency Board.

Responding, City Attorney MONTES stated that the 5:30 p.m. meeting was a joint

meeting of the City Council and the Alhambra Redevelopment Agency and it has always been the City's process for the Chairman of the Alhambra Redevelopment Agency to run the joint 5:30 p.m. meeting and for the Mayor to run the 7:00 p.m. meeting. He noted that there are numerous cities throughout the State of California that have joint meetings and run them similarly to Alhambra. Therefore, he stated that with all due respect to Mr. Kraft, the process is correct. Furthermore, he pointed out that the agenda specifically identifies within the recommendation which matters are to be approved by the City Council and which are to be approved by the Alhambra Redevelopment Agency Board.

Discussion: Chairman **PLACIDO** asked if the City were to offer this retirement incentive program, and if it was later determined by the City Manager that the program should not be implemented, would there be a way to end the program. Or, would the City Manager be obligated to follow through with the retirement incentive package. More specially, he asked whether the City Council's vote to authorize the retirement incentive program would force the City Manager to move forward with the program even if he decided he may not wish to follow through with it. Responding, Assistant City Manager/Personnel Director **BACIO** stated that the City Manager would have to implement the incentive program and would not have the option to say no to the retirement incentive for one employee and yes for another employee. He stated that if the Council decided to move the program forward, then it would move forward and those eligible individuals could participate in the incentive program as long as they retired within the designated timeframe which was on or before December 31, 2011.

Mrs. **MESSINA** asked how the retirement incentive program would address a situation in which an employee or group of employees decided to not go forward with retiring by December 31, 2011 after initiating their retirement due to the incentive program. Mr. **BACIO** stated that he imagined that if an employee decided to pull out of the program, the City Manager would allow them to do so, just as any employee that decides to retire can go through CALPERS at any time. He added that this program functioned simply as an incentive to have interested and eligible employees retire by the end of the year to receive the supplemental medical benefit upon retirement.

Mr. **AYALA** framed the issued by stating that it was his understanding that the incentive program was to be offered to personnel that were eligible, but that they were not required to participate. The benefit to the City would be an upfront cost savings by having employees retire. The supplemental medical benefit upon retirement was an offer, but it was not mandatory that eligible employees accept it and retire. He also noted that offering retirement incentives was happening regionally. Other cities, such as the City of Los Angeles, had similar incentive programs to obtain savings for the City. Mr. **BACIO** added that there have been some employees that have inquired about the program, but no employee will be able to participate until after the City Council approves the item. Dr. **PLACIDO** stated that he wished to see the vote upon Item Nos. 5 and 6 put off until the 7:00 p.m. meeting. He asked if a motion was necessary to do so. Mr. **MONTES** answered that a motion to continue Items Nos. 5 and 6 would be in order and given the fact that the employee bargaining units affected are listed on closed session already, the Council could have further discussion on the matter.

Action Taken: On motion of Mr. SHAM, seconded by Dr. PLACIDO, and carried unanimously (SHAM, MESSINA, YAMAUCHI, AYALA, PLACIDO) this item was moved to the 7:00 p.m. City Council meeting and designated as the first item to be addressed before the public hearing.

6. SIDE LETTER AGREEMENT FOR THE ALHAMBRA POLICE OFFICERS' ASSOCIATION FY 2006-2011 CONDENSED MOU – F2M11-2, C87-16C, M2M11-83

Staff requested that the City Council enter into a Side Letter Agreement amending the Memorandum of Understanding (MOU) for fiscal years 2006-2011 between the City and the Alhambra Police Officers' Association. The City of Alhambra and the Police Officers' Association have met and conferred concerning the terms and conditions of the Side Letter Agreement and its implementation.

Citizen Input: Item Nos. 5 and 6 were addressed and discussed simultaneously by the City Council; therefore, the citizen input for this item is the same as what is described under the Citizen Input section for Item No. 5. There were no additional speakers for Item No. 6 as Dr. John Kraft addressed Items Nos. 5 and 6 simultaneously in his comments.

Discussion: Item Nos. 5 and 6 were discussed simultaneously by the City Council; therefore, the discussion by City Council for this item is the same as what is described under the Discussion section for Item No. 5.

Action Taken: On motion of Mr. SHAM, seconded by Dr. PLACIDO, and carried unanimously (SHAM, MESSINA, YAMAUCHI, AYALA, PLACIDO) this item was moved to the 7:00 p.m. City Council meeting and designated as the first item to be addressed before the public hearing.

7. MINUTES

Discussion: None

Action Taken: Agency Board and/or the City Council reviewed and approved as submitted the Minutes of the June 13, 2011 Joint Regular Meeting of the Alhambra Redevelopment Agency and the Alhambra City Council and the Regular Meeting of the Alhambra City Council; and the Minutes of the July 11, 2011 Joint Regular Meeting of the Alhambra Redevelopment Agency and the Alhambra City Council and the Regular Meeting of the Alhambra City Council.

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

8. ACCOUNTS PAYABLE – F2M11-500

Discussion: None

Action Taken: Agency Board approved as submitted the Accounts Payable for the period ending July 1, 2011, Check Nos. 11542-11543, in the total amount of \$512,112; for the period ending July 6, 2011, Check Nos. 11544-11552, in the total

amount of \$572,511.49; for the period ending July 18, 2011, Check Nos. 11553-11555, in the total amount of \$5,615.42; and, for the period also ending July 18, 2011, Check Nos. 11556-11558 in the total amount of \$6,029.26.

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

ORAL COMMUNICATIONS – F2M11-4

1. **Dr. John KRAFT**, representing *Vanguardians*, commended the City for posting video of the City Council meetings on the City's website as he felt it was a good first step. He thought it would be nice if the view could click through to the various items while watching the video.

2. **Lola ARMENDARIZ**, noting that Chairman Placido would not allow her to speak due to the fact that the matter was on the agenda, she stated that she would make additional comments regarding Item No. 2 at the 7:00 p.m. meeting. She noted that the City of South Pasadena broadcasts its City Council, School District and Planning Commission meetings live on television. She added that their staff reports are available online. She did not understand why Alhambra continued to videotape its meetings and did not believe budgetary concerns were the reason for doing so. She asked why Alhambra did not have a weekend meeting scheduled with Senator Kevin De Leon like the City of South Pasadena had held recently considering Alhambra's size. Responding, Mrs. **MESSINA** noted that the City Council was not offered the same opportunity by Mr. De Leon but she, along with Dr. Placido, had met with Mr. De Leon briefly as was allowed by his schedule. Dr. **PLACIDO** noted that the City had a long standing policy with respect to the Oral Communications portion of the agenda/meeting that residents were able to speak about any matter which is within the subject matter jurisdiction of the City Council/Agency Board not on the Agenda. He explained that he was simply enforcing this policy with respect to Ms. Armendariz' comments on Item No. 2 and that she was welcome to speak more about the item at a later time.

CLOSED SESSION & CITY ATTORNEY ANNOUNCEMENT re SAME - F2M11-14

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

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

- a) Property: 2500 West Commonwealth Avenue, Negotiating parties: Shin Yen Management and City Manager/ARA Executive Director Julio J. Fuentes & Interim Director of Development Services Swink, Under Negotiation: Instruction to negotiators will concern price, terms of payment or both.

- b) Property: 927-1111 South Fremont Avenue, Negotiating parties: Ratkovich Company and City Manager/ARA Executive Director Julio J. Fuentes & Interim Director of Development Services

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

- c) Property: 1100-1146 South Meridian Avenue, Negotiating parties: Ratkovich Company and City Manager/ARA Executive Director Julio J. Fuentes & Interim Director of Development Services Swink, 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):

- 1) Ken Huat Toh v. City of Alhambra, Case No. BC391198
- 2) Hatzbanian v. City of Alhambra, LASC Case No. BC417538
- 3) Southern California Gas Company v. City of Alhambra, USDC Case No. CV10-8635PA (JCx)
- 4) Southern California Edison v. City of Alhambra, USDC Case No. CV11-00253 AHM (MANx)

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): None.

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

Conference with City's Labor Negotiator (Govt. Code Section 54957.6): Richard Bacio, Personnel Director/Risk Manager, re Alhambra Police Officers' Association and the Alhambra City Employees' Association.

whereupon at 6:30 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.

RECONVENE & ARA RECESS: At 7:07 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
Joint Regular Meeting
ALHAMBRA REDEVELOPMENT AGENCY
ALHAMBRA CITY COUNCIL
August 8, 2011
7:00 p.m.**

RECONVENE & ROLL CALL: At 7:07 p.m., on Monday, August 8, 2011 the Alhambra City Council and Alhambra Redevelopment Agency met in the Council Chambers of the Alhambra City Hall.

CITY COUNCIL/ARA BOARD MEMBERS:

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

Officials Present: City Manager Fuentes, Assistant City Manager/Personnel Director Bacio, City Attorney/Agency Counsel Montes, City Clerk/ARA Assistant Secretary Myles, Deputy City Manager/Director of Utilities/Interim Director of Development Services Swink, Deputy City Manager/Administrative Services Director Schultz, Chief of Police Yokoyama, Director of Finance Espinoza, Director of Community Services Jarvis, Director of Public Works Chavez, Library Director Hernandez, Assistant to the City Manager Hayashi, Assistant to the City Manager Keating, Sergeant-at-Arms Garay

READING OF ORDINANCE TITLES

Government Code Section 36934 requires that all ordinances be read in full prior to Agency Board/City Council taking action on the ordinance. By listing the ordinance title on the Agency Board/Council agenda, Agency Board/Council may determine that the title has been read.

Action Taken: On motion of Mr. SHAM, seconded by Dr. PLACIDO, the Agency Board/City Council determined that the titles to all ordinances which appear on this public agenda have been read, and waived further reading. Hearing no objections, the Chairman so ordered.

AGENCY/COUNCIL CONSENT AGENDA - CONTINUED FROM 5:30 p.m. MEETING - (Item Nos. 5 – 6)

Mayor **YAMAUCHI** announced that before the public hearing slated first on this evening's agenda, the City Council/Agency Board had two items, #5 and #6 that were continued from the 5:30 p.m. joint meeting to address.

5. RETIREMENT INCENTIVE PROGRAM: SUPPLEMENTAL MEDICAL INSURANCE – F2M11-2, M2M11-82

Staff requested that the City Council offer eligible employees a retirement incentive upon their retirement.

Assistant City Manager/Personnel Director **BACIO** reported that this retirement incentive will be in the form of a supplemental medical insurance upon retirement benefit. He noted that this benefit is only being offered to Miscellaneous, Fire, Police Non-Sworn, Police Management and Management employees of the City. If those eligible employees retire on or before December 31, 2011, they receive \$200 to use in conjunction with their purchase of supplemental medical insurance upon their retirement.

Citizen Input: Dr. John **KRAFT**, representing *Vanguardians*, asked for the staff reports, analysis and supporting documentation to be placed online before City Council meetings. He thought it would be nice for the public to be able to see the details

of each item. He asked about the anticipated costs and whether the retirement incentive program would sunset or be capped at a certain amount. Responding, Mayor **YAMAUCHI** explained that it was impossible to know at this time how many employees would participate in the program, therefore, it would be difficult to provide exact details on costs. Mr. **BACIO** added that it would be difficult to put an exact number on the cost; however, staff anticipated that on a short and long term basis, the incentive program would result in a cost savings. For example, if an employee retires, the new employee hired will be at a lower salary step. In addition, the City was looking at a two-tier benefits system for new hires which would also result in a cost savings for the City.

Discussion: None

Action Taken: City Council authorized the City Manager to offer a one-time retirement incentive for those eligible employees to apply for the Supplemental Medical Insurance Upon Retirement benefit as outlined in the Assistant City Manager/Personnel Director's August 8, 2011 report on file in the City Clerk's Office. (**M2M11-82**)

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

6. SIDE LETTER AGREEMENT FOR THE ALHAMBRA POLICE OFFICERS' ASSOCIATION FY 2006-2011 CONDENSED MOU – F2M11-2, C87-16C, M2M11-83

Staff requested that the City Council enter into a Side Letter Agreement amending the Memorandum of Understanding (MOU) for fiscal years 2006-2011 between the City and the Alhambra Police Officers' Association.

Assistant City Manager/Personnel Director **BACIO** reported that the City of Alhambra and the Police Officers' Association (APOA) have met and conferred in good faith concerning the terms and conditions of the Side Letter Agreement and its implementation. The following provisions were agreed upon, by the City and the APOA, subject to City Council approval. He stated the provisions as follows: those members of the APOA who desire to retire on or before December 31, 2011 will be eligible for an additional supplemental medical insurance payment upon retirement; the unit member must submit their retirement request to the Personnel Department office no later than October 1, 2011 and, in return, once the unit member retires, they shall receive a \$188 flat amount per month; at the age of 65, the unit member would then receive a capped amount of \$100 per month and this benefit would cease upon the death of the employee.

Citizen Input: Dr. John **KRAFT**, *Vanguardians*, noting that the necessary technology was available, reiterated his previous comments regarding staff reports and analysis being placed online before City Council meetings for public review. He thought the public should be able to see what the details of each item were as it was his belief that the demand was high for such information.

Discussion: None

Action Taken: City Council approved the Side Letter Agreement to the Fiscal Year 2006-2011 Condensed Memorandum of Understanding between the City of Alhambra and the Alhambra Police Officers' Association, subject to final language approval by the City Manager and City Attorney; and directed staff to undertake the steps necessary to finalize Council's action. **(M2M11-83)**

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

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Action Taken: By motion, determine that the titles to all ordinances which appear on this public agenda have been read, and waive further reading.

PUBLIC HEARING

1. 2011 CONGESTION MANAGEMENT PROGRAM (CMP) – F2M6-63, N2M11-97, R2M11-16

This was the time and place set by **Notice No. N2M11-97** for the City Council to determine whether or not the City of Alhambra is in conformance with the Congestion Management Program (CMP), and if so determined to be in conformance, to adopt the CMP Local Implementation Report in accordance with California Government Code Section 65089, *et seq.*

Director of Public Works **CHAVEZ** reported that conformance with the Congestion Management Program assures the continued flow of gas tax funds to the region, and preserves eligibility for federal transportation funds. She further reported that annually, the City must complete a Local Implementation Report which documents the new development activity and the transportation improvements made for the period of June 1 through May 31. The Local Implementation Report becomes a part of the 2011 Conformance Self-Certification Resolution. The City tracks new development activities from June 1, 2010 through May 31, 2011 consistent with the CMP requirements. As of May 31, 2011, the City received 868.60 debits as a result of new construction permit issuance. The City received 1,358.25 credits leaving the City with a total of 489.65 credits for the 2011 reporting period.

Opened Public Hearing: Mayor **YAMAUCHI** opened the public hearing.

Citizen Input: **Eric SUNADA**, 805 East Pine Street, stated that he could

not find a copy of the 2011 CMP report on the City's website and asked where the report was posted. He asked that the City Council table the public hearing until the report is posted for the public to review given the fact that this item was a public hearing designated for public input. Responding, Ms. **CHAVEZ** explained that, as required, the notice of availability and public hearing was posted and published in the *Pasadena Star-News* and the report was available in the Public Works Department as well as in the City Clerk's Office.

Closed Public Hearing: As there was no one else present wishing to speak, Mayor **YAMAUCHI** closed the public hearing.

Discussion: Mrs. **MESSINA** pointed out that this item was a mandate from MTA and, as with all mandates that the City received, the City goes the extra mile to ensure compliance or we will face the consequences. She noted that the title was slightly deceptive as it was a transportation issue, but what the City was actually being asked to do was document development activity to ensure compliance with the congestion management part of the mandate, which the City does. She reiterated Ms. Chavez's comments that the report was made available for anyone that may have wished to review it.

Action Taken: Adopted **Resolution No. R2M11-16** entitled: *A Resolution of the Alhambra City Council finding the City of Alhambra, California, to be in conformance with the Congestion Management Program (CMP) and adopting the CMP Local Development Report, in accordance with California Government Code Section 65089*

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

PRESENTATION

2. FY 2010-2011 END OF YEAR BUDGET ADJUSTMENT & MODIFICATION TO FY 2011-2012 BUDGET – F2M10-17, F2M11-17, R2M11-18, M2M11-84

Staff requested that the City Council approve the following: Appropriation adjustment approval for specific budget line items for unanticipated costs incurred during 2010-2011 and a budget modification to the adopted 2011-2012 fiscal year budget to transfer from HOME account 252.22290 to HOME Entitlement account 252.40.4030.65996.

Director of Finance **ESPINOZA** reported that in June, 2010 the City Council adopted the FY 2010-2011 budget that appropriated sums of money to various departments, accounts and funds within the City of Alhambra. Staff had identified appropriations adjustments resulting from unanticipated and unavoidable expenditures which had occurred during the FY 2010-2011. The majority of adjustments, other than those specifically identified, are offset by additional revenues and/or savings in divisions' line items and budgets. Staff had reviewed each department's request and recommends approval for each of the appropriations for the unanticipated and unavoidable

expenditures. Additionally, he explained that on October 5, 2010 the City Council approved the sale of the affordable housing project located on Sarazen Drive. Staff had reviewed the sale of the first-time homebuyer's project and recommends authorize to transfer the sale proceeds in the amount of \$223,770 from the HOME account to the HOME Entitlement fund.

Discussion: Mr. **AYALA** asked Mr. Espinoza to provide a brief summary of the appropriations. Mr. **ESPINOZA** stated that overall, of the \$3.5 million in adjustments, approximately \$1.6 million was offset by salary savings, \$747,000 was offset by departmental savings within the same cost centers and \$530,000 was offset by additional revenues. The appropriations by fund amount to \$142,000 for the General Fund, \$60,668 for Proposition A, \$40,000 for the equipment funds, \$162,000 for the health insurance fund, \$163,000 for the general liability fund and the compensated absence fund is \$31,000. These appropriations were required to clean up the year-end budget and each of these suggested funds have more than enough fund balance to carry the shortfalls. City Manager **FUENTES** added that what this means is that within the individual budgets you have various line item accounts and there are times within a line item account when there might be an overage but in another account, the money is available. Therefore, at the end of the year, as the City prepares for the final audit, staff has to make sure that line items get readjusted so that there is sufficient funding available within the line item to prevent any potential shortfalls. He noted that a shortfall does not mean that the money does not exist, it simply means that a particular line item may be light in terms of funding available, but the funding does exist somewhere else in the budget and will be transferred in. The process is akin to accounting processes and procedures that need to be done to close out the fiscal year.

Action Taken: City Council adopted **Resolution No. R2M11-18** entitled: *A Resolution of the Alhambra City Council approving those certain fiscal year-end 2010-2011 appropriations for unanticipated and unavoidable expenditures incurred in the fiscal year 2010-2011 budget to appropriate the 2010-2011 unanticipated and unavoidable expenditures as identified in Exhibit I and amendment to the fiscal year 2010-2011 as indicated; and, authorize the deposit of the sale proceeds from the sale of the property at 1416 Sarazen Drive to the HOME Fund. (M2M11-84)*

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

AGENCY/COUNCIL CONSENT AGENDA (Item Nos. 3 – 9)

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

3. AWARD CONTRACT: STREET CUT REPAIR PROJECT AT VARIOUS LOCATIONS – F2M10-81, N2M11-69, C2M11-35, M2M11-74

On June 30, 2011, the City Clerk received and opened five bids ranging from \$75,000 to \$159,753.60 for the Street Cut Repair Project at Various Locations (N2M11-69). The bid

received from Hardy and Harper Inc., in the amount of \$75,000, is the lowest responsible bid and staff found that it is in full compliance and conformance with the bid specifications. Therefore, staff requested that the City Council award a contract to Hardy and Harper Inc. for the Street Cut Repair Project at Various Locations.

Discussion: None

Action Taken: City Council awarded a contract, subject to final language approval by the City Manager and City Attorney, to Hardy and Harper Inc. in an amount not to exceed \$75,000 for the Street Cut Repair Project at Various Locations and directed staff to undertake the steps necessary to finalize Council's action. **(M2M11-74)**

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

4. CHANGE ORDER APPROVAL: VALLEY BOULEVARD IMPROVEMENT PROJECT (I-710 TO CAMPBELL AVENUE) – F2M10-47, C2M10-59, M2M11-78

Staff requested that the City Council approve a change order to the contract with Sully-Miller Contracting Company, Inc. (C2M10-59) for additional work necessary for the Valley Boulevard Improvement Project. The change order is in the amount of \$245,946.28 and was issued due to construction of parkway culvert with integrated ramp, additional sidewalk, curbs and gutters, ADA ramps, curb drains, application of anti-graffiti coating, water service repairs and a U-turn median modification.

Discussion: None

Action Taken: City Council approved the Change Order for additional work in the amount of \$245,946.28 and payment to Sully-Miller Contracting Company, Inc. (C2M10-59) for the Valley Boulevard Improvement Project. **(M2M11-78)**

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

5. AWARD CONTRACT: MAIN STREET REHABILITATION PROJECT (EAST CITY LIMIT TO SECOND STREET & ATLANTIC BOULEVARD TO WEST CITY LIMIT AT HUNTINGTON DRIVE) – F2M10-68, N2M11-68, C2M11-37, M2M11-79

On July 14, 2011, the City Clerk received and opened 7 bids ranging from \$2,317,874 to \$2,623,395 for the Main Street Rehabilitation Project (N2M11-68). The bid received from All American Asphalt in the amount of \$2,317,874 is the lowest responsible bid and has the necessary licenses and permits. Therefore, staff requested that the City Council award a contract to All American Asphalt for the Main Street Rehabilitation Project.

Discussion: None

Action Taken: City Council awarded a contract, subject to final language approval by the City Manager and City Attorney, to All American Asphalt in the amount of \$2,317,874 for the Main Street Rehabilitation Project and directed staff to undertake the steps necessary to finalize Council's action. **(M2M11-79)**

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

6. NIB: CITYWIDE TRAFFIC SIGN INVENTORY AND MANAGEMENT SYSTEM – F2M11-46, N2M11-113

Staff requested City Council's authorization to circulate a Notice Inviting Bids for the Citywide Traffic Sign Inventory and Management System. The sign inventory system is needed to comply with the Federal Highway Administration's (FHWA) Minimum Levels of Retroreflectivity ruling for traffic signs. The project includes the reflectivity, condition and Manual of Uniform Traffic Control Devices sign type for all traffic signs located in the City of Alhambra and will satisfy all FHWA requirements.

Discussion: None

Action Taken: City Council authorized the City Clerk to advertise **Notice Inviting Bids No. N2M11-113** for the Citywide Traffic Sign Inventory and Management System with bids to be received on or before 10:30 a.m. on Thursday, September 8, 2011, in the office of the City Clerk and publicly opened at 11:00 a.m. that same day.

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

7. TREASURER'S REPORT - F2M11-1

Discussion: None

Action Taken: City Council approved as submitted the Treasurer's Report prepared by the Director of Finance for the month of June, 2011, listing all of the City's and the Alhambra Redevelopment Agency's investments as of June 30, 2011.

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

8. PERSONNEL ACTIONS – F2M11-2

Discussion: None

Action Taken: City Council ratified the actions of the City Manager set forth in that certain Personnel Actions document dated August 8, 2011 showing the various appointments, classifications, salary changes, etc., since the last City Council meeting.

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

9. DEMANDS - F2M11-1

Discussion: None

Action Taken: City Council approved as submitted Final Check List (128238 thru 128282) in the amount of \$16,255.80 for the period ending July 7, 2011; Final Check List (128283 thru 128470) in the amount of \$2,314,702.10 for the period ending July 8, 2011; Final Check List (128471 thru 128475) in the amount of \$4,337.02 for the period ending July 11, 2011; Final Check List (128476 thru 128591) in the amount of \$511,739.55 for the period ending July 13, 2011 and Schedule of Wire Transfers in the amount of \$301,647.45 for the week ending July 8, 2011; Final Check List (128592 thru 128641) in the amount of \$64,351.01 for the period ending July 15, 2011 and Schedule of Wire Transfers in the amount of \$1,903,353.49; and, Final Check List (128642 thru 128732) in the amount of \$696,264.09 for the period ending July 20, 2011.

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

ORDINANCES – FIRST READING

10. ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM – F2M11-47, 02M11-4589, 02M11-4590

On June 29, 2011, as part of adopting the State of California Fiscal Year 2011-2012 budget, the Governor signed two trailer bills, AB X1 26 and AB X1 27, into law. The legislation was effective on June 29, 2011. AB X1 26 eliminates redevelopment agencies as of October 1, 2011 and AB X1 27 provides an opportunity for redevelopment agencies to be “opted-in” and continue to operate and function if the sponsoring jurisdiction (City of Alhambra) adopts an ordinance by October 1, 2011. Due to the vital role the Alhambra Redevelopment Agency (ARA) plays in providing needed programs and projects in the City of Alhambra for the elimination of blight and promoting

economic revitalization and the City Council's and community's strong desire to continue to implement the ARA's various beneficial programs upon which the community relies, staff recommended that the City Council adopt an ordinance to permit the continued existence and operation of the ARA. Staff also recommended that the City Council adopt an urgency ordinance to permit the immediate continuation of ARA operations.

Citizen Input: **Dr. John KRAFT**, representing *Vanguardians*, asked that information be released to the public earlier. He also felt that \$5 billion could not continue to be taken from schools.

Action Taken: 1) Directed the City Attorney to introduce and give reading by title only, waiving further reading to the following urgency ordinance entitled:

Ordinance No. O2M11-4589: An Urgency Ordinance of the City Council of the City of Alhambra, California, determining to comply with the Alternative Voluntary Redevelopment Program pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in order to permit the continued existence and operation of the Alhambra Redevelopment Agency.

after which such ordinance went into effect immediately upon its adoption by a 4/5th vote of the City Council; and,

2) Directed the City Attorney to introduce and give first reading by title only, waiving further reading to the following ordinance entitled:

Ordinance No. O2M11-4590: An Ordinance of the City Council of the City of Alhambra, California, determining to comply with the Alternative Voluntary Redevelopment Program pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in order to permit the continued existence and operation of the Alhambra Redevelopment Agency.

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

ORAL COMMUNICATIONS – F2M11-4

1. **Jesus HERNANDEZ**, 200 South El Molino Avenue, asked for the installation of speed bumps in the 200 block of South El Molino Street. He was worried that speeding in the area would one day result in the serious injury or death of a motorist. Noting that the flashing caution lights on the sign currently installed had been out for quite some time, he suggested that sensors and a direct electrical line to the sign be installed to ensure the caution lights operated continuously. Responding, Director of Public Works **CHAVEZ** stated that staff would have the flashing beacons fixed immediately and check them often to make sure they were functioning properly. City Manager **FUENTES** added that staff would seriously look into the issue and noted that the 710 freeway gap closure was part of the problem as it caused vehicle traffic at the terminus on Valley to seek multiple ways to get through Alhambra to reach the 210 freeway in Pasadena. He also explained that

one of the problems with installing speed bumps is that they slow in-route public safety and rescue vehicles. Fire Chief **WALKER** affirmed Mr. Fuentes's comment and stated that unfortunately rescue vehicles are not engineered for speed bumps. He added that the Fire Department was currently reviewing reports on how speed bumps could affect response times.

2. **Peter VON HAAM**, 332 Segovia Avenue, San Gabriel, asked for the installation of stop signs at the crosswalk located at Shorb Street and New Avenue to help increase pedestrian safety by slowing the vehicle traffic. He felt that people should be able to use crosswalks safely without tragedies, such as the accident that killed Bo Feng, occurring.
3. **Kimiko MISHITSUJI**, 151 Bridge Street, San Gabriel, stated that she was a close friend of Bo Feng and expressed great sorrow over her death. She felt the crosswalk at the intersection of Shorb Street and New Avenue was not safe and she presented a petition with approximately 1,000 signatures to the City Council that asked for reflectors and button activated crossing signs for the intersection of Shorb Street and New Avenue to help increase visibility for people crossing the street. She asked the City to expedite these installations as quickly as possible. The petition Ms. Mishitsuji presented to the City Council is on file in the City Clerk's Office.
4. **Annel GARDEN**, 2905 West Norwood Place, expressed concern over the elimination of Alhambra Dolphins swim team and felt that this program, along with all of the other eliminated swim programs, should be reinstated. She noted that her family chooses to use Granada Park pool due to its staff and facility. She felt that the City should preserve family-oriented activities such as the Dolphins swim team for its residents considering the City's Vision Statement reads: "City of Alhambra shall be the premier family-oriented and economically prosperous community in the San Gabriel Valley."
5. **Juan JIMENEZ**, 2028 Carlos Street, also expressed concern over the elimination of the Dolphins swim team program and asked that the program be reinstated. He suggested that the City look into other sources of income to continue the program as it was popular with the participating children and instilled in them a sense of responsibility and built friendships.
6. **Ozzie LOPEZ**, 4527 Maycrest Avenue, Los Angeles, also wished to preserve the Alhambra Dolphins swim team program as he felt the City had done a fantastic job in the hiring of staff and the administration of the program. He felt reinstatement of the Dolphins was essential as it was an important part of the development of children in the sense that it builds camaraderie. He stressed the importance of the need to continue to invest in the children of the community.

Responding, Director of Community Services **JARVIS** stated that the FY 2011-2012 budget was a difficult process and that the City never wants to see cuts in programs provided because the City does have excellent staff and facilities to administer its various programs. She noted that it was great to hear from residents that they valued these programs and appreciated the City staff. Unfortunately, due to difficult economic circumstances, hard decisions had to be made for the City as a whole, as well as the Aquatics Program, which had to be reduced. She explained that during the budget process, City staff tried very hard to provide the most services possible with the amount

of money that was available in the budget. There was a focus on providing swim lessons for families and recreational swimming for families, which were not cut. She apologized for not giving residents more notifications that the lap swimming program would be cut, but the budget was not adopted until late June and it was not known exactly how funding would be allocated until then. She pointed out that lap swimming was added during swim lessons after the public comments made at the last City Council meeting and; when it is safe, lap swimming will be added during recreational swimming. Mayor **YAMAUCHI** asked Ms. Jarvis for some background on the Dolphins swim team program. She explained that it was a swim team that does compete, but it was mostly a conditioning program.

City Manager **FUENTES** commented that when considering the Recreation Program overall, with all of the various programs the City offers, the City was able to preserve the core youth programs which included the swim lessons, recreational swimming, the summer lunch program and all of the youth sports programs including sports camps for baseball, soccer, football, basketball, flag football and cheerleading. Alhambra has provided a Cadillac parks and recreational program for years that other cities have not provided for quite some time. He noted that at one time, the City allocation was approximately \$500,000 for the Aquatics Program alone, which was great because it is an important community program to provide. For this budget, the City had to try to balance out all parks and recreation programs, including aquatics, while also preserving core recreational programs. This meant that money had to be shifted around to even out the funding. He pointed out that the current reductions were not permanent and while funds were not available to reinstate programs in this fiscal year; depending on how well the economy bounces back, programs might be added back next fiscal year. This would depend upon what the Council decided to do and what the circumstances at the time would allow. He stressed that the City did not want to see Aquatics Program suffer and the City would continue to work with residents on programs that were cut. He simply

Mr. **AYALA** stated that he would like to understand what it takes, in dollars and cents, to run the programs that have been impacted such as the Dolphins swim team and what the process was in making the decisions to balance out the programs by transferring funds from certain recreational programs to help fund other programs such as the sports camps. For example, he wondered if the decisions were based on the number of users for each program. Ms. **JARVIS** explained that the number of users was looked at as well as the cost per user. The cost of running any Aquatics program is high; therefore, staff looked at how money could be stretched to serve the largest number of people. The swim lessons and recreational swimming programs could serve a larger number of people than the Dolphins swim team. This was not to say that the swim team was not a valuable program, but the biggest criteria staff had was trying to serve the largest number of residents with the money that was available. Mr. **FUENTES** noted that a program like youth soccer had approximately 1,100 families enrolled and winter baseball had several hundred families participating whereas the Dolphins swim team had approximately 30-40 people participating. Unfortunately, due to the slow economy, the City had to make larger adjustments to the budget this year but the City wants to be able to provide those programs that have been affected. Once the City could generate more capital, we would love to go back to providing state-of-the-art services across the board. He apologized for having to make the reductions because the City certainly did not want to hurt the youth of Alhambra.

Dr. **PLACIDO** asked if the Dolphins swim team was comparable to Alhambra Little League baseball, which was a non-profit organization that ran independently but used City fields for games. Responding, Ms. **JARVIS** explained that the Dolphins were a City-funded program and the coach was a City employee. Dr. **PLACIDO** asked about the additional costs that the City would incur to administer the Dolphins program that would cause the cost per user to be higher than a program such as Little League. Mr. **FUENTES** explained that, aside from employing the coach, other costs associated with running an aquatics program like the Dolphins included: the costs to chlorinate the pools, electricity to heat and light the pools, pay for the lifeguards on duty whenever the pool was in use and facilities maintenance. He noted the only real cost the City incurred for a program such as Little League was to provide the electricity to light the fields and providing the recreation leaders that are available as part of the daily total operations of the park. He added that the costs for the other youth sports programs the City runs such as basketball, cheerleading and flag football were not as great as the aquatics programs. Dr. **PLACIDO** stated he would like to see a cost comparison from staff because it was disheartening to hear from residents that they really valued a particular program that was cut, such as the Dolphins swim team. He added that it was important for residents to understand that the Council always wanted to provide good services for the youth in Alhambra, but the cost per participant also had to be considered when evaluating programs. He also suggested that if the costs were too high for the City to provide a full program, perhaps the City could provide the pool and let the residents run the Dolphins swim team in the same style as Little League.

Mrs. **MESSINA** asked if the Dolphins' team members paid a fee to participate. Ms. **JARVIS** replied that members did pay a monthly fee. Mrs. **MESSINA** asked for a breakdown of what costs the user fee covered and the remaining cost balance not covered by the fee. City Manager **FUENTES** stated that he would provide all of the analysis the Council had requested at the upcoming mid-year budget review.

7. **Victor CHANG**, 4561 Delta Avenue, Rosemead, thanked the City Council for providing the City with such a nice swimming facility but asked that more than one lane be opened for lap swimming. He pointed out that it was difficult to lap swim properly in one lane containing swimmers of different ability levels and speeds.
8. **Cecilia GARCIA**, 28 North Vega Street, echoed Mr. Chang's concerns regarding too many lap swimmers in the single lane provided. She urged the Council to open more lanes for lap swimming because she believed overcrowded lanes forced swimmers to stop constantly and this made continuous lap swimming difficult. This meant that swimmers were not able to achieve the health benefits desired by lap swimming. She also felt that overcrowded lanes could cause collisions between swimmers which could cause injury.
9. **Nick HRONIS**, 1632 South Meridian Avenue, asked for additional lap swimming lanes to be opened. He felt that the Alhambra YMCA pool was not a viable alternative because it was already at capacity with respect to lap swimmers and adding the approximately 24 residents he knew to be daily lap swimmers at Alhambra pools would make it impossible for everyone to swim at the YMCA. He suggested that the Council consider alternate funding sources to help with the lap swimming and swim team programs such as pool

sponsorship in the summer or contacting foundations that will provide money to run the programs.

10. **Ping LAI**, 1625 South Meridian Avenue, noted that summertime was the peak season for swimming and asked for more lap swimming lanes to be open for use by residents. She expressed concern about the overcrowding in the lane provided by pointing out that swimmers will be more likely to hit their hands and/or arms on the lane lines while attempting to avoid slower swimmers in the same lane.
11. **Paul STEIN**, 2213 Cedar Street, thanked the Council for making one lane available for lap swimming and for being open to availability and funding suggestions. He felt that the lap swimming program was important to preserve because it brought people of Alhambra together which made the community better. He suggested that the Council take a comprehensive approach and look at all the pool related programs. He also believed that it may be difficult for the Council to get accurate figures for usage at the mid-year budget review because currently lap swimming is less available.
12. **Lisa MOODY**, 1854 Garvey Avenue, also thanked the Council for opening one lane for lap swimming, but asked that more lanes be opened. She did not believe that an extra lifeguard would be necessary if additional lap swim lanes were to open. She asked the Council to keep the program open year-round as it was a healthy form of exercise that helped conditions such as asthma.

RECESS: At 9:09 p.m., **Mayor YAMAUCHI** declared a brief recess.

RECONVENE: At 9:15 p.m., **Mayor YAMAUCHI** reconvened the meeting with all members present.

13. **Shi LIN**, 1625 South Meridian Avenue, believed that the issue of additional lap swimming lanes should be worked out as it was the responsibility of the Council to serve the residents of Alhambra. He also did not believe that residents should have to go to other facilities in the City or in neighboring cities in order to lap swim.

Responding, Director of Community Services **JARVIS** explained that she spoke with the Aquatics Program Coordinator for the City and an additional lifeguard would be needed in order to open additional lap swimming lanes. If the City was to add this additional lifeguard, then offsetting reductions would have to be made to other areas of the budget. She noted that she instructed staff to allow lap swimming just outside of the one designated lane if it became overcrowded so that there were, in effect, two lanes available for faster and slower swimmers. Dr. **PLACIDO** asked whether the lap swimming usage fee could be adjusted to allow for more lap swimming lanes and the additional lifeguard that would be required. Ms. **JARVIS** noted that the approximate cost for the additional lifeguard on deck would be \$84 per hour. City Manager **FUENTES** added that the usage fee of \$3 was not enough to cover the costs of an additional lifeguard. Mr. **AYALA** stated that perhaps the entire aquatics program could be looked at comprehensively to see if increasing fees across the board could accommodate all aquatics uses. Mr. **FUENTES** pointed out that in the past the City has allocated \$500,000

to the entire Aquatics Program and over the years that amount has been pared down. During the last fiscal year the City spent approximately \$300,000 and for this fiscal year, that amount has been scaled back to approximately \$200,000. Therefore, in order for the City to get back to the previous level of funding, it would take \$100,000 to \$200,000 and this would be way too costly for residents to try to make up this difference through usage fees. There are simply not enough people to distribute that level of rate adjustment. The City will have to financially support the program, which is what the City has done and should do as it is a City service. Mr. **AYALA** then asked for an assessment of the costs associated with the lap swim and Dolphins swim team programs specifically, rather than the entire Aquatics Program, to assess the feasibility of usage fee adjustments for these two programs as their representatives are in the audience asking for the Council to address cuts made to these two programs specifically.

Mr. **SHAM** stated that it appeared that 2-3 lanes would be adequate for the time being and this gave the Council a starting goal to work with. Dr. **PLACIDO** suggested that perhaps the Parks and Recreation Commission could look into the issue and make recommendations. Mr. **FUENTES** stated that he and the Director of Finance would soon begin forecasting where the City will be financially. By mid or late November he should have a better indication as to where the City is headed and will put together a detailed analysis for the mid-year budget review meeting. The City can certainly work to find the funds in the budget to restore some of the services that have been cut. Mr. **YAMAUCHI** remarked that the cuts to certain aquatics programs was a serious issue that the Council would address directly not only at the upcoming mid-year budget review but during the strategic planning process.

14. **Peg MOODY**, 2625 Westminster Avenue, thanked the Council and City staff for removing the dead tree in front of her home. She was grateful and was glad the City was going to replant another tree in its place. She expressed frustration over the lack of basketball courts at Granada Park and did not understand why the City had failed to refurbish the courts to provide adequate flooring for basketball. Dr. **PLACIDO** explained that the City has the project planned but can only work to install the flooring for basketball when the funding is available. Ms. Moody also asked why the City Council conducts some meetings at the Library. She believed it was better to hold meetings in the Council Chambers so that they could be recorded for rebroadcast on Charter Cable. This way residents that were unable to attend the meetings in person, could see what was happening in the City by watching it at home. Mr. **YAMAUCHI** responded that one of the main reasons for meeting in the Library is that the Planning Commission also uses the Council Chambers for their meetings. Dr. **PLACIDO** added that the reason why meetings in the Library are not videotaped for rebroadcast is because the City's contract with Studio Spectrum, the company hired to videotape the meetings, only allows for the taping of about 26 meetings per year. If the City Council has additional meetings, the budget does not cover Studio Spectrum coming out to videotape more than about two Council meetings per month. He pointed out that all City Council meetings are recorded on audio tape and are available for residents to listen to if they so desire.
15. **Dr. John KRAFT**, representing *Vanguardians*, noted that the more data you give to the public, the more involved they will become in the process. He noted that he was working on researching public pensions for cities, including Alhambra, and he believed them to be an unfunded liability. He felt that the more elected officials they discuss government

actions and issues with the public the better they will be as elected officials. He also asked that the City Council and Agency Board meetings be separated.

16. **Elizabeth SALINAS**, 2202 Montezuma Avenue, stated that she was also representing the neighbors on Eighth Street. She expressed frustration with a recent Planning Commission decision to approve a residential planned development permit to increase the size of the home by more than 50% located at 811 West San Marino Avenue in an area zoned R-1 single-family residential. The application was opposed by at least six neighbors at the Planning Commission meeting on the grounds that they believed, if the application was approved, it would create a multi-family dwelling on a property that is zoned as R-1 single-family. The neighborhoods also felt that to allow such an addition would bring down the quality and integrity of their neighborhood. She felt that the Planning Commission decided to rely on the applicant's statement that the addition was for his 10-member family that currently lived at the residence. She felt rather than taking the applicant at his word, the Planning Commission should have investigated his statements further before approving the application to prevent a violation of Alhambra's zoning laws. She questioned the motivation of the Planning Commission in rendering its approval of the application and believed it to be financially motivated to help the City increase its revenues.

Responding, Mayor **YAMAUCHI** explained that he was in attendance at the Planning Commission meeting to which Ms. Salinas was referring, and it appeared to him that there was a discrepancy between what the neighborhood residents were claiming and what the applicant/property owner was claiming. He noted that one of the reasons the Planning Commission sided with the owner was because they cannot anticipate or assume that the owner is going to break the law by using the property as a multi-family rental unit. If the property owner does begin to use the property in this way, then the City can act, but not until the law is broken. He also added that the fees the City collects for applicants' permits is not a source of income for the City but only covers the administrative costs incurred by the City to process the permit.

17. **Lola ARMENDARIZ**, asked, with respect to the lap swimming program, why the Alhambra Park pool was not utilized as it was a beautiful facility but it was closed in August and through the winter until the following summer. She suggested that the current lack of funding for the lap swimming program and for a concert series this summer could be related to the amount of money the City spent to put on the Summer Jubilee in 2008. She stated that she would like to see the City Council volunteer their monthly compensation to help pay for some of the programs that were cut such as lap swimming. She added that she felt it was irresponsible of the Council to approve the Edison License Agreement without seeing the agreement first. She stated that the reason she asked whether the Alhambra Unified School District would contribute money to maintain the parking lot area was because the City's does not have enough staff to maintain it. Finally, she suggested that a clock be placed on Council during the Council Communications

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Mrs. Messina announced that the Alhambra Beautiful Committee Members had decided on the winners of the 2011 Alhambra Beautiful Awards. She added that the names would be announced

and the winners presented with commendations at an upcoming City Council meeting in September.

Mr. Ayala, noting that those in the audience that addressed the safety of the intersection at Shorb and New Avenues had left before he could ask his questions on the issue, stated that he had three questions which he would like to receive answers from City staff once the information could be gathered. He asked when the last time was that the City received a complaint about the safety of the Shorb and New intersection or any other intersection in the City. He wished to know if the City had a plan or a general process to identify pedestrian danger zones in the City. Finally, he asked for the particulars of the study that had ranked Alhambra on the list of cities that were unfriendly for pedestrians. He noted that if the particulars of the study were correct and Alhambra was considered unfriendly for pedestrians, he would like to know how the City can ensure that the City is not ranked high on this list. He wanted Alhambra residents to know that the City Council cares very much about the issue and that it would be proactive to ensure that situations, such as the fatal accident involving Bo Feng, do not happen.

Dr. Placido congratulated Mayor Yamauchi on a great term as Mayor. Although he would be out of town and unable to attend, he hoped the City Council would enjoy the reorganization ceremony at the next meeting.

Mayor Yamauchi announced that the Civic Center Library Book and Toy Donation Drive for the Alhambra Library Foundation would run through August 31, 2011. He added that those who donate a book or new toy to the library will receive a coupon for a Free Shave Ice.

ADJOURNMENT: At 10:10 p.m., there being no further business for the Agency Board or Council to transact, the ARA Chairman and Mayor, with the consent of the Agency Board and the City Council, shall adjourn their respective meetings to **5:30 p.m.**, on **August 15, 2011**, in **Ruth C. Reese Hall** at the **Alhambra Civic Center Library**, 101 South First Street, Alhambra, California for the purpose of meeting jointly (**Notice No. N2M11-114**).

LAUREN MYLES, CMC
CITY CLERK/ARA ASSISTANT SECRETARY