

MINUTES

GLENDORA COMMUNITY REDEVELOPMENT AGENCY

REGULAR MEETING

APRIL 27, 2004

COUNCIL CHAMBERS OF THE CITY HALL
116 E. FOOTHILL BOULEVARD, GLENDORA, CA

7:00 P.M.

Or as soon thereafter as possible

CRA MEMBERS PRESENT: Cliff Hamlow, Gary M. Clifford,
Mike Conway, Ken Herman,
Doug Tessitor

CRA MEMBERS ABSENT: None

1. CALL TO ORDER

At 7:45 p.m., CRA Chairman Hamlow called the Regular Meeting of the Community Redevelopment Agency to order.

2. SPECIAL ITEMS – None

3. PUBLIC COMMENT PERIOD - None

4. CRA MEMBERS REPORTS AND STATEMENTS – None

5. CRA PUBLIC HEARINGS - None

6. CRA CONSENT CALENDAR

The CRA Chairman announced that all items listed under the CRA Consent Calendar will be enacted by one motion unless separate discussion is requested by a member of the CRA.

Motion was made by CRA Member Conway and seconded by CRA Vice Chairman Clifford to approve CRA Consent Calendar Items A through B. The motion carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

6A AGENCY APPROVAL OF CRA MINUTES: REGULAR MEETING OF APRIL 13, 2004

The motion to approve Consent Calendar Item 6A carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

6B AGENCY REVIEW OF CRA BILLS:

- 1. CRA Warrants dated 4-14-04: \$8,343.02
- 2. CRA Warrants dated 4-21-04: \$127,621.46

The motion to approve CRA Consent Calendar Item 6B(1)(2) carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

7. UNFINISHED BUSINESS7A REVIEW/DISCUSS/ACT UPON ISSUES RELATED TO HERITAGE OAKS SENIOR HOUSING PROJECT – CRA 1

City Manager Eric Ziegler reported that the staff report discusses the genesis of the Heritage Oaks projects, as well as the three agreements that govern it, which are: the Disposition and Development Agreement (DDA); the Ground Lease; and the Housing Implementation Agreement. The DDA and the Ground Lease Agreement are 55-year agreements with two ten-year options. The Housing Implementation Agreement appears to be open-ended. Under these agreements, 20% of the units (31 units) were to be reserved for very low income tenants and 10% (16) were to be reserved for low income tenants. Under the terms of the agreements, the developer is entitled to charge very low income residents rent equal to 30% of 60% of the median income for the Los Angeles County area. Similarly, the developer is entitled to charge low income residents rent equal to 30% of 80% of the median income for the Los Angeles County area. The owner of the complex is in full compliance with the rental rates that are currently being charged.

Mr. Ziegler said the Housing Implementation Agreement makes subsidy of both very low income units and the low income units discretionary with the City (Agency). This agreement was approved in 1991 and it committed the Agency to provide subsidy for a maximum of 60 months (five years) or, in the alternative, until the apartment was vacated, whichever was less. Therefore, if a tenant moved into an apartment and left the apartment in three years as opposed to five years, that would fulfill the Agency's obligations under this agreement. Unfortunately, the employees and City officials who negotiated these agreements are no longer here. Therefore, staff has had to infer a lot of the intentions from the content of the agreements, which are convoluted.

Mr. Ziegler said subsidization of the Heritage Oaks units is a discretionary act on the part of the Agency. The agreements commit the Agency to be the party that qualifies tenants for initial rental of the units, as well as for on-going tenancy based upon the median incomes for the very low income and low income tenants. There is no evidence that the Agency has ever done that.

Mr. Ziegler said he and other staff members met with some of the Heritage Oaks residents and he has also met with the owners of the complex. Mr. Ziegler said he believes there are four issues that need to be acknowledged:

Issue 1: The extent to which the City's Redevelopment Agency subsidizes very low income and low income tenant rental rates at Heritage Oaks.

Mr. Ziegler said there is no continuing obligation in the agreements to subsidize rents and he offered five alternatives for consideration:

1. Continue to subsidize at the current level of \$12,000 per year.

Mr. Ziegler said the Agency budgets and contributes approximately \$12,000 per year in subsidization of those units.

2. Increase subsidy from existing level of \$12,000 to an amount equal to, but not greater than 20% of the net cash flow, i.e. in an amount equal to \$18,000 which is the total amount received from project pursuant to the governing agreements in the most recent year.

Mr. Ziegler said the Agency receives an annual payment from the complex owner, which is 20% of the net cash flow. Last year that amounted to \$18,000; \$12,000 of which was spent in the current subsidy formulas. He emphasized that the dollar amount varies from year-to-year.

7. UNFINISHED BUSINESS7A REVIEW/DISCUSS/ACT UPON ISSUES RELATED TO HERITAGE OAKS SENIOR HOUSING PROJECT – CRA 1 (Cont'd)

3. Increase subsidy to pay monthly rental in excess of 30% of tenant income. Given the current tenant mix, this alternative would cost approximately \$126,000 per year. It may also establish a precedent for subsidizing apartments other than Heritage Oaks to the extent that very low income and/or low income tenants of those apartments are spending more than 30% of gross household income in making rental payments.

Mr. Ziegler said some tenants at Heritage Oaks pay between 50%-80% or more of their total annual income in rent. Given the current tenant mix, it would cost the Agency approximately \$126,000 per year from its Low-Mod Income Housing Fund if the Agency were to subsidize this project on the 30% of income formula. While approving this subsidization plan might raise expectations for those who live in other projects, it should be noted that this is the only project in the City that has a contractual relationship and where the Agency was a participant in bringing the project into being.

4. Subsidize very low income and/or low income tenants on some basis other than those addressed above.
5. Eliminate all subsidies.

Mr. Ziegler said these five alternatives provide a range of from where we are now to creating a "mini Section 8 Housing" program. Mr. Ziegler said the Section 8 Housing is now being reduced by the federal government. If the Agency wishes to subsidize this project to any extent greater than Alternative 2, there should be discussion about how to deal with assets other than just income. He said there could be people who have very little income, but who have substantial assets in property.

Issue 2: Concern over maintenance of Heritage Oaks complex and issues of handicapped access, ways of travel and second floor tenancies.

Mr. Ziegler said Dave Davies, the City's Building Official, inspected the Heritage Oaks. Mr. Davies reported that he visited the site on three occasions, including three units that had water damage that occurred from a leaking deck. Most of the required repairs are minor in nature and the owners assured him that the repairs would be made. The owners have retained a contractor to repair the decks and address any water damage or dry rot that may have occurred. The owners have agreed to offer first-floor residency to those with mobility impairments. Mr. Davies said the structure was built prior to the American with Disabilities Act (ADA) and the thresholds on the second floor do not meet ADA requirements for someone in a wheelchair. The elevator does not have an emergency power backup. This was not a Code violation when the complex was built, but it would be a violation today.

Mr. Ziegler said the owners have been very responsive to the City's areas of concern. No action is required by the Agency since Mr. Davies has this well in progress.

Issue 3: Tenant Dissatisfaction with the current resident manager.

Mr. Ziegler said at the City's request the Inland Fair Housing Mediation Service recently surveyed tenants and the dissatisfaction rate with the resident manager was between 10-15%. The owner has indicated that the resident manager is an experienced apartment manager. They believe the resident manager is aware of policies and procedures of their company that governs the operation of this complex and they have no intention of changing managers. Employment of the manager is the purview of the owner and no action is required by the Agency.

7. UNFINISHED BUSINESS

7A REVIEW/DISCUSS/ACT UPON ISSUES RELATED TO HERITAGE OAKS SENIOR HOUSING PROJECT – CRA 1 (Cont'd)

Issue 4: The City is in non-compliance with certain portions of the agreements governing the Heritage Oaks complex.

Mr. Ziegler said he has requested budgeted funds in the proposed 2004-2005 budget to hire a person to be responsible for administering this contract as well as the City's Mobilehome Rent Control Ordinance and other housing programs in which the City and Agency is involved. Mr. Ziegler said this issue will be discussed further during budget workshops.

At CRA Member Tessitor's inquiry, Mr. Ziegler said the \$126,000 figure was computed for the 47 subsidized units only. Mr. Lavin said the Agency is currently paying a subsidy for approximately 11 units.

CRA Member Tessitor asked if the Agency could or should be involved in upgrading the complex to current ADA standards. Mr. Davies said the cost to upgrade would be prohibitive. CRA Member Tessitor inquired about providing backup power for the elevator. Mr. Davies said emergency generators would cost approximately \$15,000 per elevator. CRA Member Tessitor said management has stated that residents with disabilities that can be moved to the first floor will be moved. CRA Member Tessitor said residents can become permanently or temporarily disabled at any time and the Agency should consider looking at ways to make the situation safer.

CRA Vice Chairman Clifford said the building is owned by Heritage Oaks and the Agency has a ground lease with Heritage Oaks. Mr. Davies said under ADA, the owners must either bring the building into full compliance or make reasonable accommodations. City Attorney D. Wayne Leech said absent an agreement with the building owner, the Agency would not be able to upgrade the complex. CRA Member Tessitor said the Agency is involved in this project or it wouldn't be having this discussion. There is nothing that would preclude the Agency from entering into an agreement with the owner in order for the Agency to make accommodation for the health and safety of the residents. Mr. Leech expressed concern about setting a precedent for other similar projects. CRA Member Tessitor said it was reported that the Agency has an interest in this facility that it does not have in any other facility in town.

Mr. Ziegler said the Agency has an interest in this facility in that it owns the underlying ground, which it leased for 55 years with two ten-year renewals. The Agency has a Housing Implementation Agreement, but the City's code enforcement responsibilities are not any more or any less than they are for anyone else.

CRA Member Tessitor said the Agency needs to remember how it got involved in this project to begin with. This property was donated by a Glendora citizen. A group of Glendora citizens came together with the idea of providing senior housing. The Agency entered into a Housing Implementation Agreement that it failed to properly administer.

At CRA Chairman Hamlow's inquiry, Mr. Davies said he met with the owner last week and the owner agreed to make the needed repairs immediately.

CRA Chairman Hamlow announced that several speaker cards were submitted for this item. He said the time allotted for public comment would not exceed 30 minutes.

Sarah Flores, a Glendora resident, said there are major problems at this facility because residents were screened and told that their rent would be subsidized. The City has not followed up on this procedure, probably because of limited staffing. Rents are established at the discretion of the resident manager. She said the manager works well with the owner, but he is awful as it relates to the residents he is managing. The manager does not allow residents to use the barbeque pits, the recreation room, the kitchen, or the swimming pool. He makes money for the owner by raising the rent and he saves money by not maintaining the facility. Ms. Flores said there is a problem concerning the lease agreement on the property and management of the facility.

7. UNFINISHED BUSINESS7A REVIEW/DISCUSS/ACT UPON ISSUES RELATED TO HERITAGE OAKS SENIOR HOUSING PROJECT – CRA 1 (Cont'd)

Harriet Hyde, a Heritage Oak resident for two years, said the manager places different rules for different people and gave several examples. She was denied use of the recreation facility for a birthday party, but parties are held there on numerous occasions. The manager denied her use of a room to hold a bible study, but Catholic services are held there on a regular basis.

Evelyn Furst, a Heritage Oaks resident since August 2003, read letters from Leigh Downs, Martha Arnold, and Pauline Nicolson, all of whom reside at Heritage Oaks. Ms. Downs expressed concern with the high rent and maintenance issues. Ms. Arnold expressed concern with high rent. Ms. Nicolson expressed concern with rent increases.

Nancy Najarian, a Heritage Oaks resident for almost four years, said she is disabled and she has an annual income of \$9,720. She slept in a chair for five nights because of needed repairs. Residents are not allowed to use the club house freely. She was warned by the Manager not to talk to certain people because it would be better for her in the long run.

Carol Stephens read letters from Salvatore Livolsi, Mabel Cummings, Maria Fitch and Rosemary Moen. Mr. Livolsi said he needs a ramp for his wheelchair. Ms. Cummings expressed concern with rent increases. Ms. Fitch expressed concern with rent increases. Ms. Moen expressed concern with rent increases and maintenance issues.

Robert Vasquez spoke on behalf of Bertha Chacon. Ms. Chacon is prepared to fight for her rights. She has been confronted with hostile treatment from this management company. The City participated in this venture ten years ago and has not monitored the rental policies. Rents have been raised for some, but not for others. The manager has restricted use of the amenities to save money. Comments made by Councilmember Tessitor give the residents hope that someone cares.

Evelyn Furst, a Heritage Oaks resident since 2003, said the manager conducts interviews that include discussion regarding personal financial information and individual tenant issues at a table in the public conference room. She said the manager enters apartments without tenant permission. Planned social activities are once-a-week rosary, prayer, bingo and exercise four times a week. There is a weekly continental breakfast. There are no longer potluck dinners. Amenities such as use of the Club House and barbeque grills are restricted.

Jesse Sablan, a Heritage Oaks resident, expressed concern about rent increases and need for a wheelchair ramp in the Club House. Mr. Sablan said he is in a wheelchair and he lives on the second floor. When he requested to move to the first floor he was told that he would have to pay another security deposit, which is \$300. The Club House is locked too early and they cannot get to their mailbox.

Barbara Lakner, a Heritage Oaks resident, requested subsidized rent that would require her to pay one-third of her income for rent. She is now disabled and Social Security is her only income. The apartment in which she lives is perfect, except the rent is too high for her income.

Steve Botsford stated he is a managing partner of the ownership group that owns Heritage Oaks and he was involved in the construction and development. He said Heritage Oaks was not conceived, financed, built or designed as a Section 8 property. Despite that, they have worked with the City for the past 15 years and they have voluntarily had extra units in the low-mod income program. Also, a number of units are not being charged the maximum allowable rent. Occupancy over the last five years has been in excess of 98%. Most of the residents are happy. He met with the City Manager and Mr. Lavin last week. They are happy to continue their good working relationship with the City. They are in the process of inviting the tenants to attend a reception where they may ask questions and make suggestions. The rent structure is complicated. Residents have moved in at different times and market rent changes. They have made an effort to keep rents for existing tenants lower than market rents. Residents are invited to make appointments to review their individual rent files. It is difficult to make

7. UNFINISHED BUSINESS7A REVIEW/DISCUSS/ACT UPON ISSUES RELATED TO HERITAGE OAKS SENIOR HOUSING PROJECT – CRA 1 (Cont'd)

general statements about the rent structure because residents have moved in at different times and have different levels of income. Mr. Botsford said four handicap ramps were installed last week.

CRA Chairman Hamlow closed the public comment period for this item.

CRA Chairman Hamlow asked Mr. Lavin to address the survey that Inland Mediation conducted. Mr. Lavin said Inland Fair Housing and Mediation sent a survey to each of the units. Sixty-seven survey forms were returned. Of those 67, approximately ten indicated some dissatisfaction. Since more than 50% of the survey cards were not returned, there is a lot of room for a margin of error. Several residents in the audience said they did not receive a survey card.

CRA Member Conway said the City Manager's report states that Ground Lease Agreement provides that the Agency shall provide a list of prospective tenants to be utilized in selecting future prospective tenants of Heritage Oaks Senior Housing not less than twice during each lease year. The Agency is also responsible for verifying continued tenant eligibility on an annual basis. The City Manager's report also states that the Agency is not in compliance with this provision nor is there any indication that it has been in compliance at any time since the inception of the Heritage Oaks project. CRA Member Conway said the Agency must decide if it wants to participate in a subsidy program and, if so, how would it be funded, why would they do it and for how long would they participate. It appears that when the Agency continues to pay a subsidy, and tenants are approved without benefit of Agency screening, then the residents might jump to the conclusion that the City intends to subsidize in some form or another. He said the City probably should have hired a person to administer the contracts some time ago. The City should ensure that the manager is in compliance with any contractual obligations that the owner might have. If it is the Agency's desire to not be involved, then it should not be subsidizing eight units. He said the Agency has some responsibility in making residents believe they would receive some kind of assistance. The Agency had a contractual obligation to perform certain acts and it has not fulfilled those obligations. He said issues such as qualification for eligibility need to be discussed. He said subsidizing these units would not set precedence for other facilities in the City. He said he is not prepared to vote on this tonight, but if he did vote, he would support funding a year of \$126,000 and during that year work out a real program. Some residents may have to move because the rents are legal. However, rather than vote tonight he would prefer to have the City Manager submit a plan on how to hire an administrator and how to set subsidies.

CRA Member Herman said it is obvious that the Agency has not fulfilled its contractual obligations and all it can do now is move forward. He said tenant rights are an issue that should be addressed. Paying the rent should entitle the tenants to use the amenities. The Housing Implementation Agreement expired after five years. He said it would be fair at this point to honor a five-year agreement that was not honored previously. He requested Sarah Flores to address whether \$12,000 is enough to subsidize.

Sarah Flores said \$12,000 is not enough. She said the Agency has only subsidized nine units over the years. Heritage Oaks have subsidized the rest of the subsidized housing. The three contracts contradict each other. It is crucial for the Agency to analyze which tenants are eligible for subsidy. The Agency should honor the commitment that was made to the residents from the very beginning. Allocating the \$126,000 would be a start. The Agency should honor the commitments it has made and make corrections for future commitments.

At CRA Member Herman's inquiry, Mr. Ziegler confirmed that the Agency has \$2.2 million in the Low-Mod Housing Fund.

7. UNFINISHED BUSINESS7A REVIEW/DISCUSS/ACT UPON ISSUES RELATED TO HERITAGE OAKS SENIOR HOUSING PROJECT – CRA 1 (Cont'd)

Mr. Ziegler clarified that there are, and always have been, 47 units. Thirty-one of those are very low income units; 16 are low income units. The agreement is that those units may qualify for a subsidy. Under the existing formula in the Housing Implementation Agreement, the only units that qualify are the nine units. There was a commitment in the Agreement that the City would provide subsidy based on that formula for a period of five years or for the first tenant, whichever was less. If the first tenant moved out after three years, the obligation was fulfilled. If the first tenant was still there after six years, the obligation was fulfilled at five years. The Agreement is always discretionary, meaning that every time a tenant changes, the Agency can choose to keep that a subsidized unit, or not. Where the Agency failed, is that apparently the Agency is not the party that qualified the tenant for subsidized residency. The theory for subsidized housing is that a tenant not be required to spend more than 30% of their income.

CRA Vice Chairman Clifford said Heritage Oaks is not a Section 8 development and 30% is not the number that the formula must shoot for. The Agency is not contractually obligated because the contractual agreement was fulfilled a long time ago. Mr. Ziegler said the Agency is obligated to qualify the tenants under provisions of the Ground Lease agreement.

CRA Member Tessitor referred to information in the staff report which states that in the late 1970's Paul Geleris donated 13 acres of land to the City as a senior housing site. A committee was formed to provide as many senior housing units as possible at as low a cost as possible. In addition, 20% of the net cash flow of the project will be paid to the Agency and will be available to subsidize additional units. Mr. Ziegler said that is the source of the \$12,000 that is now used to subsidize rents. CRA Member Tessitor said the staff memo also states that the Agency will establish a housing entity and appoint members to its board to oversee the property management contract and to prioritize prospective tenants based on age, income and other qualifications. After construction was completed, the committee was disbanded for some reason.

CRA Member Tessitor said the Ground Lease provides that the developer shall hire a management company reasonably acceptable to the Agency. The Agency can direct the developer to replace the management company. CRA Member Tessitor said either the Agency or a committee appointed by Council should have the ability to review the facts and provide some mitigation to any problems. He said apparently some people who do not have adequate income were allowed to move into this complex. The agreement refers to 30% of the median income in the area, which was defined at approximately \$25,000 a year. If the qualification for subsidizing is 30% of \$25,000 the rents being charged are reasonable and fit within the agreement. People living in this complex who have an annual income of \$10,000 are in a horrible situation. If appropriate oversight was in place that person would not be living in Heritage Oaks.

CRA Member Tessitor suggested that the City may have an obligation to subsidize the rents for a specified period of time of those individuals who are currently living in Heritage Oaks, but do not meet the existing standards. The City needs to examine the financial situations of tenants to determine what should be done. This would probably cost less than the \$126,000 that was projected. The City Attorney should then review all the documents and address any conflicts between the documents.

At CRA Chairman Hamlow's inquiry, Mr. Botsford said the City Manager and City Attorney have accurately summarized the document. The confusion is that nine units are being subsidized and there are more than nine people with varying incomes who think that they are entitled to subsidies. The five-year Housing Implementation Agreement was for nine units only and that agreement has expired. The owners voluntarily agreed to keep the program going. There is no documentation to confirm this. He emphasized there is confusion on how many units are to be subsidized.

7. UNFINISHED BUSINESS7A REVIEW/DISCUSS/ACT UPON ISSUES RELATED TO HERITAGE OAKS SENIOR HOUSING PROJECT – CRA 1 (Cont'd)

CRA Chairman Hamlow said within the confines of the contract, staff should address management issues. He said there is not a fair representation of Heritage Oaks residents at the meeting tonight. He said the City has some responsibilities, such as qualifying the tenants for rent subsidy for the number of units called out in the agreement.

Motion was made by CRA Chairman Hamlow and seconded by CRA Vice Chairman Clifford to authorize out of housing funds available the hiring of a City staff person to manage this and any other programs that qualify in these areas. The motion carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

Mr. Ziegler said staff would bring back an agenda item appropriating funds.

CRA Chairman Hamlow said the \$12,000 figure that was increased to \$18,000 was a legitimate figure, in that it is the 20% of cash flow that comes back to the Agency from the Heritage Oaks project.

Motion was made by CRA Chairman Hamlow and seconded by CRA Member Tessitor to allocate \$50,000 from the housing fund to begin to address the contract issues.

Mr. Leech said the motion is not clear. There needs to be a formula to determine who qualifies. Based upon that formula, staff could then calculate the amount of money that is needed to subsidize. He asked if the motion is directing staff to come up with a formula that would equal the \$50,000.

CRA Member Tessitor said he would like the City Attorney or staff member to review the existing documents and determine what the qualifications are for subsidization. Then, go back and review the existing tenants to determine which of the existing tenants would not reside in the project if the Agency had been diligent in qualifying tenants. The \$50,000 should be a seed fund for dealing with those issues. CRA Chairman Hamlow concurred.

Mr. Ziegler said if the Agency wants to appropriate \$50,000 staff will get back to the Agency at the meeting of May 25th with a formula to apply to the expenditures based on the current tenant mix and the income of individual tenants and a policy.

CRA Member Conway said his understanding of the intent of the motion is to use the \$50,000 as seed money to subsidize rents of existing tenants who meet criteria of very low income and low income and who would have received a subsidy if they had been screened by the Agency. It may be necessary to increase the dollar amount.

Mr. Ziegler said it is his understanding that staff would develop a formula that caps the subsidization at \$50,000 for 47 units.

CRA Member Tessitor said it was his intent to establish a starting point where the City would analyze the existing population of Heritage Oaks that originally came into the very low income and low income units and, given the rules that are embodied in the agreements after elimination of ambiguities and contradictions, calculate who would be eligible for those subsidies and determine the dollar amount needed to subsidize eligible tenants. For example: If it turns out that 11 tenants are eligible and if those 11 tenants still have three years left on their lease, then it could cost \$150,000 over a three year period to subsidize those tenants. He said the Agency would have a responsibility to those 11 tenants because it failed to screen them when they moved in, and he would feel comfortable in subsidizing those tenants at the cost of \$150,000.

7. UNFINISHED BUSINESS

7A REVIEW/DISCUSS/ACT UPON ISSUES RELATED TO HERITAGE OAKS SENIOR HOUSING PROJECT – CRA 1 (Cont'd)

Mr. Leech said the formula should be determined before a dollar amount is set. He suggested that staff be directed to provide alternative formulas for Agency's consideration. This would allow the Agency to see the result of various alternatives prior to authorizing funding.

Mr. Leech said it has been suggested that there are tenants currently in possession of rental units which, but for the City's lack of oversight of their qualification, would not have come into tenancy. Mr. Leech said there has been no evidence to prove that issue.

Mr. Botsford said his office has all the applications and financial information for each tenant. He said he is willing to dedicate part of his staff to meet with City staff. He said the applicants submit a tax return that could indicate what assets other than annual income the tenants might have.

CRA Chairman Hamlow and CRA Member Tessitor withdrew the motion.

CRA Chairman Hamlow asked that the two staffs meet and report back to the Agency with a formula with associated costs at the meeting of May 25, 2004. The Agency concurred.

Sarah Flores said members of the housing committee are still available and could perhaps provide more information. Glendora Church Homes was part of the committee and may have some documentation and minutes that could add information. Ms. Flores expressed appreciation to Mr. Ziegler, Mr. Lavin and Mr. Davies.

CRA Chairman Hamlow called a recess at 9:55 p.m. The Agency reconvened at 10:05 p.m.

8. NEW BUSINESS - None

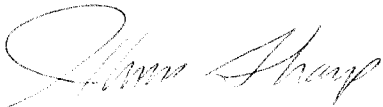
9. AGENCY AND STAFF ITEMS - None

10. CLOSED SESSION - None

11. ADJOURNMENT

With the Agency's concurrence, at 10:05 p.m. CRA Chairman Hamlow adjourned the CRA Regular Meeting to the City Council meeting.

Respectfully submitted,



Jo Ann Sharp
CRA Secretary

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MINUTES

CITY OF GLENDORA
COMMUNITY REDEVELOPMENT AGENCY

SPECIAL JOINT MEETING

APRIL 27, 2004

COUNCIL CHAMBERS OF THE CITY HALL
116 E. FOOTHILL BOULEVARD, GLENDORA, CA

6:15 P.M.

COUNCIL/CRA MEMBERS PRESENT: Cliff Hamlow, Gary M. Clifford
Mike Conway, Ken Herman,
Doug Tessitor (arrived at 6:21 p.m.)

COUNCIL/CRA MEMBERS ABSENT: None

1. CALL TO ORDER OF THE GLENDORA CITY COUNCIL/COMMUNITY
REDEVELOPMENT AGENCY SPECIAL JOINT MEETING

At 6:15 p.m. Mayor/CRA Chairman Hamlow called the City Council/Community Redevelopment Agency Special Joint Meeting to order.

2. CLOSED SESSION

2A CITY COUNCIL CLOSED SESSION: GOVERNMENT CODE SECTION 54957.6, LABOR NEGOTIATIONS: CONFERENCE WITH CITY'S LABOR NEGOTIATING TEAM (CITY MANAGER ERIC ZIEGLER AND DEPUTY CITY MANAGER CULVER HEATON, JR.) REGARDING:
1. Glendora Municipal Employees Association
2. Mid-Manager Association

2B CRA CLOSED SESSION: GOVERNMENT CODE SECTION 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS (CITY MANAGER ERIC ZIEGLER AND ECONOMIC DEVELOPMENT DIRECTOR CARL MORGAN) REGARDING ASSESSOR PARCEL NUMBERS 8638-016-904 THROUGH 8638-016-914 LOCATED ON VERMONT AVENUE ADJACENT TO THE DOWNTOWN VILLAGE (PROPERTY OWNER: GLENDORA COMMUNITY REDEVELOPMENT AGENCY/CITY OF GLENDORA)

City Attorney D. Wayne Leech read the titles of the Closed Session items.

No speaker cards were submitted.

With Council/Agency concurrence, at 6:15 p.m. Mayor/CRA Chairman Hamlow adjourned to Closed Session for the reasons stated.

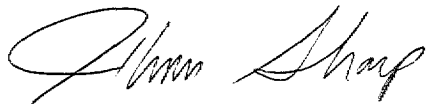
Council/CRA reconvened to regular session at 7:10 p.m.

City Attorney D. Wayne Leech announced that with regard to Closed Session Item 2A and 2B, there was no reportable action.

13. ADJOURNMENT

With Council/Agency concurrence, Mayor/CRA Chairman Hamlow adjourned the meeting at 7:10 p.m.

Respectfully submitted,



Jo Ann Sharp
City Clerk/CRA Secretary

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MINUTES

CITY OF GLENDORA

CITY COUNCIL REGULAR MEETING

APRIL 27, 2004

COUNCIL CHAMBERS OF THE CITY HALL
116 E. FOOTHILL BOULEVARD, GLENDORA, CA

7:00 P.M.

COUNCILMEMBERS PRESENT: Cliff Hamlow, Gary M. Clifford
Mike Conway, Ken Herman,
Doug Tessitor

COUNCILMEMBERS ABSENT: None

1. INVOCATION, PLEDGE OF ALLEGIANCE, AND CALL TO ORDER

The invocation was given by City Attorney D. Wayne Leech. The pledge of allegiance was led by Glendora resident Barbara Lakner.

At 7:10 p.m., Mayor Hamlow called the Regular Meeting of the City Council to order.

2. SPECIAL ITEMS - None

3. STUDENT REPORTS

3A SHANNON LUCETT, GLENDORA HIGH SCHOOL STUDENT REPRESENTATIVE

Shannon Lucett reported that the Choir has been successful in all the competitions in which it has participated and they were invited to sing with the Vancouver Symphony Orchestra. Lower classmen have completed STAR testing. Junior students and their parents were invited to attend College Night last week. The High School hosted approximately 12 German exchange students for two weeks. Some Glendora High School students will visit France and Germany during the summer months. Associated Student Body elections will take place next week. Cheer tryouts will begin on Friday. The Drama Department will present *Bang, Bang, You're Dead* next week. Advance Placement Tests for college credits will take place during the first two weeks in May. The Sierra League Banquet will honor outstanding seniors on May 10. The annual Renaissance Rally to honor students with a grade point average of 3.0 and above will be held on May 21. The school and community have enjoyed the new Events Center. Prom is on May 1 at the Nixon Library in Yorba Linda. Glendora High School students and staff expressed condolences to the Karnoski Family on the passing of Dean Karnoski, a well known and respected former teacher and coach at Glendora High School following a seven-year battle with Lou Gehrig Disease.

3B REBECCA GAUTREAU, CHARTER OAK HIGH SCHOOL STUDENT REPRESENTATIVE

Rebecca Gautreau reported that STAR testing was completed today by lower classmen. Seniors attended a Career Fair during STAR testing. The Sadie Hawkins Dance on April 17 was very successful. The sixth and final grading period began this week. Drama held its annual D-Task Showcase last week. The Mira Monte Five were honored at a League Banquet last night. Nominations for Prom Court are taking place this week. Prom is on May 22 at the Grand Ballroom at Disneyland Hotel. Two senior students will go to Sacramento to meet with lawmakers and watch the State Assembly in action. The Covina Masonic Lodge honored a student for accomplishments while attending Charter Oak High School. Senior graduation

3. STUDENT REPORTS

3B REBECCA GAUTREAU, CHARTER OAK HIGH SCHOOL STUDENT REPRESENTATIVE (Cont'd)

announcements will be distributed this week. International Baccalaureate and Advanced Placement will begin next week. The PTSA will hold Teacher Appreciation Day on May 5.

4. PUBLIC COMMENT PERIOD

4A George Vangel, a Glendora resident, reported on matters relating to the Mosquito and Vector Control District. West Nile Virus has been found in surrounding cities and it is getting closer to Glendora. He urged Council to do everything it can to prevent this virus. The District is spending \$500,000 for preventive maintenance. For information regarding West Nile Virus residents can call 1-800-975-4448; for mosquito abatement, (626) 814-9466; to report a dead bird, 1-877-968-2473; for information regarding vaccinating horses and other animals, 1-916-654-1447.

4B Debbie Abu Halimeh, 720 S. Bender Avenue, said for religious reasons her husband would like to raise a goat in an enclosed area of their backyard. However, a goat is not a designated pet in the City and a Conditional Use Permit (CUP) is required. The fee for a CUP application is \$1,785 which is excessive. She requested that Council either add goats as a designated pet or waive the CUP fee for them.

4C Bob Cruz, Public Affairs Manager with Southern California Gas Company, referred to City Consent Calendar Item 8C, which would adopt an ordinance relative to standard specifications for public works construction. He requested that this item be pulled for further discussion or that utility companies be exempted. He said the franchise agreement provides a guarantee of work that is performed by the Gas Company.

4D Jenetta Harris, Public Affairs Manager with Southern California Edison, referred to City Consent Calendar Item 8C, and concurred with Mr. Cruz's statements. She said Dave Davies, the City's Deputy Public Works Director, has stated that the City has never had problems with Edison's workmanship for street repairs, trenching, etc. She requested that language be developed to reflect that level of confidence. The proposed ordinance would have a tremendous impact on utility companies. Edison currently performs under the American Public Works Association (APWA) standards.

4E Larry Todd, Manager of Local Governmental Compliance, with Southern California Edison, referred to City Consent Calendar Item 8C. Edison does not have these requirements in any other city. Edison meets the APWA standards. They would have to request rate relief from cities that have excessive standards.

City Manager Eric Ziegler said Consent Calendar Item 8C adopts the "Green Book" standards, unless there is a more stringent standard in place. The more stringent standards that Mr. Cruz, Ms. Harris and Mr. Todd are concerned about were adopted by Council resolution at the meeting of April 13, 2004. Those standards have two alternatives: One is the full slurry back fill and the other is a 95% compacted native. The City Engineer has discretion as to which treatment is required. This issue has been discussed at Utility Coordination Committee meetings on more than one occasion and these concerns should have been expressed earlier. He said as long as the work continues to be acceptable, there is no reason that the City Engineer wouldn't exercise his discretion for the 95% compacted native material. Mr. Ziegler advised against issuing a blanket exemption because there would be no recourse if the work is substandard.

Mr. Todd showed Council a permit that the City issued since April 13, 2004 and it requires the strictest standards that the City has, which is full trench restoration. He said the permit also specifies the contractor that is to be used.

At Mayor Pro Tem Clifford's inquiry, Mr. Cruz said the Gas Company attends the Utility Coordination Committee meetings and there have been general discussions regarding these standards.

4. PUBLIC COMMENT PERIOD

Councilmember Tessitor said it is not appropriate to discuss this issue during the Public Comment Period. He said he would pull Item 8C from the Consent Calendar for further discussion.

4F Bob Mendes, Executive Director of the Glendora Chamber of Commerce, requested that Council pull Item 8Q from City Consent Calendar for discussion. This item is a resolution in support of the Los Angeles County Public Safety and Homeland Security Sales Tax and he expressed concern that Los Angeles County already has a higher sales tax than San Bernardino County. Mayor Hamlow said he would pull this item from the Consent Calendar for further discussion.

5. COUNCIL REPORTS AND STATEMENTS

5A Councilmember Conway said the memorial remembrance service for former Mayor Larry Glenn was well attended on Saturday.

5B Councilmember Conway said several citizens were recognized at various events last week. Pastor Karen Komsak-Davis was celebrated as the 2003 Glendora Citizen of the Year at a banquet last Thursday. The Glendora Library recognized its volunteers at a luncheon last week. The YWCA will recognize Pat Janes as a Woman of Achievement.

5C Councilmember Conway said the Glendora Chapter of the Daughters of the American Revolution (DAR) celebrated Arbor Day today. Councilmember Herman said the DAR donated a couple of trees for the Equestrian Center.

5D Councilmember Conway said banners honoring service men and women have been placed on light poles on Grand Avenue. The banners are installed by Project Glendora Yellow Ribbon Committee, which is headed by Juliet Albers and Meg Everton. The Committee recently celebrated the return of PFC Glen Juranek.

5E Councilmember Herman said former Mayor Larry Glenn spearheaded the fundraising to build the bandshell in Finkbiner Park. He said Glendora resident Art Ludwick has suggested that the City name the bandshell for Larry Glenn. Councilmember Herman requested that Council consider this.

5F Councilmember Herman announced that the Glendora Animal Control Center at the Police Department is holding an Adopt a Pet Day on May 1.

5G Councilmember Herman expressed appreciation to the volunteers of Project Glendora Yellow Ribbon Committee.

5H Councilmember Herman urged residents to support Glendora businesses when shopping for Mother's Day gifts.

5I Councilmember Herman wished a happy birthday to Councilmember Conway, whose birthday is on May 2.

5J Mayor Hamlow commended the Project Glendora Yellow Ribbon Committee. Anyone wishing to contribute funds to the Committee may contact Juliet Albers, whose address is listed on the City's website and on cable television.

6. REORDER OF THE AGENDA

Mayor Hamlow noted that high attendance at tonight's meeting is due to the CRA meeting agenda item for Heritage Oaks senior housing complex.

Motion was made by Councilmember Tessitor and seconded by Mayor Pro Tem Clifford to move to the CRA agenda at this time. The motion carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

With Council concurrence, Mayor Hamlow recessed the City Council meeting at 7:45 p.m. and convened as the Glendora Community Redevelopment Agency (CRA). Council reconvened at 10:05 p.m.

Remarks by Los Angeles County Sheriff Lee Baca relating to Consent Calendar Item 8Q

Police Chief Chuck Montoya introduced Los Angeles County Sheriff Lee Baca.

Sheriff Baca said it is important to place an initiative on the ballot for voters to decide whether or not to approve a one-half cent sales tax for public safety and homeland security. Los Angeles County is the largest county in the United States and for many years the Los Angeles County Sheriff's Department has not had the staffing that the public requires. The State has pulled money from County and city budgets. The Sheriff Department budget has been cut by \$166 million. There are 1,000 fewer deputy sheriffs and 300 fewer professional staff members. Jails have been closed which means that people who are arrested are serving only 10% of their jail time. Los Angeles County has 10 million people and it is policed by 26,000 police officers and deputy sheriffs. This averages 1.1 officers per 1,000 people. Four issues must be acknowledged: (1) Los Angeles County is the gang capital of the United States; (2) Los Angeles County is the murder capital of the United States; (3) Los Angeles County has the highest level of robberies in the United States; and (4) all major drug movement comes through Los Angeles County. With regard to homeland security, Sheriff Baca said Los Angeles County is the equivalent of New York in the western United States. Verified intelligence has determined that Al Quida has been to Los Angeles and specific targets for potential acts of terrorism include Magic Mountain, LAX, and the Long Beach-Los Angeles harbor.

Sheriff Baca said a one-half cent sales tax is an equitable form of taxation. A one-half cent sales tax represents approximately 15¢ per day for the average consumer, which equates to \$6 per month or \$72 per year. This proposed sales tax would generate a minimum of \$2.7 million per year for the City of Glendora's Police Department. These funds could be used to hire additional police officers or non-sworn civilian positions, purchase additional equipment for homeland security and law enforcement purposes, training, or capital projects. Funds can be placed in a reserve account as long as it is reserved for future public safety expenditures. There is a cap on the current 2003-04 budget that the City must sustain in order to receive this new money and the only time the City can go below that cap is if City revenues go down to a certain percent. An oversight committee will audit the use of this sales tax. Sheriff Baca said 15 cities have endorsed this initiative.

Sheriff Baca said a survey was conducted in which residents were asked if they would support a one-half cent sales tax for public safety and homeland security. Of those surveyed, 65% of all adults said they would support this; 69% of the democrats and 56% of the republicans said they would support this. There are 171,000 signatures needed to qualify this initiative for the ballot. Approximately \$700,000 has been raised to support this initiative.

Mayor Hamlow expressed concern that Los Angeles County residents would go to San Bernardino County, where sales taxes would be lower, to purchase an automobile. Sheriff Baca said sales tax would be attributed to where the vehicle is registered, which must be your place of residence. He said many supporters of this initiative are auto dealers. A one-half cent sales tax for \$100 would be 50¢.

Councilmember Conway expressed concern that when State legislators see that the County and cities are receiving funds from this sales tax that they will withhold General Fund revenues. He said the League of California Cities is supporting an important initiative that would require voter approval before the State could withhold funds. Sheriff Baca said he also supports that initiative.

Mayor Pro Tem Clifford said he would support the sales tax initiative. He said Glendora residents travel throughout the County and this will benefit Glendora in the short and long term.

Remarks by Los Angeles County Sheriff Lee Baca relating to Consent Calendar Item 8Q (Cont'd)

Councilmember Herman referred to services that were held this morning for a California Highway Patrol officer who was killed in the line of duty. He said one of the motivating factors of supporting this initiative is to help eliminate people from going out to kill a police officer. Sheriff Baca said if there are more police officers on the streets, predator types will not be as brazen.

At Councilmember Conway's inquiry, Sheriff Baca said the initiative does not have a sunset clause.

Council expressed appreciation to Sheriff Baca for attending tonight's meeting.

7. PUBLIC HEARINGS

7A PUBLIC HEARING RELATIVE TO ESTABLISHING FEES FOR CERTAIN POLICE SERVICES:

- (1) ENVIRONMENTAL REVIEW – STATUTORY EXEMPTION: CONSIDERATION OF A DETERMINATION THE PROPOSED PROJECT HAS A STATUTORY EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
- (2) RESOLUTION ESTABLISHING FEES FOR SPECIAL POLICE SERVICES AND CRIMINAL JUSTICE ADMINISTRATION FEES (BOOKING FEES)

Police Chief Chuck Montoya reported that this is a proposal for establishing fees for special police services and a Criminal Justice Administration fee (booking fee).

Special police services are contracted for on an hourly basis for special assignments, such as sporting events, movie filming, etc. The rate is based on actual overtime rate paid to each employee but currently does not factor in all the costs associated with providing these services. These factors include administrative costs of reviewing and scheduling overtime, vehicle costs, and administrative overhead. Staff recommends that a flat rate be established to simplify the process and recover the actual costs of providing these services. Staff recommends a rate of \$65 per hour for peace officers and \$36 per hour for other employees. The proposed rates would result in an additional cost recovery of approximately \$5,000 annually.

With regard to Criminal Justice Administration fee, State law provides that a police agency may recover the costs incurred for the arrest and booking of prisoners. The law specifies what administrative costs may be charged. The law further provides that the costs may only be charged upon conviction and that the court shall order the person to pay the costs to the City. Staff recommends that a fee of \$133 be charged to those persons arrested and convicted. The proposed rate would result in an additional cost recovery of approximately \$92,000 annually.

Mayor Pro Tem Clifford said the booking fee should be \$250. He believes a police officer spends more than .2 of an hour with a prisoner during the booking process. Chief Montoya said staff was conservative in computing the costs. A survey of actual bookings was conducted over a period of time and .2 of an hour is the average time an officer spends during the booking process. Mayor Pro Tem Clifford said he believes an arrest pulls a police officer out of the field for an hour. Chief Montoya said staff would revisit and re-evaluate this after a period of time.

Mayor Hamlow declared the hearing open and announced that no speaker cards were submitted for this item. There being no one present wishing to address this item, the Mayor declared the hearing closed.

7. PUBLIC HEARINGS

7A PUBLIC HEARING RELATIVE TO ESTABLISHING FEES FOR CERTAIN POLICE SERVICES

Environmental Review

Motion was made by Councilmember Tessitor and seconded by Councilmember Herman to adopt a statutory exemption for this project. The motion carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

Resolution

Motion was made by Councilmember Tessitor and seconded by Councilmember Herman to adopt a resolution entitled:

A RESOLUTION ESTABLISHING SPECIAL POLICE SERVICES AND CRIMINAL JUSTICE ADMINISTRATION FEES

The motion carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None. The resolution was designated as RESOLUTION NO. 04-23.

8. CITY CONSENT CALENDAR

The Mayor announced that all items listed under the City Consent Calendar will be enacted by one motion unless separate discussion is requested by a Councilmember.

Mayor Hamlow pulled Item 8C and 8Q for discussion.

Councilmember Conway pulled Item 8R for discussion.

Motion was made by Mayor Pro Tem Clifford and seconded by Councilmember Tessitor to approve City Consent Calendar Items 8A through 8R, except Items 8C, 8Q and 8R, which were pulled for discussion. The motion carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

8A COUNCIL APPROVAL OF MINUTES: REGULAR MEETING OF APRIL 13, 2004

The motion to approve City Consent Calendar Item 8A carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

8B COUNCIL DENIAL OF CLAIM FOR DAMAGES PRESENTED BY ERIKA CLINE

On November 12, 2003 claimant Erika Cline was a passenger in a vehicle and she was severely injured when the vehicle plunged down the mountain side into a ravine. This accident occurred at Mile Post Marker 12.87, which is located on Glendora Mountain Road, 1.5 miles north of Big Dalton Road, adjacent to both the Angeles National Forest and the City of Glendora. This location is not owned, maintained or controlled by the City of Glendora; therefore, the City is not liable for damages. The City's third party liability claims administrator, Vericclaim, and the City Attorney recommend that Council deny the claim for damages presented to the City by Erika Cline on March 22, 2004.

The motion to approve City Consent Calendar Item 8B carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

8. CITY CONSENT CALENDAR

8C COUNCIL ADOPTION OF AN ORDINANCE RELATIVE TO PUBLIC WORKS CONSTRUCTION

Title of Ordinance:

AN ORDINANCE AMENDING SECTION 13.12.120 OF THE GLENDORA MUNICIPAL CODE ENTITLED STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION

Mayor Hamlow pulled this item for discussion at the request of representatives from Southern California Edison and Southern California Gas following comments made during the Public Comment Period earlier in the meeting.

City Manager Eric Ziegler said the Public Works Department has discretion to allow the lesser of the two standards, one being a compacted native material backfill, the other being the slurry mix backfill. If the work performed by the utility companies has not been a problem, then there is no reason for the City Engineer to impose the more onerous standards. Mr. Ziegler advised against a blanket exemption. Once a blanket exemption is given, the City's ability to require a higher standard is compromised. He said the franchise agreements give the City a certain ability to require performance.

Mr. Todd, from Southern California Edison, said other cities allow Edison to continue with its standards because it guarantees workmanship and because it has had long-term partnerships with cities. If Edison is required to meet the newer standards it would have to go back to the Public Utilities Commission for regulatory relief, and that would be put upon the City of Glendora constituents. He requested that this item be tabled to allow discussion with staff.

Mr. Cruz, from Southern California Gas, said the Gas Company and Edison are represented at the Public Utility Coordination Committees. The franchise agreement is their workmanship guarantee. He requested an opportunity to meet with City staff to discuss standards.

D. Wayne Leech, City Attorney, stated that on April 13, 2004 Council adopted a resolution accepting the City standards. Council also introduced the ordinance that is now before Council. The ordinance provides that if a City street is being built or have construction on it, the City standards and the Green Book standards will be implemented. Mr. Leech suggested that Council adopt the ordinance and if Council desires to have City staff meet with Edison and the Gas Company to discuss the standards then the resolution could be amended and brought back to Council.

Mayor Hamlow said the first permit issued required the higher standards and if that is not the intent, the resolution is not what it should be.

Councilmember Tessitor suggested that language in the resolution could include information relative to the franchise agreements.

Mayor Pro Tem Clifford said when he voted in favor of the resolution and introduction of the ordinance it was with the understanding that everyone was in agreement. These two major utility companies want to talk and he does not see the harm with that. Councilmember Herman concurred.

At Mr. Ziegler's inquiry, Mr. Todd and Mr. Cruz said their work is guaranteed for the life of the roadway.

Motion was made by Councilmember Conway and seconded by Councilmember Herman to table this item to allow an opportunity for staff to meet with Edison and the Gas Company and to bring this item and resolution back to Council at its meeting of May 25, 2004. The motion carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

8. CITY CONSENT CALENDAR

8D COUNCIL AUTHORIZATION TO TERMINATE THE EMERGENCY CLEANUP AND REPAIR ACTION FOR THE TRANSPORTATION CENTER PURSUANT TO PUBLIC CONTRACTS CODE SECTION 22050

On October 14, 2003 Council adopted Resolution No. 03-70 declaring the repairs to the Transportation Center an emergency and dispensing with the competitive bidding requirements and authorizing the City Manager to order any action to repair the structure. The repair work to the Transportation Center has been completed and the project received final inspection approval on April 12, 2004. Staff recommends that Council terminate the emergency cleanup and repair action for the Transportation Center pursuant to Public Contracts Code Section 22050.

The motion to approve City Consent Calendar Item 8D carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

8E COUNCIL APPROVAL OF PLANS AND SPECIFICATIONS FOR THE CITY HALL BASEMENT AND UNISEX RESTROOM RETROFIT (PLAN NO. 853) AND ADOPTION OF A CATEGORICAL EXEMPTION

The plans and specifications that Council is asked to review and approve are to restore a required exit and retrofit an existing restroom to meet accessibility requirements in the basement area of City Hall. This was deemed a life and safety issue at the Council meeting of February 24, 2004 and Council appropriated capital project maintenance funds to proceed with this upgrade. Staff recommends that Council approve the Plans and Specifications for the City Hall Basement and Unisex Restroom Retrofit, Plan No. 853 and adopt a Categorical Exemption, which is a determination the proposed project is categorically exempt from the California Environmental Quality Act.

The motion to approve City Consent Calendar Item 8E carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

8F COUNCIL APPROVAL OF PLANS AND SPECIFICATIONS FOR THE CITY HALL ELECTRICAL UPGRADE (PLAN NO. 854) AND ADOPTION OF A CATEGORICAL EXEMPTION

The plans and specifications that Council is asked to review and approve are for upgrading the electrical system for City Hall. This was deemed a life and safety issue at the Council meeting of February 24, 2004 and Council appropriated capital project maintenance funds to proceed with this upgrade. Staff recommends that Council approve the Plans and Specifications for the City Hall Electrical Upgrade, Plan No. 854 and adopt a Categorical Exemption, which is a determination the proposed project is categorically exempt from the California Environmental Quality Act.

The motion to approve City Consent Calendar Item 8F carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

8G COUNCIL APPROVAL OF PLANS AND SPECIFICATIONS FOR THE CITY HALL FIRE ALARM SYSTEM (PLAN NO. 855) AND ADOPTION OF A CATEGORICAL EXEMPTION

The plans and specifications that Council is asked to review and approve are for the installation of a fire alarm system for City Hall. The proposed fire alarm system includes ADA compliant manual pull stations. This was deemed a life and safety issue at the Council meeting of February 24, 2004 and Council appropriated capital project maintenance funds to proceed with this upgrade. Staff recommends that Council approve the Plans and Specifications for the City Hall Fire Alarm System, Plan No. 855 and adopt a Categorical Exemption, which is a determination the proposed project is categorically exempt from the California Environmental Quality Act.

The motion to approve City Consent Calendar Item 8G carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

8. CITY CONSENT CALENDAR

8H COUNCIL APPROVAL OF PLANS AND SPECIFICATIONS FOR THE POLICE DEPARTMENT FIRE ALARM SYSTEM (PLAN NO. 857) AND ADOPTION OF A CATEGORICAL EXEMPTION

The plans and specifications that Council is asked to review and approve are to retrofit the fire alarm system in the Police Department. This was deemed a life and safety issue at the Council meeting of February 24, 2004 and Council appropriated capital project maintenance funds to proceed with this upgrade. Staff recommends that Council approve the Plans and Specifications for the Police Department Fire Alarm System, Plan No. 857 and adopt a Categorical Exemption, which is a determination the proposed project is categorically exempt from the California Environmental Quality Act.

The motion to approve City Consent Calendar Item 8H carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

8I COUNCIL APPROVAL TO SOLICIT INFORMAL BIDS FOR THE LIBRARY PLAZA DEMOLITION AND RESURFACING PROJECT (PLAN NO. 852) AND ADOPTION OF A CATEGORICAL EXEMPTION

No bids were received for the Library Plaza Demolition and Resurfacing Project. Pursuant to Section 20166 of the Public Contract Code, informal bids may be solicited if no bids are received. Staff recommends that Council adopt a Categorical Exemption for this project, which is a determination the proposed project is categorically exempt from the California Environmental Quality Act, and authorize staff to solicit informal bids for the Library Plaza Demolition and Resurfacing Project, Plan No. 852.

The motion to approve City Consent Calendar Item 8I carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

8J COUNCIL APPROVAL OF PLANS AND SPECIFICATIONS FOR ZARA STREET ET AL STREET AND WATER IMPROVEMENTS (PLAN NOS. 837 AND 838) AND ADOPTION OF A CATEGORICAL EXEMPTION

On February 24, 2004 Council conducted a public hearing to accept testimony regarding the Zara Street Improvement Assessment District. Residents of the 1500-1600 blocks of Zara Street and the 300-400 blocks of Sellers Street had filed a petition requesting the formation of an assessment district for the installation of sidewalk, curb and gutter improvements on said streets, or portions thereof. At the conclusion of the public hearing, Council authorized staff to cause to be constructed sidewalk, curb and gutter on Zara Street (north and south frontages) and on the west side of Sellers Street. Concurrent with the assessment district, the City will construct necessary street and water repairs.

The plans and specifications that Council is asked to review and approve include the street and water improvements, as well as the assessment district sidewalk, curb and gutter work. Staff recommends that Council approve the Plans and Specifications for Zara Street, et al, Street and Water Improvements, Plan Nos. 837 and 838 and adopt a Categorical Exemption, which is a determination the proposed project is categorically exempt from the California Environmental Quality Act.

The motion to approve City Consent Calendar Item 8J carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

8. CITY CONSENT CALENDAR

8K COUNCIL APPROVAL OF PLANS AND SPECIFICATIONS FOR CAPE SEAL PROJECT, 2003-04 (PLAN NO. 849) AND ADOPTION OF A CATEGORICAL EXEMPTION

This is the third year of the 10-Year Citywide Paving Program. The plans and specifications Council is asked to review and approve are for the second phase of a four-phase cape seal program. The cape seal process is the application of an asphalt rubber and aggregate membrane combined with Type II slurry seal to an existing street in an attempt to prolong the life of the street. This project will affect various streets throughout the City as indicated in the staff report. Staff recommends that Council approve the plans and specifications for the 2003-04 Cape Seal Project, Plan No. 849 and adopt a Categorical Exemption which is a determination the proposed project is exempt from the California Environmental Quality Act.

The motion to approve City Consent Calendar Item 8K carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

8L COUNCIL APPROVAL OF MATTERS RELATING TO A PROPOSED 150-UNIT DEVELOPMENT FOR THE 27.6-ACRE RAIN BIRD PROPERTY ON THE NORTHWEST CORNER OF FOOTHILL BOULEVARD, GRAND AVENUE AND THE MTA RAILROAD RIGHT-OF-WAY

1. Award of contract to Jones & Stokes in an amount not to exceed \$147,585 to prepare an Environmental Impact Report (developer to pay all costs)
2. Authorization for staff to seek contract planner/engineering services to assist with management of the project (developer to pay all costs)

The City has received a preliminary proposal from William Lyon Homes for a 150-unit development for the 27.6 acre Rain Bird property located on the northwest corner of Foothill Boulevard, Grand Avenue and the MTA railroad right-of-way. The project would include a combination of detached single-family homes, town homes and dedication of a public park. The project would require a number of discretionary approval by the City, including a Specific Plan, zone change, General Plan amendment, tentative tract map, development plan review for multi-family housing and development plan review for a gated community. An Environmental Impact Report (EIR) would be required. A request for proposal for preparation of an EIR was mailed to six qualified companies and three responses were received. Costs ranged from \$133,482 to \$198,270. The environmental review services shall be paid for by the applicant. A trust account for preparation of the EIR has been established with an initial deposit of \$5,000 from the applicant. Additional funds will be deposited by the applicant as needed. Staff recommends that Council award a contract to Jones & Stokes for a total not to exceed \$147,585 to prepare an EIR for the project subject to execution of an agreement with William Lyon Homes to pay all costs for preparation of the EIR.

Staff is also requesting Council authorization to seek qualified contract planner/engineering services to assist with preparation of staff reports for the proposed project. The applicant has agreed to cover all costs connected with hiring a contract planner for the project. If approved, staff will prepare a request for proposal for contract planner services and an agreement with William Lyon Homes for payment of all costs of the contract planner. Award of contract and authorization to execute an agreement with William Lyon Homes for payment will be presented to Council at a later date. Staff recommends that Council authorize staff to seek contract planner and engineering services to assist with this project.

The motion to approve City Consent Calendar Item 8L(1)(2) carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

8. CITY CONSENT CALENDAR

8M COUNCIL APPROVAL OF LEASE WITH U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE FOR PUBLIC SAFETY EMERGENCY COMMUNICATIONS SITE ON JOHNSTONE PEAK

Adelphia Cable approached the City and offered to give the City their microwave equipment building located on Johnstone Peak located within the Angeles National Forest above San Dimas. The facilities include a concrete block building, antenna tower, chain link fencing and a 35KW emergency generator. Staff inspected the site and found that at this much higher elevation (2,800 feet) it would significantly improve communications within the City as well as provide expanded emergency communications when operating outside the City. In addition, radio volunteers working with the Police Department could use the site to improve emergency amateur radio communications which act as a supplement to regular police communications channels in use during emergencies and public service events. Because the City would be operating emergency public safety communications at this site, land lease fees are waived under Federal law. Facility maintenance requires weed abatement around the perimeter of the building twice annually and the cost of utilities is estimated to be approximately \$100 per month. The cost to install a new antenna on the existing tower and move and install tactical repeater to the site will be approximately \$2,500. These costs would be paid from current budget appropriations. Staff recommends that Council approve the proposed lease with the U.S. Department of Agriculture Forest Service for a 20-year period for a communications site on Johnstone Peak and to authorize the City Manager to execute the lease.

The motion to approve City Consent Calendar Item 8M carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

8N COUNCIL ACCEPTANCE AND APPROPRIATION OF ADDITIONAL \$5,000 IN GRANT FUNDS FROM THE SANTA ANITA FAMILY SERVICES FOR FY2003-04 FOR LIBRARY MATERIALS

The Library budgeted \$4,000 in grant funds from the Santa Anita Family Services group for Fiscal Year 2003-04. They have since allocated an additional \$5,000 for a total of \$9,000. Staff recommends that Council accept and appropriate \$5,000 in additional Santa Anita Family Services grant funds for Fiscal Year 2003-04 for library materials.

The motion to approve City Consent Calendar Item 8N carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

8O COUNCIL APPROVAL OF MATTERS RELATING TO THE VEHICLE MAINTENANCE CONTRACT FOR TRANSPORTATION VEHICLES:

1. Appropriation of Proposition C restricted reserve funds in the amount of \$30,000
2. Approve modification of contract with Sako Automotive increasing the original amount of contract from \$60,000 to \$90,000

Due to an inordinate number of large repairs to transportation vehicles the City has expended its annual expenditure budget for maintenance. Council recently approved the purchase of three new vehicles to replace those vehicles that are requiring large repairs, however the new vehicles will not be available for 90 days. Staff recommends that Council appropriate \$30,000 from Transit Restricted Reserve Funds and increase the maintenance contract held by Sako Automotive from \$60,000 to \$90,000.

The motion to approve City Consent Calendar Item 8O(1)(2) carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

8. CITY CONSENT CALENDAR

8P COUNCIL REVIEW OF CITY BILLS:

1. City General Warrants for 4-14-04: \$432,956.26
2. City Trust Warrants for 4-14-04: \$700.00
3. City Payroll Wire Transfer for 4-11-04: \$513,349.65
4. City General Warrants for 4-21-04: \$165,542.46
5. City Trust Warrants for 4-21-04: \$61.18

The motion to approve City Consent Calendar Item 8I(1)(2)(3)(4)(5) carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None.

8Q COUNCIL RESOLUTION IN SUPPORT OF THE LOS ANGELES COUNTY PUBLIC SAFETY AND HOMELAND SECURITY SALES TAX

A ½ cent Los Angeles County Public Safety and Homeland Security Sales Tax Initiative is being proposed by Los Angeles County Sheriff Leroy Baca. Should the initiative be adopted by voters in November, 2004, the City of Glendora would receive estimated revenue of \$2,734,078 per year to bear the increased cost of providing police services to Glendora residents. Sheriff Baca is requesting Council's support of this initiative. Staff recommends that Council adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENDORA
IN SUPPORT OF THE LOS ANGELES COUNTY PUBLIC SAFETY AND
HOMELAND SECURITY SALES TAX

Mayor Hamlow stated Sheriff Baca addressed this issue earlier in the meeting.

Motion was made by Mayor Pro Tem Clifford and seconded by Councilmember Tessitor to approve City Consent Calendar Item 8Q. The motion carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None. The resolution was designated as RESOLUTION NO. 04-24.

8R COUNCIL RESOLUTION IN SUPPORT OF AB712 (LIU) WHICH PROVIDES REPRESENTATION ON THE GOVERNING BOARD FOR THE CITIES ALONG THE GOLD LINE PHASE II CORRIDOR

In 1998 Senator Adam Schiff authored SB1847 to establish the Los Angeles to Pasadena Metro Blue Line Construction Authority. The Authority was given authority to plan, design and construct a light rail project from downtown Los Angeles to Claremont. The project was renamed by the MTA from the Blue Line to the Gold Line in 2003. In Summer 2003, Phase I of the Gold Line opened. The focus of the Phase II planning of the Gold Line from Pasadena to Claremont has been underway for two years. Phase II of the Gold Line will traverse ten San Gabriel Valley cities along an existing right-of-way. These ten cities would like a voice in overseeing Phase II, as was given the cities in Phase I, since each city will host a Gold Line station. The make-up on the current Governing Board includes only Phase I members, which are: the City of Los Angeles, the City of Pasadena, the City of South Pasadena, the MTA, and the San Gabriel Valley Council of Governments. The Governor appoints one non-voting member. If passed, AB712 (Liu) would add representatives to the Governing Board from the cities of Arcadia, Monrovia, Duarte, Irwindale, Azusa, Glendora, San Dimas, La Verne, Pomona, and Claremont as voting members; replace the SGVCOG representative with the San Bernardino Associated Governments; change the name of the Authority to the Metro Foothills Gold Line Construction Authority; and clarify that a member appointed to serve on the Board by his/her City Council can be removed and replaced by a majority vote of his/her City Council. The Governing Board of the San Gabriel Valley Council of Governments has asked that each city on the Gold Line Phase II route adopt a resolution in support of AB712.

8. CITY CONSENT CALENDAR

8R RESOLUTION IN SUPPORT OF AB712 (LIU) (Cont'd)

Title of Resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENDORA SUPPORTING AB712 (LIU) WHICH PROVIDES REPRESENTATION ON THE GOVERNING BOARD FOR THE CITIES ALONG THE GOLD LINE PHASE II CORRIDOR

At Councilmember Conway's inquiry, Mayor Hamlow clarified that this resolution would support the current AB712. There is a move to modify AB712, but member cities voted 7-3 to oppose the modification. The modification would cluster three cities and allow one representative from the cluster. This resolution supports allowing each city to have its own representation.

Motion was made by Councilmember Conway and seconded by Mayor Hamlow to approve City Consent Calendar Item 8R. The motion carried 5-0 as follows: AYES: Hamlow, Clifford, Conway, Herman, Tessitor; NOES: None; ABSENT: None. The resolution was designated as RESOLUTION NO. 04-25.

9. UNFINISHED BUSINESS - None

10. NEW BUSINESS - None

11. COUNCIL AND STAFF ITEMS

11A Councilmember Tessitor suggested that the City sponsor and pay for a recognition party for the volunteers who have provided services to the community. He said it could be in the form of a picnic this summer. He requested that this issue be placed on a Council agenda. Mayor Hamlow seconded the request.

11B Councilmember Herman requested placing on the agenda the issue of naming the bandshell in Finkbiner Park for former Mayor Larry Glenn. The request was seconded by Councilmember Conway.

11C D. Chantarangsu, Assistant Planning Director, reported that at last week's Community Plan (General Plan) workshop, participants were asked for input regarding land use choices that were selected in previous workshops. Residents expressed concern about cost impact created by future development on City services. Staff will follow-up that meeting with participants of the last workshop to make sure staff clearly identified their concerns. There were approximately 66 residents attending the workshop.

11D R. Weed-Brown, Library Director, announced that Librarian for a Day will be tomorrow. Three students were selected to participate based upon their essays. Photos of Glendora service men and women are on display in the Library.

11E M. Solty, Finance Director, reported that approximately five companies responded to a request for proposals for auditing services.

11F J. Henderson, Director of Community Services, said staff will be receiving requests for proposals for landscape/architect services for Pompei Park. A committee will review and rate the proposals. Another committee, on which Mayor Hamlow and Councilmember Tessitor will participate, will select a firm to recommend to Council.

11G J. Henderson, Director of Community Services, reported that installation of new lighting at Henderson Field has begun.

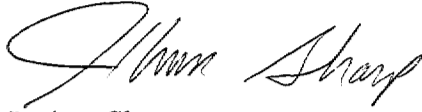
11H Police Chief Montoya reported that Glendora Police Department finished second in its division in the annual Baker to Vegas Relay. This is the first year that the Glendora Police Department participated on its own.

12. CLOSED SESSION - None

13. ADJOURNMENT

With Council concurrence, Mayor Hamlow adjourned the meeting at 11:00 p.m.

Respectfully submitted,



Jo Ann Sharp
City Clerk

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