

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, AUGUST 3, 2004, 7 30 P M**

CONVENE Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, August 3, 2004 at 7 38 P M in City Council Chambers, 415 South Ivy Avenue, Monrovia, California Staff in attendance was City Manager Scott Ochoa, City Attorney Craig A Steele, and City Clerk Linda B Proctor

INVOCATION Monrovia Police Department Chaplain Fredric Schoeler led the Invocation

PLEDGE OF ALLEGIANCE Eagle Scout Josh Trammell led the Flag Salute Mayor Hammond recognized Mr Trammell in earning his Eagle Scout status and presented him with Certificate of Recognition Mr Trammell explained his project which assisted him in earning his Eagle Scout status

ROLL CALL In attendance were Councilmembers Tom Adams, Dan Kirby, Mary Ann Lutz, Mayor Pro Tem Joe Garcia, and Mayor Rob Hammond

REPORT OF CLOSED SESSION(S) None

PRESENTATIONS

1 Recognition of Retiring City Treasurer Patricia Ostrye

Pat Ostrye, retiring City Treasurer, was recognized for her 12 years of service as City Treasurer, first being elected in April 1992 to the Office of City Treasurer

Mrs Ostrye retired once before from the City of Monrovia after being elected to the City Council in 1974, reelected to the City Council in 1978 as the first directly elected Mayor of Monrovia, and first woman Mayor of Monrovia, and elected to the position of City Clerk in 1980, serving until 1986

Mayor Hammond and the City Council presented Mrs Ostrye with a plaque in recognition of her years of service to the community and the City of Monrovia, and a plaque from the Monrovia Chamber of Commerce Mrs Ostrye, at the age of 80, has resigned as of September 1, 2004 and is moving to San Diego

2 Recognition of Sunshine Company Participants for Their Accomplishments at the Special Olympics

Kerri Zessau, Recreation Supervisor, introduced the Olympic Medal winners to the Mayor, City Council and the community

The Monrovia Sunshine Company competed in the 2004 Special Olympics on June 11, 12, and 13, 2004, at Long Beach State University and was the proud recipients of 9 medals for their efforts Their training and dedication paid off as they competed their way to victory in track and basketball events

The following individuals won coveted Special Olympics medals Dean Arbour, 400 meter Gold Medalist and 100 meter Silver Medalist for track, Tyson Strobel, Greg Macias and Rodney Flagg beat 4 undefeated teams, winning their way to the Gold Medal, and Jessie Canterbury, 50 meter

Silver medalist, 100 meter Silver Medalist, 400 meter relay Gold Medalist and Shot Put Gold Medalist in track All athletes were congratulated for their efforts

PROCLAMATIONS None

STUDENT GOVERNMENT REPRESENTATIVE REPORT To resume in September

A CONSENT CALENDAR

It was moved by Councilmember Kirby, seconded by Councilmember Lutz, to approve the Consent Calendar consisting of Items *B, *I-1, *I-2, *I-3, *I-4, and *J

ROLL CALL Ayes Councilmembers Adams, Kirby, Lutz, Mayor Pro Tem Garcia, *Mayor Hammond
Motion carried 5-0

*with the exception of *B

***B MINUTES** The Minutes of the Regular Meeting of July 20, 2004 were approved by order of the Consent Calendar

C ORAL COMMUNICATIONS

1 Jimi Hendrix, Monrovia, announced that the developer who owned the cottage at 228 Linwood Avenue had agreed to negotiate with a neighbor in the area to move the cottage to her property instead of razing it

2 Stephen Grollnek, Monrovia, asked for a response to his complaint at the last meeting regarding encroachment on Chamber frontage, and requested that a City official talk about parking in Monrovia on KGEM

3 Rick Norman, Monrovia, expressed his appreciation to Monrovia Fire Department for putting down a fire so quickly in the foothills last evening

4 Dorothy Kelty, Monrovia, expressed her opinion of the upcoming KGEM election and public access funding

City Manager Ochoa, at Councilmember Kirby's request, reported that Jake's Roadhouse had moved its tables from in front of the Chamber of Commerce

D PUBLIC HEARINGS/MEETINGS

1 **Opened and Continued from July 6, 2004, Text and Map Amendments to the Land Use Element, General Plan Amendment GPA2004-01, Resolution No 2004-28, Zone Change ZC2004-01, Introduction and First Reading of Ordinance No 2004-10, Amendment to Titles 2 and 17 of the Monrovia Municipal Code Regarding Residential Design Review and Development Standards, Introduction and First Reading of Ordinance No 2004-11, Adoption of Residential Design Guidelines, Resolution No 2004-29, and Amendment to Title 15 Relating to Regulations Pertaining to Moving Buildings, Introduction and First Reading of Ordinance No 2004-15**

Alice Griselle, Community Development Director, reviewed the Staff Report

As requested by the City Council at the July 6, 2004 City Council Meeting, a follow-up meeting was held on July 6, 2004 The meeting was attended by approximately 40 people in the City Council Chambers Nineteen people spoke, some giving testimony more than once There were many opinions and viewpoints expressed Several stated their frustration with the complexity of the issues and the desire to separate them for ease of understanding Staff referred them to the July 20, 2004 City Council Meeting report and noted that the issues had been separated and that a table of contents was provided However, Staff acknowledged that

the issues were complex and interrelated which made them more difficult to understand. It was noted that the issues could not be more clearly defined and that the checklist on Page 17 of the original report clearly defined the options in a menu format.

It appeared to Staff that the underlying issue of individual property rights versus the collective rights of the neighborhood had not been resolved. There were speakers that were passionate about both sides of this issue. Many ideas were proposed. Some seemed promising but when analyzed had a multitude of problems either in the implementation or the ramifications if implemented.

If the City Council desired, provisions could be applied to prohibit the consolidation of lots for up to five years if a pre-1940's home was demolished without the required approvals. If the owner decided to wait out the five years, they would be required to landscape and maintain the lot in the interim.

After listening to the testimony, Staff proposed another option for the City Council to consider which was to limit single family design review to pre-1940's homes only. This would achieve the goal of preserving the architectural integrity of our older homes while continuing to limit the review of "newer" homes to roofing, siding and roof overhang. The pre-1940's homes had an established style and there were many examples of each architectural style in Monrovia and the San Gabriel Valley to use as models for home owners. The Planning Division already had a binder full of examples of each style that Staff consistently used with residents, developers, and contractors. Again, this was a compromise option as residential structures built after 1940 would not be subject to the full design review process. Additionally, the design guidelines were advisory and the option existed to apply them to all single family homes or just pre-1940's homes.

Discussion ensued regarding requirements for driveways, as well as other areas that needed clean up in the code. Ms. Griselle stated that these sections would be reviewed and revised as needed for the second reading of the Ordinance.

PUBLIC HEARING OPENED Mayor Hammond opened the Public Hearing

Those speaking

- 1 Paul Pollack, Monrovia, shared pictures he had taken of pre-1940's homes and stated that he was against new regulations.
- 2 Monica Pollack, Monrovia, stated she was against new regulations.
- 3 Nick Peters, Monrovia, stated he liked the proposed new regulations for Monrovia, and would stay with pre-1940's moratorium.
- 4 Cleave Crudgington, Monrovia, Asked how the survey being completed by MOHPG would fit with the recommendations.
- 5 Kirk Nelson, Monrovia, 123 El Nido, wanted the moratorium extended until the MOHPG survey comes out.
- 6 Shirley Durbin, Monrovia, asked that credence be given to the MOHPG survey.
- 7 Rick Norman, Monrovia, applauded Staff's efforts and stated that the new regulations sounded very workable to him.
- 8 Richard Tipping, Monrovia, spoke specifically regarding architectural design for remodels, stating that he did not believe in increasing the Development Review Committee's use of siding, materials, and roofing as those kinds of details needed to be left to owner, and that good regulations were already in place.
- 9 Allan Holmquist, Monrovia, stated he was in favor of new guidelines for single family homes as they were only guidelines, and would like to see the moratorium continue for nine more months until the MOHPG survey was ready.
- 10 Bobby Reed, Arcadia, stated she owned three properties in Monrovia including a 1912 structure for office space, and volunteered to help on the MOHPG survey.

11 Fred Bowden, Monrovia, stated there was too much government in the DRC at this time and requested to take the R-1 out of the equation He suggested MOHPG buy historical homes, landmark them, and then sell which would preserve them

12 Wayne Foster, Monrovia, asked that consideration of all property owners be taken, not just the builder

13 Gloria Crudginton, Monrovia, requested that a longer period of time that could be cut down if Historic Preservation/Planning Commissioners deemed not worth saving be considered

14 Steve Baker, Monrovia, expressed concern regarding those houses that might not have been covered by the MOHPG survey as the list was made by a volunteer committee He suggested that a check be done to prevent an accidental omission

15 Clint Arsenault, Monrovia, stated that he basically agreed with the proposals

Public Hearing Closed Mayor Hammond closed the Public Hearing as there was no one else who wished to speak for or against the matter

Mayor Hammond called a recess from 9 50 P M to 10 03 PM

Discussion continued regarding preservation of pre-1940 structures Councilmember Adams suggested that the perfect solution was to landmark the home, which preserved it even if it were sold, and stated that he was absolutely opposed to giving up rights of his home to anyone no matter how well intended everyone was Councilmember Kirby expressed concern regarding more regulation by government Mayor Pro Tem Garcia expressed concern regarding preservation of the central neighborhoods, and remodels of homes

Community Development Director Alice Griselle then reviewed the proposed changes for PD 1

It was moved by Councilmember Adams, seconded by Councilmember Kirby, to adopt Resolution No 2004-28, approving General Plan Amendment GPA2004-01, changing the residential designation on the block above Foothill Boulevard between Shamrock and Poppy Avenues from RM3000 (Residential Medium Density) to PD-Area 24 (Planned Development Area-24)

ROLL CALL Ayes Councilmembers Adams, Kirby, Lutz, Mayor Pro Tem Garcia, Mayor Hammond
Motion carried 5-0

Community Development Director Alice Griselle reviewed proposed changes for PD-2

It was moved by Mayor Pro Tem Garcia, seconded by City Councilmember Lutz, to adopt Resolution No 2004-44 The motion, by a friendly amendment, eliminated Guideline 12, front yard fencing

ROLL CALL Ayes Councilmembers Adams, Kirby, Lutz, Mayor Pro Tem Garcia, Mayor Hammond
Motion carried 5-0

Community Development Director Alice Griselle reviewed proposed changes for PD-4

It was moved by Councilmember Lutz, seconded by Mayor Pro Tem Garcia, to adopt Resolution No 45 The motion, by a friendly amendment, struck items 3b and 3c

ROLL CALL Ayes Councilmembers Adams, Kirby, Lutz, Mayor Pro Tem Garcia, Mayor Hammond
Motion carried 5-0

(a) There had been a small brush fire in the foothills last evening. He thanked the members of the Monrovia Fire Department for the quick response that resulted in a loss of only a quarter of an acre.

2 Mayor Pro Tem Garcia reported that

(a) He attended the Mayors and City Councilmembers forums in Monterey last week. Among other interesting materials, he brought back information entitled "Streets and Sidewalks, People and Cars, The Citizens' Guide to Traffic Calming," which he gave to City Clerk Proctor.

3 Councilmember Adams had no report at this time

4 Councilmember Kirby reported that

(a) He thanked all residents for enduring the construction on Foothill Boulevard, and requested that Public Works Director David Fike present an update regarding the project. Mr. Fike reviewed the work to date, stated that the project was moving right along, and announced the September 1, 2004 was the target completion date.

(b) He had met with representatives of the San Gabriel Valley Humane Society today and was working to smooth out the issues.

(c) He announced that the Summer Reading Club Awards Picnic 2004 was scheduled for Thursday, August 12, 2004, 5:30 PM To 8:00 P M in Library Park at the Bandshell.

5 Councilmember Lutz had no report at this time

H REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES None

I ADMINISTRATIVE REPORTS

***1 Election to Receive Tax Increment Payments Commencing with Fiscal Year 2003-04, Resolution No 2004-43**

This matter was approved by order of the Consent Calendar.

In 2002, the City Council adopted Ordinance No 2002-09, which amended the Central Redevelopment Project (the "Project") and added Amendment Area No 6 to the Project Area. This amendment was adopted pursuant to Health and Safety Code Sections 33607.5 and 33607.7, which established the payment requirements for Redevelopment Project Areas that are adopted or amended on or after January 1, 1994. Additionally, the Health and Safety Code allowed the City to elect, by resolution, to receive its share of a 25% tax increment pass-through payment received by the Agency.

The adoption of Resolution No 2004-43 allowed the City to receive this tax increment commencing with the 2003-2004 fiscal year and continuing through the last fiscal year in which the Agency received tax increment, resulting in a positive fiscal benefit to the City.

***2 Extension of Monrovia Redevelopment Agency Time Limitations, Second Reading and Adoption of Ordinance No 2004-16**

This matter was approved by order of the Consent Calendar.

This was the second reading and final adoption of Ordinance No 2004-16 relating to the extension of Monrovia Redevelopment Agency time limitations. Staff continued to recommend approval of this ordinance.

***3 California Public Employees' Retirement System, Section 21023 5 (Public Service Credit for Peace Corps or AmeriCorps VISTA Service), Second Reading and Adoption of Ordinance No 2004-17**

This matter was approved by order of the Consent Calendar
This is the second reading and final adoption of Ordinance No 2004-17 relating to the California Public Employees' Retirement System, Section 21023 5 Staff continued to recommend approval of this ordinance

***4 Set for Public Hearing on September 7, 2004, Historic Landmark HL-71, Mills Act Contract MA-67 for Property Located at 239 North Canyon Boulevard by Owners Paul and Susan Luhring**

This matter was approved by order of the Consent Calendar

At its meeting of July 28, 2004, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status and execution of a Mills Act for the property at 239 North Canyon Boulevard to the City Council

***J PAYROLL & VOUCHERS**

Payroll No 16 in the net amount of \$493,337 18, and Voucher Numbers 119832 through 120174 non-sequentially in the amount of \$750,467 34 were approved by order of the Consent Calendar

K SCHEDULED MEETINGS

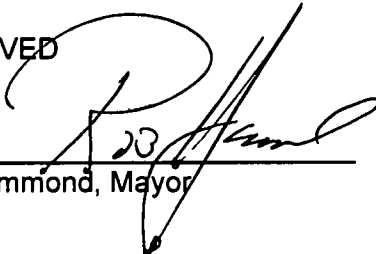
The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, September 7, 2004, 7 30 P M , City Council Chambers, 415 South Ivy Avenue, Monrovia, California He announced that the August 17, 2004 Regular City Council Meeting had been cancelled

L ORAL COMMUNICATIONS, CONTINUED, IF NEEDED None

M CLOSED SESSION Mayor Hammond reported that a Closed Session to Conference with Labor Negotiator pursuant to Government Code Section §54957 6 Agency Negotiator Theresa St Peter, Group Employees Monrovia Firefighters' Association, Managers, Mid-Managers, and Elected and Appointed Employees would be held following the adjournment of the City Council Meeting The results of that meeting would be reported at the next regularly scheduled City Council Meeting

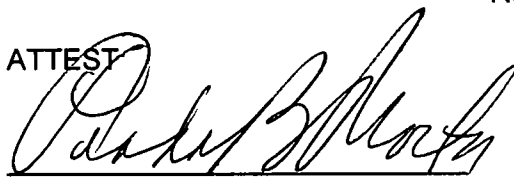
N ADJOURNMENT Mayor Hammond adjourned the City Council Meeting at 12 34 A M , August 4, 2004, in memory of Mary Novy, David (Buster) Johnson, and Florence Price Closed Session convened at 12 34 A M , August 4, 2004 and adjourned at 12 55 A M

APPROVED



Rob Hammond, Mayor

ATTEST



Linda B Proctor, CMC, City Clerk

