

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, FEBRUARY 17, 2004, 7 30 P M**

CONVENE Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, February 17, 2004 at 7 36 P M in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Salute to Service Program, 7 06 P M to 7 20 P M at which all City Councilmembers were in attendance Staff in attendance was City Manager Donald R Hopper, City Attorney Craig A Steele, and City Clerk Linda B Proctor

INVOCATION Church Elder Al Leonard led the Invocation

PLEDGE OF ALLEGIANCE Mayor Hammond led the Flag Salute

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)

City Attorney Steele reported that the following agendized item was discussed No reportable action was taken and direction was given to Staff

January 30, 2004

1 Government Code §54957, Public Employee Appointment City Manager, Closed Session convened at 8 03 A M and adjourned at 4 30 P M

PRESENTATIONS

1 **Neighborhood Pride Program Award Winners, Single Family/Owner Occupied Category for Property Located at 303 East Lemon Avenue, Owner Thomas Talbot, and Multi-Family Rental Category for Property Located at 601 East Lime Avenue, Owner William Madison**

Bill Skiles, Neighborhood Preservation Manager, introduced the Neighborhood Pride Program award winners, Thomas Talbot in the single family/owner occupied category, and William Madison in the multi-family rental category, to the Mayor City Council and the community

The recipients were recognized for maintaining their respective properties in an outstanding manner

PROCLAMATIONS

1 **Proclaiming the Month of March 2004 as "Blue Star Families Month" in Monrovia**

Mayor Hammond proclaimed the month of March 2004 as "Blue Star Families Month" The Blue Star Program was established to honor the men and women serving in the military who were placing their lives on the line where freedom was threatened, and to recognize their families for their sacrifice Under the Monrovia Blue Star program, families received a poster with a Blue Star on a white background, surrounded by a red border, with the inscription "U S A – Monrovia protecting our freedom" The program also sends the military members "Spirit Boxes" containing homemade cookies, magazines, books, Monrovia hats and a picture of their family receiving the Blue Star poster As an aside, Mayor Hammond announced that the Duarte Post Office had scheduled an event on Saturday, February 28, 2004, 10 30 A M , to rename its

Post Office in memory of Francisco Flores, 19 year old Duarte resident, who was lost in battle in Iraq

Pam Kramer, who, along with her husband, founded the Blue Star Support Group in Monrovia, accepted the proclamation from the Mayor

STUDENT GOVERNMENT REPRESENTATIVE REPORT City Council Liaison Sable Smith was not in attendance

A CONSENT CALENDAR

It was moved by Councilmember Lutz, seconded by Councilmember Adams, to approve the Consent Calendar consisting of Items *B, *F-1, *F-2, *I-3, *J-1 and *K There were no objections

***B MINUTES** The Minutes of the Regular Meeting of February 3, 2004, were approved by order of the Consent Calendar

C ORAL COMMUNICATIONS

1 Cyrus Kemp, Monrovia, reported a negative experience which happened to him during filming in downtown Monrovia last week

2 Dr Michael Viera, President/Superintendent, Citrus College, and Joanne Montgomery, Citrus College Trustee, spoke in favor of Measure G which was on the upcoming ballot in March

3 Steve Seidner, Monrovia, congratulated City Manager Hopper on his retirement and Scott Ochoa on his proposed appointment as City Manager, expressed his concern regarding comments made by speakers at City Council Meetings that he believed were counter productive, and expressed gratitude for the City Council and Staff

D PUBLIC HEARINGS/MEETINGS

1 Owners' Protest of Properties Designated by the County of Los Angeles Requiring Weeds or Brush and/or Rubbish Abatement for the Year 2004

City Clerk Linda Proctor reviewed the Staff Report

On January 20, 2004 the City Council approved a resolution setting a Hearing of Protest for the February 17, 2004, City Council meeting The Hearing would give an opportunity to any property owner whose property had been noticed by the County for potential weed abatement a time to be heard and to state reasons as to why the nuisance should not be removed Owners would have the option of removing the nuisance themselves or having the County abate and charge the owners accordingly on their property tax statement Those who may have had questions regarding the process would have been put in touch with the City's representative for the County Weed Abatement Program, however, the City Clerk received no inquiries Debbie Humphreys, Los Angeles County Weed Abatement Division, was in attendance to answer any questions

PUBLIC HEARING OPENED AND CLOSED Mayor Hammond opened and closed the Public Hearing as there was no one who wished to speak for or against the matter

It was moved by Councilmember Adams, seconded by Councilmember Lutz, to adopt the Abatement Order directing the Agricultural Commissioner of Los Angeles County to abate the identified nuisances at the property owners' expense There were no objections

2 Historic Landmark HL-68/Mills Act Contract MA-64 for Property Located at 201 North Encinitas Avenue by Owners Scott and Deana Curry, Resolution No 2004-08

Alice Griselle, Director of Community Development, reviewed the Staff Report

The single-story Queen Anne home was built in 1903 and was approximately 1705 square feet. The multi-gabled roof was adorned with a variety of shingle shapes. The large front porch was supported by two pairs of classical columns. The boxed eaves were adorned with decorated wood brackets. A distinguishing feature was the 26" high stone and mortar wall along the side and front of the property. One of the former owners was Frederick P. Alvord, a major contributor to the Monrovia City Library Building Fund. Upon his death in 1950, he bequeathed \$50,000.00 toward a new library building.

At its meeting of January 28, 2004, the Historic Preservation Commission determined that the house met two of the required criteria for designation and voted unanimously to recommend approval of Historic Landmark status and execution of a Mills Act Contract.

PUBLIC HEARING OPENED AND CLOSED Mayor Hammond opened and closed the Public Hearing as there was no one who wished to speak for or against the matter.

It was moved by Mayor Pro Tem Garcia, seconded by Councilmember Kirby, to approve Resolution No 2004-08 designating the property at 201 North Encinitas Avenue, Landmark Number 68 and to approve entering into a Mills Act Contract with the conditions of approval. There were no objections.

3 Historic Landmark HL-70/Mills Act Contract MA-66 for Property Located at 248 Highland Place by Owners Joseph Mercado and Rose Marie Imstepf, Resolution No 2004-09

Alice Griselle, Director of Community Development, reviewed the Staff Report

The two-story English Tudor Revival home was built in 1931. The first story had irregular brickwork and the second story had half timbering with a steep pitched roof. There were casement windows throughout the house with glass leaded windows in the front living room. The home had peg and groove oak flooring in the living room and oak flooring throughout house. Additionally, the information submitted by the applicant indicated that the basement of the home was used as a "Speakeasy" during prohibition.

At its meeting of January 28, 2004, the Historic Preservation Commission determined that the house met two of the required criteria for designation and voted unanimously to recommend approval of Historic Landmark status and execution of a Mills Act Contract.

PUBLIC HEARING OPENED AND CLOSED Mayor Hammond opened and closed the Public Hearing as there was no one who wished to speak for or against the matter.

It was moved by Councilmember Kirby, seconded by Councilmember Lutz, to approve Resolution No 2004-09 designating the property at 248 Highland Place Landmark Number 70, and to approve entering into a Mills Act Contract with the conditions of approval. There were no objections.

**CONVENE MONROVIA REDEVELOPMENT AGENCY MEETING
WITHOUT ADJOURNING CITY COUNCIL MEETING**

CONVENE Chairman Rob Hammond convened the Regular Meeting of February 17, 2004 of the Monrovia Redevelopment Agency Board of Directors at 8 10 P M in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting

ROLL CALL Those in attendance were Boardmembers Tom Adams, Dan Kirby, Mary Ann Lutz, Vice Chairman Joe Garcia, and Chairman Rob Hammond

A CONSENT CALENDAR

It was moved by Vice Chairman Garcia, seconded by Boardmember Lutz, to approve the Consent Calendar consisting of Item *B There were no objections

***B MINUTES** The Minutes of the Regular Meeting of February 3, 2004, were approved by order of the Consent Calendar

MRA REPORTS

1 Authorization to Enter into an Agreement with Affandy Soekodanu to Provide for the Relocation of the Historic House Located at 139 East Olive Avenue in Exchange for the Reservation of Two Dwelling Units Located at 416 South Ivy Avenue for Use by Moderate Income Tenants, Resolution No 2-2004

This matter was pulled from the Agenda to be rescheduled at a subsequent Agency Meeting

MRA ADJOURNMENT Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 8 10 P M and the City Council Meeting continued

RECONVENE MONROVIA CITY COUNCIL MEETING

E BIDS None

F COMMUNICATIONS AND PETITIONS None

***1 Denial of Liability Claim, Dee Anna Harris vs City of Monrovia**

This matter was approved by order of the Consent Calendar

Ms Dee Anna Harris maintained that on October 24, 2003, she fell into a hole in the sidewalk while walking westbound on Colorado Boulevard She also maintained that the street lighting was inadequate Ms Harris alleged injuries to her back and neck, right knee, both legs, and a permanently injured thumb City Staff inspected the site of the incident Even in evening hours the sidewalk area was open and obvious Additionally, the light from an adjacent lamppost would have provided sufficient illumination of the area Therefore, it appeared she was not using the sidewalk with due care Staff recommended denial of this claim

***2 Denial of Claim, Nathan Eli vs City of Monrovia**

This matter was approved by order of the Consent Calendar

Mr Nathan Eli maintained that on October 24, 2003, he was stopped by a Monrovia Police Officer for mechanical violations on his vehicle As a result, Mr Eli asserted he suffered a financial burden, loss of wages, court time, as well as pain and suffering Mr Eli indicated he was found to be "not guilty" of the charges He therefore believed he was harassed by the officer involved and that the officer committed perjury

Mr Eli was issued a "fix it" ticket. He appeared before a Commissioner and provided proof that he had remedied the issues cited in the "fix it" ticket and in accordance with State law the issue was dismissed. The officer did not commit perjury and responded in an appropriate manner. Therefore, the City bore no responsibility in this matter. Staff recommended denial of this claim.

G CITY COUNCILMEMBERS & SUB-COMMITTEES

1 Mayor Hammond reported that

(a) Support of Local Taxpayer and Public Safety Protection Act, Resolution No 2004-10 Mayor Hammond explained the initiative to be put before the voters, if enough signatures are gathered, on the November 2004 statewide ballot and was sponsored by the League of California Cities, noting that it was not a tax raising initiative, but that it would actually change the California Constitution regarding how the State could balance its budget and how protection would be given to Monrovia's and all other California cities' services and resources.

It was moved by Mayor Hammond, seconded by Councilmember Adams, to adopt Resolution No 2004-10 supporting the Local Taxpayer and Public Safety Protection Act

ROLL CALL

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

(b) He attended the Independent Cities Association (ICA) Conference last week and attended a session regarding "Interoperability"—the ability to communicate with other agencies when out on an emergency call. Because of Verdugo Dispatch, Monrovia Fire Department has the interoperability to communicate. Chief Johnson and Chief DiGiovanna would continue to make sure that the citizens of Monrovia were protected.

2 Mayor Pro Tem Garcia had no report at this time.

3 Councilmember Adams reported that

(a) He would not be in attendance at the March 2, 2004 City Council Meeting.

4 Councilmember Kirby reported that

(a) Altrio Communications Update He reported that Altrio was still an issue, and that it was in negotiations to have the service continued by another owner. He stated that he would keep the public advised of the status.

5 Councilmember Lutz reported that

(a) She attended the ICA Winter Seminar which focused on protection of our cities. She stated that she found it very informative and beneficial to the City of Monrovia.

(b) In response to Councilmember Lutz's request, Assistant City Manager Scott Ochoa presented an overview of the four statewide initiatives which were on the March 2, 2004 ballot.

Cyrus Kemp, Monrovia, expressed concern that the City Council not support legislation now or in future that would require more taxes to be imposed on the citizens.

H REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES None

I ADMINISTRATIVE REPORTS

1 2003-04 Mid-Year Budget Review

Mark Alvarado, Director of Finance, reviewed the Staff Report.

gable roof system at \$10,730 00 The total project cost including change orders was \$77,966 00 Funds for this project were available from Proposition C funds

It was moved by Councilmember Adams, seconded by Councilmember Lutz, to accept the contract work as completed by Stone Roofing in the amount of \$77,966 00, direct the City Clerk to file a Notice of Completion with the County of Los Angeles Recorder, and, authorize the Director of Public Works to approve final payment thirty-five (35) days after filing the Notice of Completion There were no objections

***3 Increase Purchase for Motor Fuels Issued to Mercury Fuels and Merrimac Energy Group in the Amount of \$120,000 00**

This matter was approved by order of the Consent Calendar

On May 13, 2003, the City Council approved the contract extensions for motor fuels with Mercury Fuels (gasoline) and Merrimac Energy Group (diesel) in the combined amount of \$130,000 00 An increase in the customer base, City of Duarte, Los Angeles County Sheriffs and the Monrovia Transit vehicles, placed upon the fueling facility resulted in the early depletion of these funds

The estimated funding required for the remainder of the fiscal year was \$90,000 00 for Mercury Fuels and \$30,000 00 for Merrimac Energy Group The purchase costs for the motor fuels would offset through customer reimbursements

J RESOLUTIONS & ORDINANCES

***1 Art in Public Places, and Formation of Monrovia Endowment for the Arts, Second Reading and Adoption of Ordinance No 2004-03**

This matter was approved by order of the Consent Calendar

This was the second reading and final adoption of Ordinance No 2004-03 relating to Art in Public Places and the formation of Monrovia Endowment for the Arts Staff continued to recommend approval of this ordinance

***K PAYROLL & VOUCHERS** Payroll No 4 in the net amount of \$457,998 31, and Voucher Numbers 47031 and 116452 through 116815 non-sequentially in the amount of \$930,579 79 were approved by order of the Consent Calendar

L SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, March 2, 2004, 7 30 P M , City Council Chambers, 415 South Ivy Avenue, Monrovia, California

M ORAL COMMUNICATIONS, CONTINUED, IF NEEDED None


N CLOSED SESSION Mayor Hammond announced that the City Council would hold a Closed Session pursuant to Government Code §54956 9(a), Conference with Legal Counsel, Worker's Compensation Claim, Richard Lukofnak, Case Nos 99-20190 and 00-22140 and would adjourn from that location A report of Closed Session would be given at the next regular City Council Meeting Closed session was convened at 8 55 P M and adjourned at 9 01 P M

O ADJOURNMENT The City Council Meeting was adjourned at 8 53 P M in memory of Rose Heritage, mother of Public Works Employee Richard Bishop, DeVere Johnson, mother of Mike Johnson, and Consuelo Calderon, mother of Police Department Officer Detective Carlos Calderon

APPROVED


Rob Hammond, Mayor

ATTEST


Linda B Proctor, CMC, City Clerk