

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, JUNE 5, 2007, 7:30 P.M.**

CONVENE: Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, June 5 2007, at 7:38 P.M. in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, in honor of newborns Dane Richard Shepard, born March 2, 2007 to the Shepard Family, and Tatum Marie Frost, born April 17, 2007 to Meagan Silvas and Nathan Frost. Staff in attendance was City Manager Scott Ochoa, City Attorney Craig A. Steele and City Clerk Linda B. Proctor.

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

INVOCATION: Youth Minister Ulises Gutierrez led the invocation.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Kirby led the Flag Salute.

PRESENTATIONS/PROCLAMATIONS:

PR-1 Recognition of Lorraine S. Mohan for her Dedication in Honoring and Celebrating Veterans: Lorraine S. Mohan was recognized by the Mayor and City Council for her dedicated efforts in honoring and celebrating the nation's veterans. She was retiring from the Allied Veterans Auxiliary after 50 years.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Liaison Rachel Jamieson reported on activities and events at Monrovia High School.

CONSENT CALENDAR: It was moved by Mayor Pro Tem Kirby, seconded by Councilmember Adams, to approve the Consent Calendar. There were no objections. The Consent Calendar consisted of the following Agenda items:

CC-1 Unadopted Minutes of the May 15, 2007 Regular City Council Meeting

CC-2 Payroll Nos. 10 and 11 in the Amounts of \$533,347.26 and \$549,928.41, respectively, and Voucher Nos. 143488 through 143778 in the Amount of \$1,525,892.99

CC-3 Denial of Liability Claim; Samuel Gonzalez vs. City of Monrovia: Mr. Gonzalez alleged that on April 7, 2007, Monrovia Police personnel retained some of his personal belongings after he was involved in a traffic accident. Police personnel responded to Mr. Gonzalez' inquiry regarding his personal property and had returned the items in question. Therefore, the City bore no further responsibility in this matter. Staff recommended that Council deny this claim.

CC-4 Final Tract Map No. 064327; Re-subdivision of Property Located at 435 Genoa Street by Lien Diep: Tentative Tract Map No. 064327 was for the re-subdivision of property; the conversion of 4 existing duplex structures, 8-unit apartment complex into 8 condominium units located in the Residential High Density (RH) Zone. The tentative subdivision map was approved by the Planning Commission at its meeting of October 12, 2005 and was approved by the City Council on November 1, 2005. The Final Tract Map was in order and on file with the City Clerk, Community Development Department Planning Division, and the Department of Public Works.

The Final Tract Map was checked by the City's consultant and was found to conform to the approved tentative map and conformed to the requirements of the State Subdivision Map Act and the City's Subdivision Ordinance. The CC&R's would be finalized as part of the air-space subdivision map as project construction neared completion. The project would improve property values and increase the tax base.

CC-5 Street Tree Inventory System, Total Project Amount of \$42,303.50; Acceptance of Work, Approval of One Change Order in the Amount of \$5,103.50, Notice of Completion, and Final Payment to Arbor Pro in the Amount of \$6,162.60: On June 6, 2006 the City Council awarded a contract to Arbor Pro in the amount of \$37,200.00 for their computerized street tree inventory system and provided the City with a physical inventory of every street tree and parkway planting site using a global positioning system (GPS).

The original proposal submitted by Arbor Pro was based on the purchase of their proprietary software and data collection of 8000 street trees and vacant tree sites. The data exceeded the estimated street tree and vacant tree sites, and an additional \$5,103.50 was approved to complete the project.

CC-6 Steel Tank Interior Coating for Reservoir No. 2, Project No. C-2982; Acceptance of Work, Notice of Completion; and Final Payment to J. Colon Coatings, Inc., in the Amount of \$13,480.00: Reservoir No. 2 was an above-ground steel tank, 1.2 million gallon water reservoir located at 2655 South Myrtle Avenue at the City's Well Field site.

As part of routine water tank maintenance, the City's water reservoirs were inspected every three years. The last inspection was in August 2005 when it was determined that Reservoir Tank No. 2 internal coating was in need of repainting and the exterior paint of the tank was in good condition and not in need of repainting.

On January 16, 2007 the City Council awarded a contract to J. Colon Coatings, Inc., in the amount of \$137,120.00. The Contractor completed the work on May 10, 2007; within the specified contract period. The total project cost was \$134,800.00, which was \$2,320.00 less than the contract amount. The Miscellaneous Tank Refurbishing was not required, lowering the project cost.

CC-7 Authorization for the City Manager to Engage in Limited Outside Employment in the Area of Higher Education and Training, Resolution No. 2007-29

Section 2.02 (b) of the City Manager Employment Agreement stated that "Employee shall not engage in any other business duties or pursuits whatsoever, or directly or indirectly render any services of a business, commercial, or professional nature to any other person or organization, whether for compensation or for profit, without the prior written consent of the City Council of Monrovia."

This clause was a standard component of many public sector management employment contracts intended to ensure that the City Manager was solely dedicated and wholly focused on fulfilling the terms and conditions of employment with the public agency. By requiring written consent from the City Council to pursue outside interests, it ensured that the governing body of the agency could review each request by the City Manager to pursue outside interests on a case by case basis and make certain that any outside employment would not interfere with the manager's execution of his/her duties for the City.

The International City Management Association (ICMA) does not frown upon managers' reinvestment in the profession by teaching and training aspiring managers about city management, and it was not uncommon that managers may teach at universities and colleges, or other in-service types of training seminars. Cal Poly Pomona approached the City Manager to conduct a one-day seminar on "Strategic Decision Making" through its corporate training program. This was a one session engagement, slated for September 2007, and part of a series being taught to public sector employees by City Manager and line department heads from around the region.

The proposed resolution would result in the City Council authorizing this singular outside employment opportunity. Preparation for the session and the session itself would not be conducted on City time. Thus, there was no financial impact to the City.

CC-8 Regional Used Oil Recycling Block Grant Application for Fiscal Years 2007-08 through 2011-12; Resolution No. 2007-28: The California Oil Recycling Enhancement Act of 1991 mandates that the California Integrated Waste Management Board (CIWMB) provided annual Block Grants to local governments for establishing local collection programs encouraging recycling of used motor oil and filters.

Since Used Oil Recycling Block Grants were not competitive, local jurisdictions would need only submit a completed application and meet the program's eligibility requirements to receive the grant. Staff would coordinate with the cities of Bradbury and Sierra Madre to become the Regional Lead and administer the grant funds. These jurisdictions currently utilized certified collection centers and were threatened with losing their grant funding unless the City assisted. The resolution was broadened to authorize the submission of used oil recycling and household hazardous waste grant types to the State of California for a period of five years. Cities participating in this and future regional grants were listed by name on an addendum to the resolution and grant application.

The 2007-08 Fiscal Year Used Oil Block Grant funding amount for the City of Monrovia was approximately \$10,200.00. The funding amount for Bradbury and Sierra Madre was \$5,000.00 each. There was no monetary impact to the City of Monrovia for acting as a Regional Lead for this regional grant application.

Any unused grant funds from fiscal years 2007-08 could be rolled over to the next two fiscal years only. The City would receive additional funding allocations for each fiscal year.

CC-9 Award a Three Year Contract Extension to Facility Operations Plus for Janitorial Services in the Amount of \$266,176.00 for Fiscal Year 2007-08, with a Consumer Price Index (CPI) Increase for Each Subsequent Year: The City Council awarded an original contract to Facility Operations Plus on April 15, 1997 and renewed the contract on January 18, 2005. They had provided outstanding service to the City since 1997. Their scope of work had expanded at the City's request to include several building maintenance tasks that had improved response times for both routine and extraordinary maintenance requests by City Staff. Facility Operations Plus agreed to provide the same level of service while foregoing a price increase for fiscal year 2007-08. Funding for janitorial services was available through the Building Maintenance Fund.

CC-10 Award a Three Year Contract Extension to William Marino Enterprises for Graffiti Removal Services in the Amount of \$46,740.00 for Fiscal Year 2007-08, with a Consumer Price Index (CPI) Increase for Each Subsequent Year: The Graffiti Removal Program had been a contract service administered by the Parks Division since 1993. The service provided for the removal of graffiti from City sidewalks, buildings, signs, freeway underpasses, alleys and walls viewed from the public street. Mr. Marino, owner, was well known for performing his services on the weekends to help beautify the City and his services had always been excellent.

The proposed 2007-08 fiscal year budget would reflect a \$10,000.00 increase, revising the weekly service from approximately 16 to 21 hours per week. The proposed three year extension was for July 1, 2007 through June 30, 2010.

William Marino Enterprises was seeking no increase for fiscal year 2007-08. For fiscal years 2008-09 and 2009-10, he was requesting an increase based on Consumer Price Index (CPI), effective July 1, 2008 and again on July 1, 2009.

CC-12 Amendment to Personnel Rules & Regulations to Provide for Authorization to Establish the Classification of Animal Control Officer and Making Corresponding Changes to the Appropriate Salary Schedule, Resolution No. 2007-30: At the May 1, 2007, City Council Meeting, the City Council authorized the Police Department to establish an in-house Animal Control Program. As part of this Program, two Animal Control Officers would be hired. Therefore, the appropriate classification, job description, and salary range needed to be established. A job description outlining duties typically assigned to an Animal Control Officer was created.

PUBLIC INPUT:

1. Donna Baker, Karin Crehan, Monrovia Days Association and Chamber of Commerce, announced and presented certificates to the Monrovia Day Parade sponsors in attendance.
2. Karen Suarez, Monrovia

PUBLIC HEARINGS/MEETINGS: (PH-1 and PH-2 were reviewed, discussed and voted upon as one.)

PH-1 General Plan Amendment GPA2007-01 and Zone Change ZC2007-01 Changing the General Plan and Zone Designations from M (Manufacturing) to PD-9a (Planned Development-Area 9-a) to Establish Guidelines for Existing and Future Development for the Property Located at 1402 South California/509 Fig Avenue; City of Monrovia, Applicant; Resolution No. 2007-18, and First Reading and Introduction of Ordinance No. 2007-09

Craig Jimenez, Principal Planner, reviewed the Staff Reports.

The City received an application for the development of a live/work project at 1402 South California Avenue. In order for the project to be approved, a General Plan Amendment and Zone Change was required. A change of the land use designation and zoning at 1402 South California would leave 509 Fig Avenue as a remnant M zoned property which was spot zoning and not permitted under State law. Therefore, Staff proposed that the land use and zoning designation also be changed. Staff explored numerous regulatory options to accommodate the proposed development and determined that the use of a planned development designation would be the most pragmatic method to allow the proposed development and ensure compatibility in the future.

Both properties were in the M zone which typically permitted or conditionally permitted uses such as manufacturing (light and heavy), office, auto repair, and recycling facilities. Because the property was directly adjacent to a residential zone, compatibility was an issue. Staff determined that this was a unique opportunity to provide a transition or buffer between the M zone and the residential zone to the north. Further, it would

provide the opportunities for small business owners to work and live in Monrovia. Live/work was not permitted in the M zone; consequently, a zone change and general plan amendment would be required to allow this proposal.

The proposed development guidelines were drafted to allow the proposed live/work development at 1402 South California Avenue to proceed with the approval of a Conditional Use Permit and Tentative Tract Map. One of the challenges in changing the designation on 509 Fig Avenue was to avoid making the existing development on this property non-conforming which presented problems for both the property owner and the City. The proposed development guidelines would allow the property to be used as it was currently and would allow new uses of the same type or a similar type of use to be permitted by right. Any new development, however, would be subject to the proposed guidelines. The creation of a nonconforming situation was also a concern of the Planning Commission.

The proposed guidelines for PD-9a addressed both existing development and future development and covered various aspects including uses, unit size, density, and setbacks.

On May 9, 2007, the Planning Commission held a duly noticed Public Hearing on the proposed general plan amendment and zone change. The applicant spoke in favor of the development. Additionally, several neighbors, primarily on the west side of California Avenue, spoke with concerns about traffic, parking, deliveries, and the intrusion of permitting commercial uses in a residential neighborhood. At the close of the Public Hearing, the Planning Commission recommended approval of the General Plan Amendment and Zone Change.

and

PH-2 Tentative Tract Map No. 069232 and Conditional Use Permit CUP2007-03 to Construct a 16 Unit Live/Work Development at 1402 South California Avenue, Suarez Architects, Inc., by Applicant Matt Waken, Developer

The applicant requested approval of a Tentative Tract Map and Conditional Use Permit to construct a 16 unit live/work development. These entitlements were contingent on the approval of the above General Plan Amendment and Zone Change.

The site was approximately 1 acre in size and was 72' wide and 604.4' deep. The lot fronted on California Avenue and also had partial frontage (43') on Fig Avenue. It was developed with a single-family residence and several accessory structures. The property had served as the site for Collins Brothers Roll-off Service for many years. The residential use was legal nonconforming.

Four 2-story buildings were located along the north side of the site and a 25' wide driveway on the south side that served sixteen 2-car garages and 12 open parking spaces. The driveway would extend from California Avenue to Fig Avenue and would be electronically gated on the Fig Avenue side. The front yard setback on California Avenue was proposed at 25' so that it was in alignment with the residential setbacks on the block. The Fig Avenue setback was 10' which was the minimum required for a commercial building. The buildings were purposely located on the south side of the site with a 7' setback to be closer to the Southern California Edison property and further from the residential properties to the north. A walkway along the south property line provided access to each unit.

The 16 live/work units were all the same size (1,542 square feet) and had the same floor plans. Each had 575 square feet of work space with a ½ bath and a 2-car garage on the ground floor and 967 square feet of living space on the second floor. Garages were separate from work spaces and were not to be used for additional work space and business operations. In addition to a 2-car garage per unit, there were 12 parking spaces dispersed between the buildings to accommodate the additional parking demands of a live/work project. The elevations effectively blended residential and commercial elements in the design. The window design and standing seam metal roofing were more of a commercial application.

On May 9, 2007, the Planning Commission held a duly noticed public hearing on the proposed live/work development. Because this request was intrinsically tied to the General Plan Amendment, the Staff Reports and public hearings were held concurrently. The applicant spoke in favor of the development. A representative for the one of the industrial properties on the south side of Fig Avenue spoke about traffic and cut through concerns but was in support of the redevelopment of the site. Additionally, several neighbors, primarily on the west side of California Avenue, spoke with concerns about traffic, parking, deliveries, and the intrusion of commercial uses in a residential neighborhood.

At the close of the Public Hearing, the Commission discussed various aspects of both the proposed regulations and the merits of the project. The Commission recommended several additional conditions of approval that addressed employee parking, allowable uses and the requirement of a one-year review by the Commission.

The Planning Commission unanimously approved and recommended approval to the City Council of the Conditional Use Permit and Tentative Tract Map, contingent on the approval of the General Plan Amendment and Zone Change.

PUBLIC HEARING OPENED: Mayor Hammond opened the Public Meeting.

Those opposed:

1. Darrell Carr, opposed to commercial portion of project
2. Willis Bud, 515 Fig Avenue, opposed to increased traffic the project would bring
3. Russell Carr, opposed to mixed use of project with the encroachment of business
4. Bill Winslow, represented several home owners and was concerned about street parking issues

Those in favor:

1. Matt Waken, developer
2. Hugo Suarez, architect for project

PUBLIC HEARING CLOSED: Mayor Hammond closed the Public Hearing as there was no one else who wished to speak for or against the matter.

After discussion, it was moved by Councilmember Lutz, seconded by Councilmember Garcia, to adopt City Council Resolution No. 2007-18 approving General Plan Amendment GPA2007-01; introduce, read by title only and waive further reading of Ordinance No. 2007-09 approving Zone Change ZC2007-01, changing the zoning designation on the subject properties from M to PD-9a, and removing light manufacturing from Data Sheet 1, No. 23 (PH-1), and approve Tentative Tract Map No. 069232 and Conditional Use Permit CUP2007-03 pursuant to the recommendations in the Staff Report (PH-2).

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

City Attorney Steele read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA AMENDING TITLE 17 (ZONING), SECTION 17.04.040, THE OFFICIAL ZONING MAP OF THE MONROVIA MUNICIPAL CODE ENTITLED ZONING TO CHANGE THE ZONE DESIGNATION FROM M (MANUFACTURING) TO PD-9A (PLANNED DEVELOPMENT - AREA 9A) FOR THE PROPERTIES LOCATED AT 1402 SOUTH CALIFORNIA AVENUE AND 509 FIG AVENUE.

The following item was taken out of order:

REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

RCC1 Mayor Hammond

(b) Sawpit Wash Recreation Trail: As there were a number of people present to speak, Mayor Hammond took this item out of order. City Attorney Steele reviewed pertinent information regarding the property, including the historic record of trail use over the decades, signage by the City on the recreation trail since at least 1995, and that the property belonging to Los Angeles County had been condemned in mid 50's. The recent activities to put a gate over the trail was not done with any permission from the City of Monrovia or the County, and the Public Works Director had declined a permit when asked by the owner to issue one. The City had been searching a wide range of options to find a permanent solution that recognized public's right to use the trail and was sensitive to the property owner and had been working with Public Works, the County and the Flood Control staff to find improvements that all would be comfortable with. Staff had also looked for alternative routes but that had significant hurdles to it with issues to be resolved, plus an extreme cost. The current owner owned both sides of the wash with underlying fee title of this stretch of the Sawpit Wash and trail. The LA County Flood Control District had a maintenance easement over the property. He continued that the matter needed legal resolution and that the City would do all it could to have the trail open to the public as it had historically been available.

City Manager Ochoa presented a map of the area and reported that recently, the property owner had constructed a gate across the opening of the trail next to the Norumbega bridge, and, even more recently, had

constructed a gate with permits across the trail itself. The apparent reason was to preclude noise and vandalism. Over the last several months, City Staff had been working with the property owner to ease his concerns and find a lasting solution to the problem. All of this effort was to no avail, however, and talks broke down. Once the second gate was constructed, City Staff began working intensively with the County. Again, the public easement over the wash and trail belonged to the County; thus, the City needed them to take ministerial enforcement actions in this matter such as issuing/requiring permits, removing the gates, etc. Until the construction of the second gate, the County had been content to stay out of this matter because the public still had its historic access along the trail. Yet when the second gate went up, it forced the County to become engaged. To date, three County offices had been consulted on the next steps in maintaining public access on the trail – the Flood Control District, Real Estate, and Engineering & Construction. Also, Supervisor Michael Antonovich had been approached and pledged his support. At this point, the City Attorney and Monrovia Public Works would contact the property owner to re-initiate talks.

City Clerk Proctor read the numerous names of residents who had either called or emailed opposition to the closing of the trail. Speakers opposed to closing the trail were:

1. John Chimmin, Monrovia
2. Ben White, Monrovia
3. Brian Tiep, Monrovia
4. Karen Suarez, Monrovia
5. Brad Boli, Monrovia
6. Patricia Buske, Monrovia
7. Charles Leavitt, Monrovia
8. Bruce Pfeiffer, Monrovia
9. Becky Paige, Monrovia
10. Jim Seright, Monrovia
11. Frederick Wentzel, Jr., Monrovia
12. Randy Brumbaugh, Monrovia, presented petitions
13. Coulter Winn, Monrovia
14. Chris Ziegler, Monrovia
15. Todd Witt, Monrovia

Mayor Hammond called for a break from 9:51 P.M. to 10:09 P.M.

16. Tracey Miller, Monrovia
17. Mark Liwia, Monrovia
18. Nancy Ticker, Monrovia
19. Bruce Raney, Monrovia
20. Trevor Downs, Monrovia, representing himself and others

In response to questions by the City Councilmembers, City Attorney Steele stated the property north of the bridge, from west side of the wash, across to east side was privately owned property. The County Flood Control District condemned that easement for flood control purposes and it was a non-exclusive easement, meaning that other rights were possible across the property. Since 1995, the City has signed the entire trail from Lemon Avenue to above that property as a public trail. However, it must be remembered that the underlying dirt was private property and certain laws and constitutional issues govern how the City enters on that property and what the City could do. The City must be very fair and thorough in addressing this issue, and the public had to be patient and not engage in any self help, as the Police and Public Works departments were there for that purpose.

Mayor Hammond stated that the City would keep the public as informed as possible, and the public could be kept informed through City Manager Ochoa's Weekly Newsletter on the website. He stated there would be a solution, but not overnight.

After further discussion, it was moved by Mayor Hammond, seconded by Councilmember Adams, to direct Staff to take any and all legal measures to keep the trail open and while the City was looking for permanent solution.

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

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

MRA CONVENE: Chairman Rob Hammond convened the Regular Meeting of June 5, 2007 of the Monrovia Redevelopment Agency Board of Directors at 10:31 P.M. in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting.

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

MRA CONSENT CALENDAR: It was moved by Boardmember Adams, seconded by Boardmember Garcia, to approve the Consent Calendar. There were no objections. The Consent Calendar consisted of the following Agenda item:

MRA CC-1 Unadopted Minutes of the May 15, 2007 Regular Meeting

MRA PUBLIC HEARINGS/MEETINGS: None

MRA REPORTS:

MRA AR-1 Authorization to Enter into a Professional Services Contract with Wreck Age Demolition Incorporated for the Demolition of Structures at 820 S. Magnolia and 1675 S. Primrose Avenues for the total Consideration of \$48,000.00: Redevelopment Division Manager Kevin O'Brien reviewed the Staff Report. On November 21, 2006, the Agency Board authorized the acquisition of the properties located at 820 S. Magnolia and 1675 Primrose Avenues. The Primrose property was acquired as part of the Station Square project. As vacant commercial structures, which included grain silos, the sites presented an attractive nuisance for the City, and needed to be removed as quickly as possible.

Under the proposed agreement, the Agency would pay Wreck Age \$48,000.00 upon completion of the demolition work.

It was moved by Boardmember Adams, seconded by Vice-Chairman Kirby, to approve a Professional Services Contract with Wreck Age Demolition, Incorporated, in the amount of \$48,000.00, and authorize the Executive Director to execute the necessary documents. There were no objections.

MRA AR-2 Authorization to Acquire Real Property Located at 145 West Pomona Avenue from Andrew and Corran Montgomery for the Total Consideration of \$462,000.00; Resolution No. 6-2007: Boardmembers Adams and Garcia stated they would abstain due to a business relationship with the owners and exited Council Chambers. Redevelopment Division Manager Kevin O'Brien reviewed the Staff Report. In April 2007, the Agency Board authorized an extension of the Agency's Exclusive Negotiating Agreement with Olson Urban Housing, LLC, and Samuelson & Fetter, LLC for the Station Square Study Area. As currently envisioned, this development was comprised of approximately 80 acres, and would be developed in three different phases, with the first phase the 25 acres that surrounded the existing Santa Fe Depot station on the west side of Myrtle Avenue. To date, the Agency had acquired an excess of twenty-five percent of the parcels in the first phase of the development.

One of the most centrally located sites within the first phase was located at 145 West Pomona Avenue. The site was improved with a 998 square foot residential structure and was situated on a 5,497 square foot lot. Following extensive discussions with the owners of the site, they agreed to sell the property to the Agency for the total consideration of \$462,000.00. The acquisition of this property would be an important component to the first phase of the Station Square development.

It was moved by Boardmember Lutz, seconded by Vice-Chairman Kirby, to adopt Resolution No. 6-2007, and authorize the execution of the required documentation. There were no objections.

Boardmembers Adams and Garcia returned to Council Chambers.

MRA AR-3 Authorization to Acquire Real Property Located at 220 West Evergreen Avenue from the McCown Family Trust for the Total Consideration of \$475,00.00; Resolution No. 7-2007: Redevelopment Division Manager Kevin O'Brien reviewed the Staff Report. In April 2007, the Agency Board authorized an extension of the Agency's Exclusive Negotiating Agreement with Olson Urban Housing, LLC, and Samuelson & Fetter, LLC for the Station Square Study Area. As currently envisioned, this development was comprised of approximately 80 acres, and would be developed in three different phases, with the first phase being the 25 acres that surrounded the existing Santa Fe Depot station, on the west side of Myrtle Avenue. To date, the Agency acquired an excess of twenty-five percent of the parcels in the first phase of the development.

As the development team and Agency Staff moved forward on this project, the team was avidly on the lookout for properties, particularly in the first phase of the development, that were offered for sale. The subject site, located on the northern border of the Station Square study area, was currently improved with a 1,263 square foot residential structure and was situated on a 6,000 square foot lot. On May 17, 2007, the Agency sent an offer letter to the listing agent representing the owner of the site for \$475,000. Because the property was listed in the open market, the site would be delivered vacant, and the Agency would not incur any additional expense for tenant relocations.

It was moved by Councilmember Adams, seconded by Councilmember Lutz, to adopt Resolution No. 7-2007, and authorize the execution of the required documentation. There were no objections.

MRA AR-4 Authorization to Acquire Real Property Located at 498 Monrovista Avenue from Charles Bennett for the Total Consideration of \$425,000.00; Resolution No. 8-2007: Redevelopment Division Manager Kevin O'Brien reviewed the Staff Report. Over the years, the Agency sought to address the various forms of blight in the Monrovista neighborhood, working extensively with the Police Department to identify and eliminate the core problems of the area. A significant milestone was achieved on January 4, 2005 when the Agency Board approved a Disposition and Development Agreement ("DDA") with Bourne Construction to provide for the development of eleven single family detached courtyard homes that would include opportunities for three moderate income buyers. On March 21, 2006 the Agency Board approved the second phase of the development which would consist of twenty single-family homes, and included four affordable units. The first phase of the development, which was scheduled to be completed in August, had already generated significant interest in potential buyers.

The subject property was currently improved with an 817 square foot single-family dwelling and had historically been a blighting influence on the neighborhood. Agency Staff worked with Edgar Bourne, the developer of the first phase of the Monrovista project, to negotiate with the owner of the site to acquire the property. On the Agency's behalf, Edgar Bourne was able to reach a sales price of \$425,000.00.

The acquisition and rehabilitation of this site would contribute to the enhancements already made to the area, while preserving the City's investment in the future of this neighborhood. If the site acquisition was approved, a DDA for the development of a single detached family dwelling unit would be presented at a future meeting for Agency Board approval.

Victor Castellanos, Compliance Contract Consultants, expressed concerns regarding monitoring of the construction in MRA AR-1 above.

It was moved by Boardmember Adams, seconded by Vice-Chairman Kirby, to adopt Resolution No. 8-2007, and authorize the execution of the required documentation.

**Ayes: Boardmembers Adams, Garcia, Lutz, Vice-Chairman Kirby, and Chairman Hammond
Motion carried: 5-0**

MRA ADJOURNMENT: Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 10:36 P.M. and the City Council Meeting continued.

RECONVENE MONROVIA CITY COUNCIL MEETING

REPORTS OF CITY COUNCILMEMBERS AND SUBCOMMITTEES:

RCC1 Mayor Hammond reported that:

- (a) Gold Line Update / Project Schedule:** He presented a schedule for the Gold Line for Phase II to Azusa.
- (b) Sawpit Wash Recreation Trail:** This item was taken out of order prior to the Monrovia Redevelopment Agency Meeting above
- (c) Consideration of Youth Employment Service (YES!) Program:** **It was moved by Councilmember Lutz, seconded by Councilmember Garcia, to put this item in the upcoming Budget scheduled for the June 19, 2007 City Council Meeting.**

RCC2 Mayor Pro Tem Kirby reported that he had no report at this time.

RCC3 Councilmember Adams reported that he had no report at this time.

RCC4 Councilmember Garcia reported that he had no report at this time.

RCC5 Councilmember Lutz reported that:

(a) She wanted to congratulate those who were recognized at the Monrovia Adult School and Staff Awards Ceremony as well as those at the YMCA Awards Dinner. She announced that graduation from the High School would be this coming Friday, June 15, 2007.

REPORTS OF STAFF MEMBERS: There were none.

ADMINISTRATIVE REPORTS:

AR-1 Purchase for Planned Replacement of Police Department Equipment Truck in the Amount of \$29,820.80 from Sierra Autocars/Truck Center: Captain Jim Hunt reviewed the Staff Report. The vehicle proposed was for the transportation of emergency equipment for the Monrovia officers assigned to the Foothills Special Enforcement Team. The funds for this purchase were available in the Police Department's non-patrol vehicle fleet replacement account. The Police Vehicle Fleet Committee recommended purchasing one Chevrolet Express Commercial 16 foot box van from Sierra Autocars/Truck Center in Monrovia for a total price of \$29,820.80.

It was moved by Councilmember Adams, seconded by Councilmember Lutz, to approve the purchase for planned replacement of Police Department equipment truck in the amount of \$29,820.80 from Sierra Autocars / Truck Center. There were no objections.

AR-2 Agreement with Southland Transit, Inc., in the Amount of \$3,022,658.10 for the Operation of Monrovia Transit and the Old Town Trolley for the Period July 1, 2007 through June 30, 2010: Craig Jimenez, Principal Planner, reviewed the Staff Report. Although Southland Transit Inc. continued to provide good service for Monrovia, current practice in transportation encourages putting contracted services out to bid every 5-8 years. In the spring of 2007, the City issued a Request for Proposals (RFP), putting out to bid the contract for the operation of Monrovia Transit. The RFP was sent out to 12 transportation providers and four bids were received during the RFP process.

Southland Transit Incorporated (STI) was able to provide the lowest bid for services and provided the most responsive proposal. STI continued to provide good service to Monrovia and County residents since 2000.

After discussion, Mayor Hammond requested Staff to prepare a report for the next City Council Meeting on how long it takes a citizen to be picked up from the initiation of the call and from the residence to the point of drop off, and Mayor Pro Tem Kirby asked for information on the average distance traveled.

It was moved by Councilmember Adams, seconded by Councilmember Lutz, to approve the three-year Agreement with Southland Transit, Inc. for the operation of Monrovia Transit Dial-a-Ride and the Old Town Trolley in the amount of \$3,022,658.10. There were no objections.

AR-3 Agreement with Los Angeles County in the Amount of \$905,000.00 for the Provision of General Public Dial-a-Ride Transportation Service to County Residents for the Period July 1, 2007 to June 30, 2010: Craig Jimenez, Principal Planner, presented the Staff Report. In November 1994, Monrovia Transit began to provide general public service to County residents in the unincorporated areas south of Monrovia. The service area included the Duarte, Monrovia, Arcadia, and El Monte "County Islands." Monrovia continued to provide the provision of Monrovia Transit services to County residents that resulted in an increase in overall service hours for the system.

The City reached an agreement to provide Public Dial-a-Ride Transportation Service for the designated County unincorporated area south of the City, and received an additional annual Incentive Grant of approximately \$110,000.00. The terms of the contract were for the provision of paratransit services to County residents, for a three-year period. The County's portion equated to their share of the cost of service plus a portion of the City's administrative costs.

The City's contractor (Southland Transit Inc.) was able to quantify County passenger trip lengths versus City passenger trip lengths, which enabled the City to more accurately determine each jurisdiction's appropriate share of the service. This agreement, which was agreed to by the City and Los Angeles County, was based on an equitable method to distribute the cost of the service.

After discussion, Mayor Hammond requested Staff to also prepare a report for the next City Council Meeting on how long it takes a citizen to be picked up from the initiation of the call and from the residence to the point of drop off, and Mayor Pro Tem Kirby also asked for information on the average distance traveled.

It was moved by Councilmember Lutz, seconded by Councilmember Garcia, to authorize approval of the three-year agreement with Los Angeles County to provide Dial-a-Ride services on Monrovia Transit for the designated County unincorporated area south of the City. There were no objections

AR-4 Fire Station No. 1 Renovation, Change Order, Project No. 04-11; Award of Contract to GB Construction, Inc., in the Amount of 173,548.00: Director of Public Works David Fike reviewed the Staff Report. On December 19, 2006, City Council awarded a contract for the Fire Station No. 1 Renovation. The

project focused on the east side of the Building, the firefighters' living areas, replacing the water system, upgrading the electrical sub-panel, new air-conditioning units and meeting all ADA building requirements.

In the contract, Administrative and Fire Prevention areas were only designed for minimum improvements, such as painting, new carpeting and modifications to the restrooms. During the current renovation, the Fire Chief brought forth a new conceptual design to improve the overall efficiency in the Administration and Fire Prevent work areas that would provide a more suitable customer friendly reception area, along with converting an unused storage area into a new training center that could also be used as an EOC as well as making modifications to modernize the kitchen area and raising the main apparatus door to 13 feet. This would provide an adequate safe clearance height for all of their fire fighting vehicles entering or exiting the building.

G.B. Construction was provided with a copy of the new specifications and their price quote was \$173,548.00 for the Change Order. Funds were available in the Facilities Capital Improvement Fund.

It was moved by Councilmember Lutz, seconded by Mayor Pro Tem Kirby, to approve a change order in the amount of \$173,548.00. There were no objections.

AR-5 Description of the Monrovia Redevelopment Agency's Program to Clarify Acquisition Procedures; Introduction and First Reading of Ordinance No. 2007-11: Management Analyst Darlene Sanchez reviewed the Staff Report. Senate Bill 53 took effect January 1, 2007 and required cities to adopt an ordinance that clarified their redevelopment agencies' programs to acquire real property under their existing redevelopment plan. The new law applied to all existing redevelopment plans adopted prior to January 1, 2007, and had to be adopted by July 1, 2007.

The proposed ordinance described the Agency's existing acquisition procedures and eminent domain program under the redevelopment plan. The proposed ordinance did not change the existing program, nor did it amend the existing redevelopment plan in any manner. The ordinance reiterated when the redevelopment plan was adopted, and any amendments to it that were relevant to the Agency's acquisition procedures and eminent domain power under the plan.

It was moved by Councilmember Adams, seconded by Councilmember Lutz, to introduce, waive further reading and read by title only Ordinance No. 2007-11.

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

City Attorney Steele read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, DESCRIBING THE MONROVIA REDEVELOPMENT AGENCY'S PROGRAM TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN.

AR-6 Cancellation of the August 21, 2007 City Council Meeting: City Clerk Linda B. Proctor reviewed the Staff Report. As August was normally a slow month, the City Council had cancelled the second meeting in August since 1995. The cancellation of the second Council meeting in August afforded Councilmembers a time to plan extended family vacations. It was not an uncommon practice in other cities to cancel one or more meetings a year with proper notice to the public.

In the event the City Council wished to cancel the second meeting in August, discussion and action at this time gave the public proper notice. It also gave Staff the needed time to plan ahead in the advertising and scheduling of Public Hearings.

It was moved by Boardmember Adams, seconded by Vice-Chairman Kirby, to cancel the August 21, 2007 City Council meeting. There were no objections.

SCHEDULED MEETINGS: Mayor Hammond announced that the next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, June 19, 2007, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

PUBLIC INPUT, CONTINUED, IF NEEDED: There was no additional public input.

ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED: There were no items pulled from the Consent Calendar.

ADJOURNMENT TO CLOSED SESSION: At 11:07 P.M., Mayor Hammond announced that the City Council would adjourn to Closed Session and return to Council Chambers to report on the following item:

ACS-1 Conference with Labor Negotiator Pursuant to Government Code Section §54957.6; Agency Negotiator: Theresa St. Peter; Group Employees: All Employees

RECONVENE AND REPORT OF CLOSED SESSION


RCS-1 Conference with labor Negotiator Pursuant to Government Code Section §54957.6; Agency Negotiator: Theresa St. Peter; Group Employees: All Employees: City Attorney Steele reported that Non-disclosure of otherwise reportable action taken was authorized under §54957.1 as negotiations were not complete and final agreement was not approved.

ADJOURNMENT: The Meeting was adjourned by Mayor Hammond at 11:25 P.M.

APPROVED:


Rob Hammond, Mayor

ATTEST:


Linda B. Proctor, MMC, City Clerk