

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, NOVEMBER 28, 2000, 7:30 P.M.**

CONVENE: Mayor Robert T. Bartlett convened the Regular Meeting of the Monrovia City Council of Tuesday, November 28, 2000, at 7:33 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

INVOCATION: Pastor Richard Sullender, First Baptist Church, led the Invocation.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Adams led the Pledge of Allegiance.

ROLL CALL: Councilmembers Lara L. Blakely, Joe Garcia, Rob Hammond, Mayor Pro Tem Tom Adams, and Mayor Robert T. Bartlett

PRESENTATIONS:

1. Recognition of Monrovia Volunteer Center's "Make-A-Difference Day" Project

Bill Skiles, Neighborhood Preservation Supervisor, presented a videotape and assisted the Mayor and City Council in recognizing these special volunteers.

On Saturday, October 28, 2000, Monrovia celebrated its sixth annual Make-A-Difference Day. During this national volunteer day, approximately 250 local volunteers and sponsors participated in over one dozen community projects ranging from neighborhood clean-ups to repairing and painting senior citizens' homes. The City Council recognized these volunteers for their community pride and for their commitment to helping others in need. In particular, the three volunteers who were responsible for planning this year's successful Make-A-Difference Day, Lillias Coombs, Phyllis McCarville, Dan Iwata and Pattie Tellez.

2. Recognition of Administrative Services Department; Certificate of Achievement for Excellence in Financial Reporting for the 1998-99 Comprehensive Annual Financial Report

This presentation recognized the Finance Department for "Excellence in Financial Reporting" for the 1998-99 fiscal year. The City's Comprehensive Annual Financial Report (CAFR) is being recognized by the Governmental Financial Officer's Association, a national organization, for meeting the highest level of financial reporting.

Gina Cheung, Finance Division Manager, accepted the award from the Mayor and City Council.

3. Recognition of City Clerk Linda B. Proctor for Qualifying for the First Level Membership in the International Institute of Municipal Clerks (IIMC) Master Municipal Clerk Academy

Linda Proctor, CMC, City Clerk, has qualified for first level membership in the IIMC Master Municipal Clerk Academy. Ms. Proctor is one of only 15% of the International Institute of Municipal Clerks to achieve this level of proficiency. Mayor Bartlett stated that it was an honor and privilege to acknowledge this achievement of our City Clerk.

4. Recognition of Recipients of the Coach's Award for the Community Service Youth Sports Program

During each Youth Sports season, each football coach and cheerleading coach is asked to choose one member of their respective team, or squad, who has displayed outstanding attendance, skill, leadership, and sportsmanship during the season.

Brittney Bilotti, Recreation Supervisor, was on hand this evening to assist the Mayor and City Council in recognizing this year's recipients, who were: Luis Campos, Football and Tabatha Martinez, Cheerleading – Bradoaks Elementary; John Radnoti, Football and Cori Williams, Cheerleading – Mayflower Elementary; Chris Aguadelo, Football and Guadelupe Camacho, Cheerleading – Monroe Elementary; Richard Kilbury, Football and Athena Arias, Cheerleading – Wild Rose Elementary.

Mayor Bartlett presented each award winner with a City pencil, as the trophies had been presented at a previous ceremony.

5. Golden Hammer Award

In the weeks, days and hours leading up to the opening of the Krikorian Theatre a number of our key employees consistently went above and beyond the call of duty to ensure that the Theatre opened on schedule. The following individuals were acknowledged for their extraordinary efforts: Robert Kastenbaum, Community Development Director; Glenn Cox, Assistant Executive Director; Robert Castellano, Building Division Manager; David Fike, Interim Public Works Director; Doug Benash, City Engineer; Dennis Shiflett, Facilities Division Manager; Peter Bryan, Fire Chief; and Kevin O'Brien, Sr. Project Manager. Although many employees contributed greatly to ensure that the Theatre opened on time, without these key individuals, the Theatre opening would not have been as successful.

PROCLAMATIONS: None

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Representative Chris Burau reported on activities at Monrovia High School.

A. CONSENT CALENDAR: It was moved by Councilmember Hammond, seconded by Councilmember Blakely, to approve the Consent Calendar consisting of Items *B, *F-1, *F-2, *I-1, *I-2, and *K.

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

***B. MINUTES:** The Minutes of the Regular Meeting of November 14, 2000 were approved by order of the Consent Calendar.

C. ORAL COMMUNICATIONS:

1. Steve Miller, resident, spoke about the joint project between the Foothills Wildlife Conservancy and the City of Monrovia. In Canyon Park, the streamside restoration project is underway. He reminded the public that the Wilderness Preserve Steering Committee is holding its second meeting on Tuesday, December 5 at 7:00 P.M. in the Community Policing Room. He also spoke about conservation easements. Councilmember Blakely stated that there was a committee established to look at wilderness properties and that the committee should address wilderness issues, rather than the City Council. City Manager Hopper indicated that this matter is slated for the December 12, 2000 City Council Agenda.

2. Mary Ann Lutz, 100 West Lemon Avenue, thanked the Council and Staff for publishing a full-page advertisement in the local newspaper highlighting the Family Festival and the Krikorian Theatre.

3. Cyrus Kemp, 346 Bradoaks, stated that he had acquired a job description for City Treasurer from Linda Proctor. Mr. Kemp questioned whether the City Treasurer should or should not have investment authority. City Attorney Michael Colantuono indicated that when the City was incorporated, the City was very small, did less, and one person had responsibility for all financial actions. As the City (and area) have grown after World War II, the Legislature approved dividing the responsibility, and the position of Finance Officer was created. The Finance Officer has investment authority.

BREAK: Mayor Bartlett called for a break from 8:23 P.M. to 8:29 P.M.

D. PUBLIC MEETINGS/HEARINGS: None

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

CONVENE: Chairman Robert T. Bartlett convened the Regular Meeting of November 28, 2000 of the Monrovia Redevelopment Agency Board of Directors at 8:29 P.M. Those in attendance were Boardmembers Blakely, Garcia, Hammond, Vice-Chairman Adams, and Chairman Bartlett.

A. CONSENT CALENDAR: It was moved by Boardmember Blakely, seconded by Boardmember Garcia, to approve the Consent Calendar consisting of Agenda Item *B.

***B. MINUTES:** The Minutes of the Regular Meeting of November 14, 2000 were approved by order of the Consent Calendar.

ROLL CALL: **Ayes: Boardmembers Blakely, Garcia, Hammond, Vice-Chairman Adams, Chairman Bartlett**
Motion carried: 5-0

MRA REPORTS:

1. Joint Public Hearing; Disposition and Development Agreement (DDA) with Samuelson-Fetter, Royal Oaks/Mountain Avenue SeeBeyond Technology Campus Project; Agency Resolution No. 14-2000 and City Council Resolution No. 2000-107

Glenn Cox, Redevelopment Division Manager, reviewed the Staff Report on the SeeBeyond Technology Project. With the build-out of east Huntington Drive, Mountain Avenue is increasingly becoming a key component to the City's economic viability. The area serves as the City's eastern boundary, and is highly visible from motorists exiting the 210 Freeway on Mountain Avenue. The site currently suffers from several conditions that meet the statutory definition of blight; consequently, its redevelopment is a priority.

While Huntington Drive has traditionally been the center for office development, its build-out has necessitated that non-traditional areas be considered for development. The development firm of Samuelson-Fetter has for several months been looking for a suitable campus environment for SeeBeyond Corporation, a local Monrovia-based software firm. SeeBeyond has ambitious plans for development, and seeks to find a suitable site that can expand to meet their needs. At full build-out, they anticipate having a workforce of approximately 2000 (corrected by Mr. Fetter to 4000), with an average salary of \$75,000.00. Samuelson-Fetter has proposed the Mountain Avenue site to SeeBeyond who has expressed interest. However, they are concerned about the developer's ability to deliver the privately owned parcels. Because the sites are outside the existing project area, the Agency does not have eminent domain authority. To demonstrate that the Agency is committed to the project, a Disposition and Development Agreement with Samuelson-Fetter is proposed. This agreement contains the following terms:

- Assignment to Samuelson-Fetter of Investment Development Services interest in the Public Improvements Reimbursement Agreement previously entered into with the Agency.
- The Agency agrees to begin steps necessary to add various areas to the project area by an 8th Amendment to the Redevelopment Plan.
- The Agency agrees to use its "best efforts" to assist in acquiring all parcels necessary to complete the development. All funding to be provided by Samuelson-Fetter
- The Agency agrees to grant Samuelson-Fetter an Exclusive Agreement to Negotiate on two areas adjacent to the development site.
- Samuelson-Fetter agrees to loan the Agency up to \$1.25 million dollars to be used to cover the County flood control channel.

Joint Public Hearing Opened: Chairman Bartlett opened the Joint Public Hearing.

In favor: Blaine Fetter, Samuelson-Fetter, 602 East Huntington Drive

Against: None

Joint Public Hearing Closed: Chairman Bartlett closed the Joint Public Hearing as there was no one who wished to speak against the matter.

It was moved by Boardmember Blakely, seconded by Boardmember Garcia, to adopt Resolution No. 14-2000 approving the Disposition and Development Agreement by and between the Redevelopment Agency and Samuelson-Fetter.

ROLL CALL: Ayes: Boardmembers Blakely, Garcia, Hammond, Vice-Chairman Adams, and Chairman Bartlett
Motion carried: 5-0

It was moved by Mayor Bartlett, seconded by Mayor Pro Tem Adams, to adopt City Council Resolution No. 2000-107 approving the Disposition and Development Agreement by and between the Monrovia Redevelopment Agency and Samuelson-Fetter and making certain findings in connection therewith.

ROLL CALL: Ayes: Councilmembers Blakely, Garcia, Hammond, Mayor Pro Tem Adams, and Mayor Bartlett
Motion carried: 5-0

MRA ADJOURNMENT: Chairman Bartlett adjourned the Monrovia Redevelopment Agency Meeting at 8:57 P.M. and the City Council Meeting continued.

RECONVENE MONROVIA CITY COUNCIL MEETING

E. BIDS: None

F. COMMUNICATIONS AND PETITIONS:

*1. **Receive and File: ABC Beverage License (Person-to-Person Transfer from Ely's Restaurant) for Cajun Way Café located at 110 E. Colorado Boulevard, Monrovia**

This matter was approved by order of the Consent Calendar.

Notice was received from the ABC that an application has been received from Kevin Romero and Sonia Desormeaux, Cajun Way Café, located at 110 E. Colorado, requesting the issuance of a Type 47 (On-Sale General License).

The Police Department conducted a background investigation on the premises and owner. On the basis of the investigation on the applicants, the Department found no reason to recommend any other action on this application. Staff recommended that the City Council receive and file this notice.

*2. **Denial of Claim; Allstate Insurance Company (on behalf of Mildred Serenchy) v. City of Monrovia**

This matter was approved by order of the Consent Calendar.

Ms. Serenchy was involved in a traffic accident on May 1, 2000. The accident occurred at the intersection of Myrtle Avenue and Duarte Road. Ms. Serenchy claimed that the traffic signal lights malfunctioned and were the cause of the accident.

Signal Maintenance, Inc. is responsible for maintenance of the traffic signal lights at Myrtle and Duarte. Additionally, it appears that the railroad crossing near this location was malfunctioning and was the primary cause of the problem. Therefore, the City bears no responsibility in this matter.

Claimant sought an unspecified amount in damages. Staff recommended rejection of claim.

G. REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES:

1. Councilmember Garcia reported that:

He assisted the Unity Center on November 18 with their Thanksgiving distribution and he thanked the Unity Center and other organizations who assisted with the Thanksgiving project. He is hopeful that the Christmas distribution project will be equally successful. Volunteers should contact Betty McWilliams at the Unity Center.

2. Councilmember Blakely reported that:

Due to her sore throat, Councilmember Hammond spoke for her regarding the parade.

3. Councilmember Hammond reported that:

(a) Monrovia's annual Christmas Parade will take place on Thursday, December 7 at 7:00 P.M. Susan Motander is the organizer of the event, and anyone wishing to participate should contact Susan at home.

(b) On December 17, from 5:00 P.M. to 7:00 P.M. there will be a Holiday Music Extravaganza in Library Park with music provided by local talent.

(c) He thanked all community members who supported the new theater on its opening weekend, and he noted that it was a rousing success.

4. Mayor Pro Tem Adams reported that:

(a) Just before the parade on December 7, the Christmas tree in Library Park will be lighted, thanks to the Community Services Commission and their Staff.

(b) The following night, December 8, Chief Santoro will host a citizens' academy graduation at the Police Department.

(c) A week ago last Friday, the ribbon-cutting ceremony at Santa Fe Middle School celebrated their new gymnasium. As Santa Fe Middle School never had a gymnasium, this project was highly appreciated by the students.

5. Mayor Bartlett reported that:

(a) Several City employees will travel to Boston on December 5 to the National League of Cities. Monrovia will be conducting several workshops. City Manager Don Hopper, will attend, as will Chief of Police Joe Santoro, Councilmember Lara Blakely, City Attorney Michael Colantuono, and Mayor Bartlett.

(b) He reported on his trip to Germany from November 12 to 17. He and twenty-two others traveled there to test ride MAGLEV. The system exceeded expectations, as they rode at a speed of 253 mph on a 20-mile track and walked in the train car without feeling any vibration. He stated the Federal Railroad Administration will announce selection of an area where MAGLEV will be built, and is hopeful that Southern California will be the area selected.

(c) He reported on his trip to China where he visited a manufacturing plant, and he hopes that some of their products can be brought to Monrovia.

(d) He reminded the City Council and the Community that none of these trips are at taxpayer expense. All trips are privately funded.

(e) Before his trips, he visited Restaurant Devon and discovered that they have been included in the Zagett guide, and that they are ranked in the top fifty restaurants in the region. La Parisienne was also included in the top fifty restaurants in the region.

(f) Police Chief Joe Santoro reported that the Santa Tour 2000 will take place on December 16, 17, 18, 19 and 20 and will tour different parts of the City. KGEM will broadcast a Santa Tour 2000 map. Dave Fike and the Public Works Department have constructed a magnificent sleigh, which will carry approximately thirty-five people and will follow the lead Police vehicle and the Fire truck carrying Santa Claus.

(g) Support of San Gabriel Basin Water Quality Authority Board Candidate Chris Christiansen, Mayor, City of Covina; Resolution No. 2000-106

The San Gabriel Basin Water Quality Authority (WQA) was created in 1992 when the Governor signed Senate Bill 1679 into law. The WQA Board consists of five (5) Board members whose main function is to oversee the cleanup of the water basin. The Board currently has an open seat for a candidate and an alternate from a city with prescriptive pumping rights.

The City of Monrovia has prescriptive pumping rights and may cast four (4) votes for their candidate. In order to cast the votes, the City Council must pass a resolution supporting their candidate. Mr. Chris Christiansen, Mayor, City of Covina, has expressed an interest in the nomination to the Board and Staff felt that he would be supportive to cities with prescriptive pumping rights. He has been professionally involved in local and state government for over ten (10) years.

Staff recommended that the City Council adopt Resolution No. 2000-106 in support of Chris Christiansen as a Board candidate for the San Gabriel Basin Water Quality Authority.

It was moved by Councilmember Blakely, seconded by Councilmember Hammond, to adopt Resolution No. 2000-106, supporting Chris Christiansen, Mayor, City of Covina, as a Board Candidate for the San Gabriel Basin Water Quality Authority.

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

H. REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES: None

I. ADMINISTRATIVE REPORTS:

***1. Set for Hearing Historic Landmark HL-31 and Mills Act MA-31 for property located at 251 N. Encinitas by Owners Allen and Virginia Holmquist**

This matter was approved by order of the Consent Calendar.

At its meeting of November 15, 2000, the Historic Preservation Commission recommended approval of Historic Landmark designation and execution of a Mills Act contract with the property owners of the house at 251 North Encinitas Avenue. Staff recommended setting December 12, 2000 as the date for the Public Hearing.

***2. Destruction of Certain Police Records, Resolution No. 2000-105**

This matter was approved by order of the Consent Calendar.

Due to limited storage space, the Police Department routinely destroys inactive and obsolete paper records. The actual records were listed and detailed in the Staff Report. The adopted Budget included the cost of approximately \$500.00 for the shredding charges.

Staff recommended approval of this request for destruction of certain police records.

J. RESOLUTIONS & ORDINANCES:**1. Amendment of Title 5, Chapter 5.36.120, of the Monrovia Municipal Code Relating to the Mayor's Advisory Committee (MAC); Introduction and First Reading of Ordinance No. 2000-28**

Assistant City Manager Scott Ochoa reviewed the Staff Report.

Cities having Business Improvement Districts (BIDs) which incorporate an assessment on member businesses must also have an advisory committee to recommend to the City how assessment funds should be spent. In Monrovia, the Mayor's Advisory Committee (the "MAC") fulfills this role. Over the years, the MAC has gone through different forms and names, and has generally been quite successful.

However, with the advent of the Friday Night Family Festival, it became apparent that the loose structure of the merchants' organization could not sustain its business needs. And as Family Festival grew more successful, it actually became a revenue generating event as opposed to a promotion to bring people downtown on Friday nights. At that point, the merchants needed to form a non-profit mutual benefit corporation (the Monrovia Business Association or "MBA") to accommodate the cash flow.

Simultaneously, there was a request from a number of merchants for the City to become involved on several different matters, the most pressing being the development of an organizational structure that would address the range of their concerns. The culmination of this involvement came last year when the City Council approved Ordinance No. 99-09, putting into effect a number of organizational enhancements of the Mayor's Advisory Committee and outlining the MAC's relationship with the MBA.

The general idea was that the MBA would raise money (through revenue-generating activities like Family Festival and filming fees) to augment the MAC's BID assessment funds. These funds would then be used by the MAC to market and promote the downtown business district.

In practice, the dual organizational structure of the MAC and the MBA proved overly burdensome. From a positive standpoint, however, the abundance of structure firmly ingrained among the merchants the importance and value of operating under mutually agreed upon rules and standards. Now that a sustainable organizational structure has been set in place, the MAC board is requesting the Council consider scaling back the City's involvement of the merchants' day-to-day activities.

At their November 15, 2000 meeting the MAC board of directors voted to approve the following reorganization proposals:

- Convert the MAC into an advisory body only, similar to the City's other boards and commissions. Key to this proposal is the concept that every member of the BID is not a member of the MAC. In other words, the Mayor's Advisory Committee is in fact a committee and not an association;
- Reduce the size of the MAC from nine members to three;
- Have the MAC meet on a quarterly basis; and
- Have the Mayor appoint, with the Council's consent, the members of the MAC to serve for two-year terms.

The key component of the proposed reorganization is that the MAC would become strictly advisory and that its goals and objectives - the promotion and marketing of downtown - would be achieved via a contract with an organization outside the City umbrella. Because the MBA is an association comprised of the large majority Old Town businesses, it would likely be the most capable organization to do the job. Additionally, responsiveness and overall effectiveness should be improved by the MBA's ability to operate under the California Corporations Code, as opposed to the very strict Government Code. At that point, the MAC would ensure accountability by acting as an overseer of the MBA's performance. The other points further reflect the merchants' desire to focus on the MBA and the day-to-day business of the Old Town.

Allowing the MAC to convert into an advisory role that in turn recommends to the City a contract be awarded to the MBA to achieve its goals and objectives is a logical step to advance the merchant organization's evolution. The current MAC and MBA boards have worked diligently to foster cooperation and adherence to the rule of law. Staff recommended that the Council adopt Ordinance No. 2000-28 and grant the merchants the opportunity to further develop their responsive, responsible, and successful organization.

It was moved by Councilmember Blakely, seconded by Councilmember Hammond, to introduce and read by title only Ordinance No. 2000-28 amending Title 5, Section 5.36.120, of the Monrovia Municipal Code relating to the Mayor's Advisory Committee. As there were no objections, City Attorney Colantuono read as follows:

ORDINANCE NO. 2000-28 IS AN ORDINANCE OF THE CITY COUNCIL OF MONROVIA, CALIFORNIA, AMENDING TITLE 5, SECTION 5.36.120, OF THE MONROVIA MUNICIPAL CODE RELATING TO BUSINESS IMPROVEMENT DISTRICT NUMBER 2.

2. Amendment of Title 2, Chapter 2.56 and Title 5, Chapter 5.92 of the Monrovia Municipal Code relating to Valet Parking; Second Reading and Adoption of Ordinance No. 2000-27

This was the second reading and final adoption of Ordinance No. 2000-27 amending Title 2, Chapter 2.56 and Title 5, Chapter 5.92 of the Monrovia Municipal Code, relating to valet parking. Staff continued to recommend approval of this Ordinance.

It was moved by Councilmember Garcia, seconded by Mayor Pro Tem Adams, to introduce and read by title only Ordinance No. 2000-27. As there were no objections, City Attorney Colantuono read as follows:

ORDINANCE NO. 2000-27 IS AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, AMENDING TITLE 2, CHAPTER 2.56, ADMINISTRATION AND PERSONNEL, AND TITLE 5, CHAPTER 5.92, BUSINESS TAXES, LICENSES AND REGULATIONS OF THE MONROVIA MUNICIPAL CODE RELATING TO VALET PARKING

It was moved by Councilmember Hammond, seconded by Mayor Pro Tem Adams, to adopt Ordinance No. 2000-27.

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

3. Amendment of Title 8, Chapter 8.10 of the Monrovia Municipal Code Relating to Commercial/Industrial Solid Waste Collection and Disposal; Second Reading and Adoption of Ordinance No. 2000-26

This was the second reading and final adoption of Ordinance No. 2000-26 amending Title 8, Chapter 8.10 of the Monrovia Municipal Code, relating to commercial/industrial solid waste collection and disposal. Staff continued to recommend approval of this ordinance.

It was moved by Mayor Pro Tem Adams, seconded by Councilmember Garcia, to read by title only Ordinance No. 2000-26. As there were no objections, City Attorney Colantuono read as follows:

ORDINANCE NO. 2000-26 IS AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, AMENDING TITLE 8, CHAPTER 8.10 OF THE MONROVIA MUNICIPAL CODE RELATING TO COMMERCIAL/INDUSTRIAL SOLID WASTE COLLECTION AND DISPOSAL.

It was moved by Mayor Pro Tem Adams, seconded by Councilmember Garcia, to adopt Ordinance No. 2000-26.

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

***K. PAYROLL & VOUCHERS:** Payroll No. 24 in the net amount of \$452,388.31 and Voucher Numbers 90678 through 90940 non-sequentially in the amount of \$801,966.16 were adopted by order of the Consent Calendar.

L. SCHEDULED MEETINGS:

The next Regular Meeting of the Monrovia City Council is scheduled for Tuesday, December 12, 2000, 7:30 p.m., Council Chambers, 415 South Ivy Avenue, Monrovia, California.

Mayor Bartlett announced that the December 26, 2000 City Council Meeting had been cancelled.

M. CLOSED SESSION: None


N. **ADJOURNMENT:** The meeting was adjourned at 9:30 P.M. in memory of Leo E. Schamadan, Jay C. Adams, and Danny K. Ross.

APPROVED:



Robert T. Bartlett, Mayor

ATTEST:



Linda B. Proctor, CMC, City Clerk