

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY JULY 23 2002 7 30 P M**

CONVENE Mayor Lara Larramendi Blakely convened the Regular Meeting of the Monrovia City Council of Tuesday July 23 2002 at 7 37 P M in City Council Chambers 415 South Ivy Avenue Monrovia California in memory of Mrs Donna L Hammond mother of Mayor Pro Tem Rob Hammond

INVOCATION City Clerk Linda B Proctor led the Invocation

PLEDGE OF ALLEGIANCE Councilmember Victor M Franco led the Pledge of Allegiance

ROLL CALL In attendance were Councilmembers Tom Adams Victor M Franco Joe Garcia Mayor Pro Tem Rob Hammond and Mayor Lara Larramendi Blakely

REPORT OF CLOSED SESSION(S)

July 9 2002

1 Conference with Labor Negotiator Pursuant to Government Code Section §54957 6 Agency Negotiator Theresa St Peter Group Employee Monrovia Police Association

City Attorney Craig A Steele stated no reportable action was taken and directions were given to Staff

July 15 23 2002

1 Personnel Public Employment Pursuant to Government Code §54957 Interviews for Position of Police Chief

City Attorney Craig A Steele stated no reportable action was taken and directions were given to Staff

PRESENTATIONS

1 Special Recognition of Bowden Development Inc and Recognition of Blaine Fetter Seidner Collision 1 Take Permitting and Location Services Monrovia Rotary Club Monrovia Escrow Joe and Kathy Garcia Monrovia Youth Commission Kiku Inc Ferrari Bros and Neighborhood Pawn Inc Monrovia Police Officers Association and Monrovia Firefighters Association and Century 21 Adams and Barnes for Their Generous Contributions to the Skate Park and Youth Center

Mayor Blakely introduced Recreation Division Manager Michele Tompkins and Community Services Commission Chair Mary Ann Lutz who presented a special recognition plaque to Fred and Diane Bowden of Bowden Development for their \$125 000 00 donation Individuals representing the following businesses and private donations were introduced and recognized for their financial contributions to the Skate Park Blaine Fetter (not able to attend) \$7 500 00 Seidner Collision \$3 500 00 1 Take Permitting and Location Services \$3 500 00 Monrovia Rotary Club \$1 500 00 Monrovia Escrow \$1 500 00 Joe and Kathy Garcia \$1 250 00 Monrovia Youth Commission \$1 050 00 Kiku Inc (an anonymous donation) \$1 000 00 Ferrari Bros (unable to attend) and Neighborhood Pawn Inc \$3 000 00 Monrovia Police Officers Association and Monrovia Firefighters Association \$2 000 00 and Century 21 Adams and Barnes \$1 500 00

2 Recognition of Jan-Kens Enameling Co Metric Machining and Xcel Corporation Circuit Molding Division for Receiving the County Sanitation Districts of Los Angeles County s Certificate of Recognition as Good Corporate Citizens

Tammy Evans Management Analyst I and Paul Martin of the Sanitation Districts of Los Angeles County introduced and presented a Certificate to Greg Little of Jan-Kens Enameling Co Harry Smith and Daniel Thompson were not in attendance

The Sanitation Districts have a special Certificate of Recognition program honoring industries in full compliance with all Sanitation Districts industrial waste requirements over the past calendar year Their extra effort enables them to be listed on the Sanitation Districts Good Corporate Citizen list and receive certificates of recognition form the Sanitation Districts

The City recognized these businesses for their positive efforts to practice environmentally responsible business practices in their industries

3 Introduction of Newly Hired Police Officer Hugo Perez

Captain Terry Dochnahl introduced and gave a brief history of newly hired Police Officer Hugo Perez to the Mayor City Council and the community Mayor Blakely welcomed Officer Perez to the Monrovia family

4 Neighborhood Pride Program Award Winners Single Family/Owner Occupied Category for Property Located at 518 East Olive Avenue Owners Tony and Rosie Martinez and Multi-Family Rental Category for Property Located at 302 East Colorado Boulevard Owners Joe and Angelica Garcia

Bill Skiles Neighborhood Preservation Manager introduced the third quarter Neighborhood Pride Program award recipients Tony and Rosie Martinez Single Family/Owner Occupied Category for property located at 518 East Olive Avenue and Joe and Angelica Garcia Multi-Family Rental Category for property located at 302 East Colorado Boulevard who were recognized for maintaining their properties in an outstanding manner

Each family was presented with a basket of Monrovia memorabilia and a Certificate of Recognition by the Mayor and City Council

PROCLAMATIONS None

STUDENT GOVERNMENT REPRESENTATIVE REPORT To resume on September 10 2002

A CONSENT CALENDAR

It was moved by Councilmember Franco seconded by Mayor Pro Tem Hammond to approve the Consent Calendar consisting of Items *B *F-1 *F-2 *F-3 *F-4 *I-3 *I-4 *I-5 *I-6 *I-7 and *K

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

***B MINUTES** The Minutes of the Regular Meeting of July 9 2002 were approved by order of the Consent Calendar

C ORAL COMMUNICATIONS

- 1 Steve Miller Monrovia expressed his opinion of Mayor Blakely
- 2 Cyrus Kemp Monrovia expressed his opinion of City Attorney Steele
- 3 Jim Konkle Executive Director International Route 66 Preservation Foundation requested support of the City Council for a matching grant of \$50 000 00 regarding the Aztec Hotel as a Route 66 landmark
- 4 Nancy Zack Monrovia congratulated Police Chief Santoro and Fish and Game for the handling of the bear incident today She recommended that water be trucked to the wilderness area for water for the wild animals
- 5 Martha Welch Monrovia stated that she concurred with Ms Zack's comments regarding water for the wild animals in the wilderness area and expressed her displeasure regarding the coverage of the bear incident by the media that had up to six helicopters hovering overhead
- 6 Cyndi Watson Monrovia spoke in favor of time limits and for the use of the LimitTimer
- 7 Jennifer Ranger Monrovia thanked the Councilmembers and Mayor Blakely City Attorney Steele and all the City Staff for all the things they do right stated that she believed in the process and expressed her opinion about those speakers who were disrespectful
- 8 Rosemary Harrahill Monrovia took exception to allowing a resident to speak after the time that she believed Oral Communications were closed and expressed her displeasure at being called out of order at a previous meeting
- 9 Gloria Crudginton and Mary Ann Lutz Monrovia Wilderness Preservation Steering Committee (WPSC) members stated that at the last meeting of the WPSC there was a regrettable incident whereby one of the Committee members made comments that she felt were inappropriate and forced her to immediately call for a recess of the Committee meeting She stated that she believed there was a difference in expressing one's opinion and the manner of expressing one's opinion inappropriately and disrupting Committee business She further stated that since the Committee members were appointed by and serve at the pleasure of the Mayor she was there to report the incident and was also at a loss on how to proceed with the situation asking direction from the Council concerning the manner Mary Ann Lutz representing the Community Services Commission on the Committee stated that she spoke for herself and others on the Committee and that the report relayed to the City Council by Ms Crudginton were sentiments of Ms Crudginton and many of the others members of the Committee including herself
- 10 Clare Chesley Monrovia announced the Police Department's National Night Out on August 8 2002 6 00 P M in Library Park There will be fingerprinting for children and officers to explain Stranger Danger She asked that the City Council write a letter to Congressman Dreier asking him to put pressure on the Mexican Government to return Armando Garcia the alleged killer of Deputy David March unconditionally and to Congressman Adam Schiff in support of his efforts in urging the President to get the cooperation of the Mexican government in extraditing murder suspects She expressed pleasure for the Family Camp Out in Canyon Park this weekend She opposed the three-minute time limit stating that she believed it was in place to alleviate long meetings
- 11 Tina Aluzzi Monrovia stated that Brendon Gray was struck by a trash truck that backed up on him at Wyland Way and Peck Road She asked that a Crossing Guard or a traffic light be assigned or installed at the three-way intersection She stated that students using the intersection go to Plymouth Elementary School and Santa Fe Middle School and walk and ride their bicycles to school
- 12 Richard Keck Monrovia asked for donations from individual City Councilmembers for Monrovia High School Marching Band uniforms He stated that \$20 000 00 was needed this month if new uniforms were to be received by the end of October
- 13 Anna Ocampo Youth Commissioner Monrovia spoke in support of donations for new uniforms and Mayor Blakely

In response to the call for donations for uniforms Mayor Blakely ascertained that contributions could be sent to the Monrovia High School Band Boosters at Monrovia High School

Councilmember Garcia addressed the points that Ms Crudginton and Ms Lutz made during Oral Communications stating that he sits as the City Council representative to the Committee and he too was shocked and dismayed by the incident He requested that the City Attorney investigate this manner and report back all of the facts at a subsequent meeting There were no objections

Mayor Blakely referred the materials submitted by Mr Konkle to Staff

City Manager Donald R Hopper stated that as the intersection referred to by Ms Aluzzi was in the County area but relating to Monrovia schools it was appropriate to refer it to Monrovia Unified School District for their direction and deployment of a Crossing Guard Unfortunately the City of Monrovia's Traffic Studies would have no data for County areas He stated that Assistant City Manager Scott Ochoa and Public Works Director David Fike would help get information for Ms Aluzzi through the County

Regarding Mrs Chesley's request letters will be sent under the City Council's signature to Congressmen Dreier and Schiff Legislation introduced by Congressman Schiff will be brought back on a subsequent Agenda for City Council action

In response to a comment from Mrs Chesley Mayor Blakely stated that she did not mind long meetings

In response to Ms Zack and Ms Welch's request for water for the wildlife City Manager Hopper stated that this need would be a great opportunity for the conservancies in town to take on as a project and would be a great volunteer community effort for the organizations whose mission is to protect the flora and fauna In response to the complaints about the noise from the helicopters City Attorney Steele stated that the FAA controls air space and that a letter of complaint can be sent to them either at the Van Nuys Airport where the helicopters are stored or at the nearer El Monte airport

In response to Ms Harrahill's comments Mayor Blakely stated that she had previously addressed the regrettable incident regarding the Planned Parenthood issue She stated in regard to Oral Communications the difference was that Ms Fitzpatrick had not spoken during Oral Communications and came to the podium to address the City Council after which Mayor Blakely asked again if there were others who wished to speak whereas at the City Council Meeting previously Ms Harrahill had already spoken and was shouting from the back of the room Mayor Blakely further stated that that was the reason the City Attorney had ruled Ms Harrahill out of order

D PUBLIC MEETINGS/HEARINGS

1 To be Opened and Continued, Amending Title 5 Chapter 5 48 Part 2 of the Monrovia Municipal Code Establishing Consumer Protection and Service Standards for Franchised Cable Television Operators, Introduction and First Reading of Ordinance No 2002-10

Staff recommended that the Public Hearing regarding the amendment to Title 5 Chapter 5 48 Part 2 of the Monrovia Municipal Code establishing consumer protection and service standards for franchised cable television operators be opened and continued to a date uncertain

PUBLIC HEARING OPENED AND CONTINUED Mayor Blakely opened and continued the Public Hearing There was no one who wished to speak for or against the matter

It was moved by Councilmember Franco seconded by Councilmember Garcia to continue the Public Hearing

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

2 To be Opened and Continued Historic Landmark HL-42/Mills Act Contract MA-40 for Property Located at 433 East Colorado Boulevard by Owners Lara McKinley and Gayle Lev Resolution No 2002-68

Staff recommended that the Historic Landmark HL-42/Mills Act Contract MA-40 for property located at 433 East Colorado Boulevard be opened and continued to August 13 2002 so that it could be properly advertised

PUBLIC HEARING OPENED AND CONTINUED Mayor Blakely opened and continued the Public Hearing There was no one who wished to speak for or against the matter

It was moved by Councilmember Garcia seconded by Councilmember Adams to continue the Public Hearing to August 13 2002

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

3 Congestion Management Program (CMP) Local Implementation Report Resolution No 2002-67

Alice Griselle Director of Community Development reviewed the Staff Report

The ninth year of the Congestion Management Plan (CMP) implementation by cities in Los Angeles County is underway The CMP is heavily dependent on local government actions and requires every city in the county to participate in mitigating vehicular trips As part of the Congestion Management Plan cities are required to adopt and file a Local Implementation Report The City is required to keep a CMP "checkbook" or a Deficiency Plan Status Summary As building projects are approved the City keeps track of all new development which are the debits and then tries to balance them with credits which are demolitions or mitigation measures Resolution No 2002-67 would adopt Monrovia's Local Implementation Report which includes the Deficiency Status Summary Report for report period of June 1 2001 to May 31 2002 Monrovia's 2001-02 credit balance is 10 491

The City receives debit points for new construction and credits for transportation improvement and demolitions The City of Monrovia with no CMP designated routes has a difficult time in obtaining credits through the Toolbox Strategies listed in the Congestion Management Plan These strategies are structured to benefit communities with Transit Centers and CMP Arterial Routes Luckily the dial-a-ride program gave us lots of points the first year of the program and the City has been able to balance demolition of square footage with new construction fairly effectively The City is in compliance with CMP requirements but would continue to monitor the program and look for creative ways to earn CMP credits The addition of the electric trolley in the Fall will allow the City to earn several thousand credits next year and we should be in conformance with CMP requirements for the foreseeable future Staff will continue to monitor the program and provide feedback to Metropolitan Transportation

Authority (MTA) staff in the development of future plans so that Monrovia remains in compliance

PUBLIC HEARING OPENED AND CLOSED Mayor Blakely 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 Franco to adopt Resolution No 2002-67 and direct Staff to submit the required report to the Metropolitan Transportation Authority

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

CONVENE MONROVIA REDEVELOPMENT AGENCY MEETING WITHOUT ADJOURNING CITY COUNCIL MEETING

CONVENE Chairman Lara Larramendi Blakely convened the Regular Meeting of July 23 2002 of the Monrovia Redevelopment Agency Board of Directors at 8 59 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 Victor M Franco Joe Garcia Vice-Chairman Rob Hammond and Chairman Lara Larramendi Blakely

A CONSENT CALENDAR

It was moved by Boardmember Garcia seconded by Boardmember Adams to approve the Consent Calendar consisting of MRA Items *B

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

***B MINUTES** The Minutes of the Regular Meetings of July 9 2002 were approved by order of the Consent Calendar

MRA REPORTS None

MRA ADJOURNMENT Chairman Blakely adjourned the Monrovia Redevelopment Agency Meeting at 8 59 P M and the City Council Meeting continued

RECONVENE MONROVIA CITY COUNCIL MEETING

E BIDS None

F COMMUNICATIONS AND PETITIONS

***1 Denial of Liability Claim Don De La Rosa v City of Monrovia**

This matter was approved by order of the Consent Calendar

Mr De La Rosa claimed that on May 31 2002 while traveling eastbound on Foothill Boulevard just past Ivy Avenue he sustained damage to his vehicle He was changing lanes when a damaged lane marker slashed his tire

Public Works Staff indicated that the lane markers conform to Caltrans specifications. The maximum height ranges from $\frac{3}{4}$ to $\frac{7}{8}$ of an inch for the markers. At this height a lane marker would not slash a normally inflated sidewall. The City did not have any actual or constructive knowledge of a problem in this area. Additionally, City records show there was no construction activity in this area on the date of the incident. The City bore no responsibility in this matter.

Claimant sought \$111.05 in damages. Staff recommended that the City Council deny this claim.

***2 Denial of Liability Claim Leona Williams v City of Monrovia**

This matter was approved by order of the Consent Calendar.

Ms. Williams claimed that on May 14, 2002, she slipped and fell due to some asphalt debris at the curb in front of her residence. As a result, she has incurred medical bills for treatment of injuries to her right arm, knee, and back.

Public Works records indicated that a private contractor was performing slurry seal work in this area at the time of this incident. The City of Monrovia is covered as an additional insured under the contractor's insurance policy. Therefore, the City bore no responsibility for this matter.

Ms. Williams was notified to contact this private contractor to further pursue this issue.

Claimant sought an unspecified amount of damages. Staff recommended that the Council deny this claim.

***3 Denial of Liability Claim Adam Sanwald v City of Monrovia**

This matter was approved by order of the Consent Calendar.

Mr. Sanwald claimed that on June 24, 2002, he was driving north on Magnolia Avenue when he ran over a large metal plate in the road. The plate ripped off his muffler and bent all of the piping on the underside of the vehicle.

Public Works records indicated that a private contractor had the steel plates placed in the roadway as part of work they were performing. The City of Monrovia is covered as an additional insured under the contractor's insurance policy. Therefore, the City bore no responsibility for this matter.

Mr. Sanwald was notified to contact this private contractor to further pursue this issue.

Claimant sought \$638.63 in damages. Staff recommended the City Council deny this claim.

***4 Denial of Liability Claim Jose Martinez v City of Monrovia**

This matter was approved by order of the Consent Calendar.

Mr. Martinez claimed that on Wednesday, May 29, 2002, while driving northbound on Myrtle Avenue between Walnut and Chestnut Avenues, he noticed some rock debris on the street. He swerved but was unable to avoid hitting a piece of a brick that punctured the front right tire and also damaged the right rear tire.

Public Works records indicated that there was no construction activity in the vicinity Street sweeping is performed every Sunday night on Myrtle Avenue Mr Martinez daughter called to report the incident Staff immediately went out to investigate and found no rock debris in the roadway or adjacent gutters The City did not have actual notice of the presence of any debris in the roadway Additionally there was insufficient time for the City to have constructive notice Therefore the City bore no responsibility in this matter

Claimant sought \$85 95 in damages Staff recommended the City Council deny this claim

G REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

1 Councilmember Garcia reported that

(a) He would be attending the Mayors and Councilmembers Forum for Elected Officials Redevelopment Conference in Monterey this week One of the general sessions will allow the City to give a case study of the downtown revitalization project which was awarded the 2002 California Redevelopment Association Award of Excellence He and Scott Ochoa will give the case study to the 400 plus cities that would be represented there

2 Councilmember Franco reported that

(a) In light of the tragic events of the five-year old Stanton child Samantha Runnion who was kidnapped and murdered recently he requested that Captain Roger Johnson relate the types of programs available in the public schools regarding these kinds of dangers Captain Johnson explained the Stranger Danger Program and presented a Channel 9 news clip from a Stranger Danger session in a classroom in Monrovia Incredibly even after young students were told of the dangers of going with a stranger one young student still left the classroom with an undercover police officer unknown to the child who asked for help in finding his dog The message to parents was to keep on any eye on their kids train them how to not be susceptible and keep them safe

(b) Three-Minute Time Limit for Speakers Regarding Items on the Agenda (excluding Oral Communications)

He stated that he had asked this matter to be agendized several weeks ago for discussion as he believed it was no longer serving the interests of the citizens of Monrovia He reviewed his concerns regarding the matter noting that he believed citizens should be encouraged to give public input rather than discouraged He stated that he believed there was a difference in agendized and non-agendized items and recommended lengthening the time limits for agendized items especially to allow citizens to feel that they had been able to convey their message Mayor Pro Tem Hammond expressed his opinion that the number of minutes should be lengthened and his reasons He stated as Councilmember Franco stated that more information was better than less information in making decisions for the City He also spoke in opposition of the use of the LimitTimer In response to Councilmember Adams inquiry City Attorney Steele stated that The Brown Act provides for time limits with no specification of how much time and that the latest Attorney General opinion did indeed opine that five minutes was reasonable while a recent Ninth Circuit Federal case upheld a three minute time limit Mayor Pro Tem Hammond stated that the Mayor needed to run a cohesive professional business meeting and that guidelines were in order to allow her to do so and that people needed to be able to talk in a cognitive manner and feel that they had been able to have their feelings known Councilmember Garcia stated that he believed there had been a loss of decorum for speakers who have come to speak and that some speakers who were speaking for the first time on an issue that may impact their lives could not do so in a three-minute time limit He suggested being flexible to see how that worked

4 Mayor Pro Tem Hammond reported that

(a) He attended the Independent Cities Association with Councilmembers Adams Franco and Garcia in San Diego last week and presented the Blue Star Spirit Package and Pen Pal Programs to representatives of approximately fifty-five cities There was a terrific and immediate response and some very good news coverage that fed into the seminar very well He stated that he could see some movement that the program could be expanded not to just neighboring cities but to all of southern California A package containing information for all of the programs was sent to Congressman David Dreier today He further stated that the programs can be implemented all over the United States

(b) Monrovia Old Town Advisory Committee (MOTAB) Development Review Committee Representative

Community Development Director Alice Griselle reported that in response to Mayor Pro Tem Hammond s request for a representative of the Monrovia Old Town Advisory Board (MOTAB) to sit on the Development and Review Committee MOTAB had appointed Paul Kalemkarian with Ted Goldbeck as an alternate He will sit on the DRC when there are issues related to the downtown area such as signage and outdoor displays

(c) Three-Minute Time Limit for Speakers Regarding Items on the Agenda (excluding Oral Communications) This item was taken in its entirety under Councilmember Franco s report

(d) Wilderness Preserve Property Tax Exemption

Mayor Pro Tem Hammond reported that the deadline was nearing for senior citizens to request a tax exemption for the hillside property tax Administrative Services Director Mark Alvarado reported that residents could obtain a request form at City Hall at his office in the City Clerk s office at the Library or at the Community Center Forms will also be mailed upon request The applicant must be at least 62 years old have his/her primary residence in Monrovia and fall into the category of very low income as per the guidelines of the State of California—for example for a household of one the income can be no more than \$20 000 00 Thursday August 1 2002 6 00 P M is the deadline

(e) He thanked the entire community for its outpouring of graciousness during the last week regarding the loss of his mother He stated that all of the cards and telephone calls meant a lot to him and his family He stated that it was very nice and comforting to know that you have friends in difficult times and thanked everyone for their kindness

Mayor Blakely called a recess from 10 01 P M 10 10 P M

5 Mayor Blakely reported that

(a) The State budget was still not balanced but that the City had done its job by adopting a balanced budget prior to the June 30 2002 deadline Shortfalls in the past had been filled on the backs of cities When that happened the City was then out of balance and had to rebalance its budget in October She stated that this may again happen

(b) She attended the regular meeting of the Gold Line Phase II meeting which is an Ad Hoc Committee of Representatives Electeds and Staff Alice Griselle represents Monrovia one of the eleven cities along the Gold Line route At the last meeting they began the transition from Phase I to Phase II of the Gold Line The electricity and the rail stations are being installed and the stations are due to open in July 2003 with the test runs beginning in January 2004 They have submitted a request to Congress for \$9 million supported by the Governor and all the of the San Gabriel Valley legislators for preliminary engineering

(c) She attended the National League of Cities Board meeting last Friday through Sunday of which she is Chair Spectrum is still one of the important items discussed Vicki Barnett Vice-Chair of the Committee urged her to check Monrovia companies on the FCC internet site to find out who needs to renew their licenses regarding the band Mayor Blakely stated that she would submit her entire report to Staff for follow-up

(d) Reappointment by California Legislature Senate Rules Committee to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy – Oath of Office

At the last meeting of the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy they began discussion of the common ground report and also the beginning of the allocations of the Prop 40 monies that are coming to the Conservancy \$40 million total and about \$18 million will be coming to the Conservancy from the State when the budget is adopted Bev Perry Brea Chair Frank Colonna Long Beach and she are concerned with the report that the recommendation from the working groups talks about allocating at least 60 to 75 percent of the funds to river projects as opposed to mountain projects She told them she could not support that as the area of mountains was far greater in proportion than the areas of rivers The item was set aside to discuss in September and she will continue to work on an amicable solution As the representative for the mountains she felt it very unfair to allow such a disproportionate amount of money to go to rivers

City Clerk Proctor then administered the Oath of Office to Mayor Blakely for her reappointment to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy by the California Legislature Senate Rules Committee

H REPORTS OF COMMISSIONS BOARDS AND COMMITTEES None

I ADMINISTRATIVE REPORTS

1 Consideration of the Monrovia Fire Department's Hillside Safety and Hazard Management Plan

Fire Chief Sam DiGiovanna reviewed the Staff Report with the aid of a PowerPoint presentation

With the City's pending acquisition of the Miller Bowden and Steve Pokrajac properties the Fire Department has taken the lead in developing a plan for addressing fire safety issues on the property and assessing the fire risk associated with the preservation of open hillside land Considering that the City and indeed the entire region is facing the worst brush fire season in decades it is imperative that Monrovia has a comprehensive management plan ready to be implemented once the property is acquired

The two main facets of the program focus on Fire prevention and safety and securing access to the property With respect to fire prevention and safety the Department has been very proactive on several different fronts State-of-the-art training forms the foundation of effective firefighting efforts Augmenting resources is key and the Department has aggressively pursued grant and partnership opportunities Thus far the Department has been successful in forging a mutual response agreement with the State Office of Emergency Services (OES) which has resulted in the OES providing Monrovia with firefighting apparatus that is housed in Station No 1

The third prong of the fire prevention and safety component is brush clearance Despite the efforts of both Department personnel and hillside residents alike however some areas of our foothills remain extremely difficult to clear Specifically the Ruby Canyon area has historically proven one of the steepest and most difficult areas to enforce the required 200 minimum clearance standard Given the unique and hazardous condition of this area the Department wrote for and received a \$45 000 00 grant to utilize goats to abate brush in Ruby Canyon As odd as it sounds goats do a very effective environmentally sensitive job of abating hazardous brush conditions Sure-footed animals that they are the goats are able to get up along steep canyon walls ridges and other places that humans and machinery would find it difficult or impossible to reach under controlled conditions Similar firefighting goat programs are

employed in the cities of Laguna Claremont and Malibu Staff presented this program to the Wilderness Preserve Steering Committee as an information item at the WPSC s July 16 2002 meeting Committee members voiced several environmental concerns An environmental review is a requirement of the program as detailed by BLM Still given the unconventional nature of the program Staff will conduct a neighborhood meeting and provide education to residents to fully explain the logistical details of the operation Staff is also working with the Bureau of Land Management State Fish and Game and an environmentalist and is listening to concerns from everyone

The fourth piece of the fire prevention and safety program is regular patrols by Fire Department personnel Throughout the brush fire season Department vehicles will patrol hillside neighborhoods In terms of securing access to the soon-to-be-acquired properties the Department is coordinating two key endeavors in conjunction with the Department of Public Works Fire Department personnel are developing a security system that will monitor access to the Clamshell Truck Trail through the Cloverleaf gate This access point is the most readily available to the public and until a land use management plan is developed and implemented access to the site must be secured Staff has been in contact with the private property owners who live above the gate along the truck trail There is consensus that site security is a shared paramount issue Also the Fire Department has identified the existing caretaker's house as a prime location for a ranger station or "wilderness sub-station" Upon the caretaker's vacation of the premises Department personnel will begin rehabilitating the structure as a serviceable fire station The station will serve as a logistical base of operations for hillside patrols brush clearance activities and public outreach

In terms of apparatus and staffing the Department is currently developing a cooperative agreement with the US Forest Service to house a USFS Wildland Type III engine at the station The Department is also recommending that two firefighters and a patrol vehicle be housed at the station as soon as possible for the remainder of the brush fire season While the patrol vehicle is available in the Department pool the two firefighters would be funded through overtime staffing The Fire Department has received a grant for a 2000-gallon water tender to be used during brush fires and disasters yesterday While this Hillside Safety and Hazard Management Plan identified a wide range of activities most of them are grant funded or may be absorbed into ongoing operations

Mayor Blakely commended Chief DiGiovanna and his Staff for scouring the multitudes of grants available and coming up with those that were pertinent to the Fire Department Chief DiGiovanna replied that they had received four grants within four months Councilmember Adams commended the Chief and his crews for their willingness to put the training tower together on their own time and his crews willingness to convert the caretaker house to a station on their own time He stated that it was just phenomenal how he and his department and the people who work under him have been willing to do so much for this community on their own time to maintain the level of safety that the community enjoys Chief DiGiovanna stated that they were the most energetic highly motivated with high spirits and morale awesome group of individuals He also stated that there was not another community that is as pro-active to mitigate a brush fire in its community

It was moved by Councilmember Franco, seconded by Mayor Pro Tem Hammond to approve the Hillside Safety and Hazard Management Plan to fund the staffing of two firefighter positions at the Wilderness Sub-station for the remainder of the brush season

Those speaking

1 Steve Miller thanked the Fire Department for its work and looked forward to what unfolded

2 Cyrus Kemp Monrovia congratulated Fire Chief DiGiovanna stating that he feels safe at night and during the day with the fire protection offered by the Fire Department

3 Lou Petrie Monrovia supported the proposed program and prayed it reduced the potential for fire He stated that he was burned out in the early 1960 s He encouraged the City Council to take whatever steps necessary to reduce to the lowest degree possible a repeat of that kind of fire in the canyons

4 Dr Gary Wallace Monrovia botanist expressed his opposition to the use of goats and reviewed the comments he had received from experts that he had contacted He warned that facts on the goats should be gotten before the goats were used Discussion ensued including the pros and cons of the use of goats where they should be located and how they should be herded

5 Gloria Crudgington Monrovia stated that she personally believed the right thing to do was to move ahead with the environmental studies She stated that she was impressed with Staff's and the community's willingness to be educated

ROLL CALL

**Ayes Councilmembers Adams Franco Garcia Mayor Pro
Tem Hammond Mayor Blakely
Motion carried 5-0**

2 Household Hazardous Waste Door-to-Door Program Agreement with Curbside Inc In the Amount of \$20,000 00

Scott Ochoa Assistant City Manager reviewed the Staff Report with the aid of a PowerPoint presentation

The Service Agreement with Curbside Inc for implementation of a Door-to-Door Household Hazardous Waste Collection Program would provide collection of household hazardous waste directly from the homes of residents where even the most under-served residents can be accommodated such as seniors disabled residents and those who cannot drive to Los Angeles County HHW Roundup events Residents will not be required to be home for collections to occur Currently the \$20 000 00 program budget will provide a minimum of 250 stops through June 30 2003 Actual program duration would be determined by the rate that residents call for service and controlled through public education activities

The program will be monitored through Participant Surveys and Program Performance Reports Each participant will have the opportunity to complete and return a postage-paid survey card to assess the level of customer satisfaction and over-all performance of the program Curbside will also assist City Staff with the development and implementation of a successful public education program City staff will roll-out the program beginning in August and will ensure that the public is aware of the availability of the program and are educated about the proper disposal of household hazardous waste There will be bilingual announcements

The cost for the program is based on a two-tiered pricing schedule determined by the type of materials collected per stop Special service will be provided on an as needed basis for senior/disabled participants who may not be able to lift and assemble their material for collection All services provided by Curbside including assistance with public education are included in the per stop cost

The cost of the program was included in the Fiscal Year 2002/2003 budget Annual cost of the program was \$20 000 00 with funds coming from the Integrated Waste Management Fund Additionally \$2 000 00 has been set aside from the Used Oil Block Grant for fund activities allowed under the grant guidelines The cost to residents was \$2 60 annually per

completed all work on October 25 2001 The actual field measured quantities totaled \$267 867 41 Change Order No 1 was for slurry sealing of the City Hall parking lot and additional traffic reflectors to replace broken and damaged reflector buttons

The total project cost was \$267 867 41 Funds for this project were available through the City Street Maintenance Fund Staff recommended that the City Council accept the contract work as completed by Pavement Coating Company (5312 Cypress Street Cypress CA 90630) in the amount of \$267 867 41 approve Change Order No 1 and direct the City Clerk to file a Notice of Completion with the County of Los Angeles Recorder

***5 Authorization to Participate with the Coalition for Practical Regulation in a Legal Challenge of the Los Angeles River Trash Total Maximum Daily Load (TMDL) Resolution No 2002-70**

This matter was approved by order of the Consent Calendar

Adoption of Resolution No 2002-70 authorizes the City of Monrovia's participation with the Coalition for Practical Regulation's (CPR) in filing of a lawsuit in State Court against the Los Angeles Regional Water Quality Control Board and the State Water Resources Control Board and a lawsuit in Federal Court against the United States Environmental Protection Agency (EPA) Challenging the Trash Total Maximum Daily Loads for the Los Angeles River

The estimated cost for the State and Federal lawsuits is \$120 000 00 approximately \$3 000 00 per city member Costs for the litigation are covered in the City's annual membership dues to CPR No additional funds are requested at this time

Staff recommended that the City Council adopt Resolution 2002-70 authorizing the filing of a lawsuit in State Court against the Los Angeles Regional Water Quality Control Board and the State Water Resources Control Board and a lawsuit in Federal Court against the United States Environmental Protection Agency (EPA) Challenging the Trash Total Maximum Daily Loads for the Los Angeles River

***6 Confirmation of the 2001-2002 Annual Weed Abatement Charge List**

This matter was approved by order of the Consent Calendar

Each year the Los Angeles County Department of Agricultural Commissioner/Director of Weights and Measures identifies properties in Monrovia that contain excessive weeds brush or rubbish and constitute a public nuisance or health and safety concern On February 26 2002 a Protest Hearing was held No property owner protested

As the identified lots were cleared it was appropriate to confirm the charges that would ultimately be placed on the owners property tax bills All affected property owners were notified that the County was requesting confirmation of its final cost report at the July 23 2002 City Council meeting A copy of the declaration list was posted as per legal requirements One-hundred and fifteen pieces of property were cleared by the County for a total cost to the owners of \$11 450 87 A representative of the Weed Abatement Division Los Angeles County was in attendance to answer any questions

Staff recommended that the City Council confirm the report of the Los Angeles County's 2001-2002 weed abatement charges for abating weeds trash and other debris

***7 Legislative Bulletin**

This matter was approved by order of the Consent Calendar

This report highlighted and summarized pending State legislation that may be important to Monrovia and provided a brief analysis of the potential impacts to the City. The recommendations made by Staff reflected the City's priorities and programs as well as the direction taken by the League of California Cities.

Staff recommended that the City Council approve the Legislative Bulletin and directed Staff to contact Monrovia's elected representatives for their support regarding the following bills: Oppose AB2792, SB1464 and SB1661.

J RESOLUTIONS & ORDINANCES

1 Urgency Ordinance of the City of Monrovia Amending the Storm Water and Urban Runoff Pollution Control Ordinance to Provide Storm Water Pollution Control for Planning and Construction of New Development and Redevelopment Projects Amending the Monrovia Municipal Code and Declaring the Urgency Thereof Adoption of Urgency Ordinance No. 2002-11U Introduction and First Reading of Ordinance No. 2002-11

City Attorney Craig Steele reviewed the Staff Report.

The City of Monrovia is a permittee under the Waste Discharge Requirements for Municipal Storm Water and Urban Runoff Discharges Within the County of Los Angeles and the Incorporated Cities Therein. Except the City of Long Beach (Order No. 01-182) NPDES Permit No. CAS00401) dated December 13, 2001, issued by the California Regional Water Quality Control Board -- Los Angeles Region (the "Municipal NPDES Permit"). The term "NPDES" refers to National Pollutant Discharge Elimination System. The Municipal NPDES Permit is a requirement of the federal Clean Water Act.

In December of 2000, the City Council adopted Ordinance No. 2000-19, which was the then-current update to the City's storm water ordinance. The City is required to undertake these periodic updates as the Regional Water Quality Control Board (RWQCB) updates and expands the reach of the NPDES permit to which Monrovia is a permittee. Ordinance No. 2000-19 brought the City into compliance with the 1996 Municipal permit, which ordered cities to revise their Municipal Code to require that certain private projects include a Standard Urban Storm Water Mitigation Plan (SUSMP) in a form mandated by the RWQCB as part of their development plans. In addition, in specified cases, the City's SUSMP Ordinance required developers to include post-construction Structural and Treatment Controls meeting the standards set forth in the SUSMP.

A SUSMP is a plan that, among other things, accompanies a plan of development to assure that the project design achieves the following:

- Captures or treats the first ¾ inch of rainfall from each storm event
- Does not increase the post-development discharge to a rate greater than the pre-development discharge rate if there is a potential for downstream erosion
- Preserves natural areas of a project to the extent possible
- Minimizes the introduction of pollutants
- Minimizes slope and channel erosion
- Provides storm drain system stenciling
- Provides a properly designed area for the outside storage of material
- Provides a properly designed trash enclosure

After the RWQCB adopted the new Municipal NPDES Permit earlier this year, Monrovia joined with 31 other cities in an administrative appeal of the RWQCB's decision. The State Board has conducted a public hearing on the cities' appeal but has not announced a decision. For

this reason it is possible that the State Board will make a ruling at any time that would modify the current permit Nevertheless each permittee city has a mandatory duty to adopt an ordinance that complies with the Municipal NPDES Permit before August 1 2002 and to implement that ordinance by September 2 2002 The urgency ordinance before the City Council makes the changes required by law although the City maintains its right to continue to challenge aspects of the Municipal NPDES Permit The City must take this action now to avoid potentially significant penalties imposed by the RWQCB

Staff recommended that the City Council waive further reading read by title only and adopt Ordinance 2002-11U Because this was an urgency ordinance the City Council would not conduct a second reading and it would take effect immediately upon its passage As is typical in the case of urgency ordinances Staff further recommended that the City Council introduce and hold first reading of a permanent ordinance that will replace the urgency ordinance following a complete adoption process This protects the City in the event that the City Council's findings regarding the urgency of the situation are successfully challenged

Councilmember Adams expressed his concerns regarding urgency ordinances Public Works Director David Fike stated that the City will be fined \$27 500 00 per day for non-compliance if the Ordinance is not in place by August 1 2002

Discussion ensued including the Regional Water Quality Control Board's authority and the concerns of the use of urgency ordinances which become law immediately

It was moved by Mayor Blakely seconded by Councilmember Franco that the City Council waive further reading read by title only and adopt Urgency Ordinance No 2002-11U City Attorney Steele read as follows

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA AMENDING THE STORM WATER AND URBAN RUNOFF POLLUTION CONTROL ORDINANCE TO PROVIDE STORM WATER POLLUTION CONTROL FOR PLANNING AND CONSTRUCTION OF NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS AND AMENDING CHAPTER 12 36 OF THE MONROVIA MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF

ROLL CALL **Ayes Councilmembers Franco Garcia and Mayor Blakely**
Noes Councilmember Adams Mayor Pro Tem Hammond
Motion failed as it needed a 4/5 approval

It was moved by Councilmember Adams seconded by Councilmember Garcia to introduce, read by title only and waive further reading Ordinance No 2002-11 City Attorney Steele read as follows

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA AMENDING THE STORM WATER AND URBAN RUNOFF POLLUTION CONTROL ORDINANCE TO PROVIDE STORM WATER POLLUTION CONTROL FOR PLANNING AND CONSTRUCTION OF NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS AND AMENDING CHAPTER 12 36 OF THE MONROVIA MUNICIPAL CODE

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

K PAYROLL & VOUCHERS Payroll No 15 in the net amount of \$451 277 98 and Voucher Numbers 104093 through 104373 non-sequentially in the amount of \$963 240 62 was approved by order of the Consent Calendar

L SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council is scheduled for Tuesday August 13 2002 7 30 P M City Council Chambers 415 South Ivy Avenue Monrovia California

Mayor Pro Tem Hammond and Councilmember Garcia noted that they would be out of town and would not be in attendance at the next City Council


Mayor Blakely noted that the Regular Meeting of August 27 2002 of the Monrovia City Council had been cancelled

M ORAL COMMUNICATIONS IF NEEDED None

N CLOSED SESSION Mayor Blakely stated that the City Council would adjourn to Closed Session to Conference with Labor Negotiator pursuant to Government Code Section §54957 6 Agency Negotiator Theresa St Peter Group Employee Police Association Conference with Legal Counsel Pursuant to Government Code Sections §54956 9(b)(2) Settlement Authority for Martha Flores-Heavyside and Public Employee Performance Evaluation – City Manager Pursuant to Government Code §54957 and would not reconvene the City Council Meeting She stated that the report of Closed Session would be given at the next Regular City Council Meeting

O ADJOURN Mayor Blakely adjourned the Meeting at 11 38 P M in memory of Donna L Hammond mother of Mayor Pro Tem Hammond Closed Session convened at 11 45 P M and adjourned at 12 40 P M All City Councilmembers were in attendance

APPROVED


Lara Larramendi Blakely Mayor

ATTEST


Linda B Proctor CMC City Clerk