

**MINUTES OF THE REGULAR MEETING OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, OCTOBER 20, 2009, 7:30 P.M.**

CONVENE: Mayor Mary Ann Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, October 20, 2009, at 7 31 P M , City Council Chambers, 415 South Ivy Avenue, Monrovia, California, in honor of Gaige Conor Wilson, born to parents Charity Ann Shatswell and Shane Wilson, and Grandparents Rachael and Brian Hughes, on September 21, 2009, and Ryan Cruz Sanchez and Natalie Marie Sanchez, born to parents Darlene and Javier Sanchez on June 3, 2009 In attendance were City Manager Scott Ochoa, City Attorney Craig A Steele, and Deputy City Clerk Alice D Atkins

INVOCATION: Pastor Myriam Gonzalez gave the Invocation

PLEDGE OF ALLEGIANCE: Councilmember Clarence R Shaw led the Flag Salute

ROLL CALL: In attendance were Councilmembers Joe Garcia, Clarence R Shaw, Becky A Shevlin, and Mayor Mary Ann Lutz Mayor Pro Tem Adams was excused

The following matter was taken out of order and heard at this time

ADMINISTRATIVE REPORTS

AR-1 Filling the Vacancy in the Office of Elected City Clerk by Appointment or Election Pursuant to Government Code Section 36512, Resolution No. 2009-66

City Attorney Craig Steele reviewed the Staff Report

As the City Council was aware, City Clerk Linda B Proctor retired from her elected position and her employment with the City on October 19, 2009 Her duties were temporarily being carried out by her sworn Deputy City Clerk Upon Ms Proctor's retirement, the office of elected City Clerk became vacant on that date Pursuant to Government Code Section 36512, the City Council had 30 days from October 19, 2009 (or until November 18, 2009) to either appoint a successor to the office or call a special election to fill the vacancy

A person appointed or elected to fill the office of City Clerk would fill only that specific office, carry out only its statutory duties and receive the \$400 monthly salary The other duties for which Ms Proctor was responsible as a full time employee were being assigned to remaining staff by the City Manager as a cost savings measure A person appointed or elected to the office of elected City Clerk must be a resident of the City and registered to vote in the City as of the date of the appointment, pursuant to Government Code 36502 The individual who was elected or appointed City Clerk would fill the remainder of Ms Proctor's term, which would expire in 2013

Under the time frame established in Government Code Section 36512, the date of a special election to fill this vacancy would be April 13, 2010 It was estimated that a special election to fill this vacancy would cost at least \$64,000 00

It was moved by Councilmember Shevlin, seconded by Councilmember Shaw, to fill the vacancy by appointment.

ROLL CALL:
Ayes: Councilmembers Garcia, Shaw, Shevlin, Mayor Lutz
Excused: Mayor Pro Tem Adams
Motion carried: 4-0

After discussion, it was moved by Councilmember Garcia, seconded by Councilmember Shevlin, to adopt Resolution No. 2009-66 and appoint Alice D. Atkins to fill the unexpired term of the Office of Elected City Clerk.

CC-7 Facility Lease Agreement Between the City of Monrovia and the Santa Anita Family YMCA for Use of the Mary Wilcox Youth Center, Ending June 30, 2013: The Mary Wilcox Youth Center opened for business in 2004 with no new budget dollars allocated for the building or programs. The previous budget necessary to operate the Youth Center including staff, supplies and building maintenance was \$120,150. The costs to operate the Youth Center were transitioned from the previously defunct afterschool playground and youth sports program. In the prior three years of operation, Youth Center participation experienced continual decline (from 75 in the first year to 15 in the third year), therefore, Staff eliminated the Youth Center programs in order to temporarily house the Library while the new Library was under construction. In September of 2008, funds that were previously used to operate the Youth Center were then diverted to the newly implemented Youth Sports Program.

Recognizing that the Library would soon relocate to the new building and there were no funds to offset Youth Center operations, Staff investigated options for future use of the Youth Center. Those options included considerations for use of the facility by the Santa Anita Family YMCA and the Boys and Girls Club of the Foothills. Based on negotiations with the YMCA and the Boys and Girls Club, Staff determined that the YMCA was the best suited organization to operate the Youth Center at the time.

Staff recommended that the City Council approve the Facility Lease Agreement with the Santa Anita Family YMCA for use of the Mary Wilcox Youth Center.

PUBLIC INPUT:

- 1 Pam Fitzpatrick, Monrovia
- 2 Chuck Keen, Monrovia

PUBLIC HEARINGS/MEETINGS: There were no Public Hearings.

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

MRA CONVENE: Chairman Mary Ann Lutz convened the Meeting of October 20, 2009, of the Monrovia Redevelopment Agency Board of Directors at 8:12 P.M. in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting.

MRA ROLL CALL: Those in attendance were Boardmembers Joe Garcia, Clarence R. Shaw, Becky A. Shevlin, and Chairman Mary Ann Lutz. Vice-Chairman Tom Adams was excused.

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

MRA CC-1 Minutes of the Regular Meeting of the Monrovia Redevelopment Agency of October 6, 2009

MRA PUBLIC HEARINGS/MEETINGS: None

MRA ADMINISTRATIVE REPORTS: None

MRA ADJOURNMENT: Chairman Lutz adjourned the Meeting at 8:12 P.M.

RECONVENE MONROVIA CITY COUNCIL MEETING

REPORTS OF CITY COUNCILMEMBERS AND SUB-COMMITTEES:

RCC1 Mayor Lutz reported that

- (a) She attended the groundbreaking for Arabic Evangelical Church with Councilmember Shaw on October 10, 2009.
- (b) She attended the Diwali Hindu festival on October 10, 2009, where she was presented with a Ganesha statue, the Hindu elephant-deity known as the Lord of Success. The statue would be displayed in the Office of the Mayor and City Council.

(c) She gave an update on the Metro Gold Line extension, past and upcoming scoping meetings related to the potential light rail maintenance yard in the Station Square area, and an upcoming meeting with the Metro Board regarding the Long Range Transportation Plan (LRTP) on October 22, 2009. She would bring an update to the next City Council meeting.

RCC2 Mayor Pro Tem Adams was excused

RCC3 Councilmember Garcia reported that

- (a) The logistics for replacement of trash cans was still being worked out, he asked residents to be patient during the transition, and encouraged residents in the foothill areas to order bear-resistant bins if they hadn't already.
- (b) He encouraged residents to become involved with the Make a Difference Day events on Saturday, October 24, 2009.
- (c) The City of Hope was having their annual Walk for Life on Sunday, October 25, 2009.

RCC4 Councilmember Shaw reported that

- (a) He thanked Pam Fitzpatrick and appreciated her coming to the City Council and bringing information about events and shopping Old Town.

RCC5 Councilmember Shevlin reported that

- (a) She thanked everyone who participated in Read Across Monrovia and the Spaghetti Western and announced that next event for Monrovia Reads would be March 4, 2010, and the fundraiser for Cinco de Mayo.
- (b) The County of Los Angeles Public Health Department was hosting two clinics in Monrovia for the H1N1 vaccinations, Sunday October 25 and Sunday November 1, 2009. She called on Lisa Hansberger to give details and review the risk groups who would be eligible to receive free vaccinations.
- (c) Athens Services had begun delivery of the new trash receptacles. She encouraged residents to contact Athens directly if they had not yet indicated the size and quantity of bins they desired.
- (d) She reviewed the upcoming community events.
- (e) She congratulated all of the retirees and thanked them for their service.
- (f) She called on Director of Public Works Ron Bow to review changes to the CalTrans schedule of sound wall installation. Mr. Bow reported that CalTrans had not coordinated and performed due diligence in scheduling with the City and that Staff was meeting with CalTrans and Metro to discuss plans regarding traffic delineation along the freeway underpasses and efforts to minimize the impact to businesses. Residents were directed to contact the Department of Public Works with any concerns about the project.

ADMINISTRATIVE REPORTS

AR-1 Filling the Vacancy in the Office of Elected City Clerk by Appointment or Election Pursuant to Government Code Section 36512, Resolution No. 2009-66

This item was considered at the beginning of the meeting following Roll Call.

AR-2 Proposition 1A Loan Securitization Program, Resolution No. 2009-63

Finance Director Mark Alvarado reviewed the Staff Report.

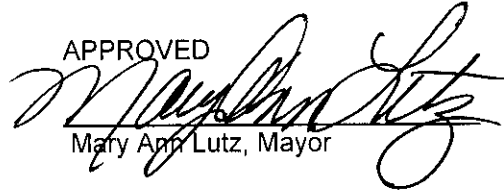
The suspension of Proposition 1A was passed by the Legislature and signed by the Governor as part of the 2009-10 budget package on July 28, 2009. Proposition 1A was set up to protect local agencies' property tax revenue. Under the suspension provision, the State would borrow 8% of the amount of property tax revenue apportioned to the City of Monrovia. The state would be required to repay this obligation (referred to as "receivables"), plus 2% interest, by June 30, 2013.

The Proposition 1A Receivable Program was instituted by California Communities, a Joint Powers Association, to enable local agencies to sell their respective Proposition 1A receivables to them. Under this program, California Communities would simultaneously purchase the Proposition 1A receivables, issue bonds ("Prop 1A Bonds") and provide each local agency with the cash proceeds in two equal installments, on January 15, 2010 and May 3, 2010 (to coincide with the dates that the State would be taking property tax from local agencies). The purchase price paid to Monrovia would equal 100% of the amount of the property tax take away. The City of Monrovia was scheduled to lose approximately \$800,000 in 2009-10 as part of the State budget takeaway. All transaction costs of issuance and interest

RECONVENE AND REPORT OF CLOSED SESSION: At 9 47 P M , Mayor Lutz reconvened the City Council Meeting City Attorney Steele reported that the City Council voted 3-0 (Shaw recused) to authorize the City Attorney to sign an agreement with the County of Los Angeles to toll the statute of limitations in relation to the County's claim for indemnity against the City and other cities

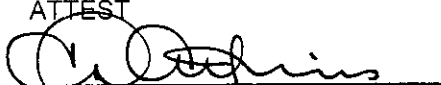
ADJOURNMENT: At 9 48 P M Mayor Lutz adjourned the Meeting

APPROVED



Mary Ann Lutz, Mayor

ATTEST



Alice D. Atkins, CMC, City Clerk