

**MINUTES OF THE REGULAR MEETING OF THE  
MONROVIA CITY COUNCIL  
HELD TUESDAY, JUNE 7, 2011, 7:30 P.M.**

**CONVENE:** Mayor Mary Ann Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, June 7, 2011, 2011, at 7:35 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California, in honor of Hannalise Adriana Angone, born February 20, 2011, to Paul and Naomi Angone, preceded by a Closed Session, 6:40 p.m., at which all Councilmembers were present to discuss: CS-1 Real Property Negotiations Pursuant to Government Code §54956.8; Negotiating parties: Redevelopment Sr. Project Manager, City Manager, Agency Attorney, and City Attorney Under Negotiation: Price and Terms of Payment for the Following Properties: (1) Real property owned by Jose C. Medina & Bernarda Rivas, located at 206 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-020; (2) Real property owned by Juan D. Banuelos, located at 210 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-019; (3) Real property owned by Jose M. & Elvira Garcia, located at 212 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-018; (4) Real property owned by Sargent Family Trust, located at 216 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-017; (5) Real property owned by Juan J. & Leticia Higuera, located at 224 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-015; (6) Real property owned by Michael J. Ready, located at 228 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-014; (7) Real property owned by Betty M. Shaver, located at 230 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-013; (8) Real property owned by Cerchio Family Trust, located at 234 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-012; Real property owned by Alberto L. & Karelia Banos, located at 238 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-011; and CS-2 Conference with Labor Negotiator pursuant to Government Code §54957.6; Agency Negotiator: Theresa St. Peter; Group Employees: All Groups. In attendance were City Manager Scott Ochoa, City Attorney Craig A. Steele, Agency Attorney Thomas Clark, and City Clerk Alice D. Atkins.

**INVOCATION:** Chaplain Terrence Brown led the invocation.

**PLEDGE OF ALLEGIANCE:** Councilmember Becky A. Shevlin led the Pledge of Allegiance.

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

**REPORT OF CLOSED SESSION:**

**CS-1 Real Property Negotiations Pursuant to Government Code §54956.8; Negotiating parties: Redevelopment Sr. Project Manager, City Manager, Agency Attorney, and City Attorney Under Negotiation: Price and Terms of Payment for the Following Properties:** (1) Real property owned by Jose C. Medina & Bernarda Rivas, located at 206 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-020; (2) Real property owned by Juan D. Banuelos, located at 210 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-019; (3) Real property owned by Jose M. & Elvira Garcia, located at 212 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-018; (4) Real property owned by Sargent Family Trust, located at 216 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-017; (5) Real property owned by Juan J. & Leticia Higuera, located at 224 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-015; (6) Real property owned by Michael J. Ready, located at 228 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-014; (7) Real property owned by Betty M. Shaver, located at 230 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-013; (8) Real property owned by Cerchio Family Trust, located at 234 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-012; Real property owned by Alberto L. & Karelia Banos, located at 238 West Evergreen Avenue, and Identified as Assessor's Parcel Number 8507-002-011: City Manager Scott Ochoa stated that there were no reportable actions.

**CS-2 Conference with Labor Negotiator pursuant to Government Code §54957.6; Agency Negotiator: Theresa St. Peter; Group Employees: All Groups:** City Manager Scott Ochoa stated that there were no reportable actions.

**PRESENTATIONS/PROCLAMATIONS:**

**PR-1 Recognition of the 2011 Monrovia Day Cupcake Contest Winners:** Pamela Fitzpatrick from the Dollmakers' Kattywampus assisted the Mayor and City Council in recognizing the winners of the 2011 Monrovia Day Cupcake Contest: Mary Harley, AnMarie Mendoza, Lisa Huey and overall winner Renee Escoto.

**STUDENT GOVERNMENT REPRESENTATIVE REPORT:** The Mayor and City Council presented Student Liaison Nicholas Prins with a certificate of appreciation for his service as Student Government Liaison for the 2010-2011 year. Student Liaison Prins gave a brief report on the final week of school and expressed his appreciation for having the opportunity to participate.

**ORDER OF BUSINESS:** City Manager Scott Ochoa stated that there were no changes to the order of business.

**CONSENT CALENDAR:** It was moved by Councilmember Shevlin, seconded by Councilmember Shaw, to approve the Consent Calendar. The motion carried unanimously. The Consent Calendar consisted of the following Agenda items:

**CC-1 Unadopted Minutes of the May 17, 2011, Regular Meeting of the Monrovia City Council:** The City Council approved the Minutes as presented.

**CC-2 Payroll No. 11 in the Amount of \$502,754.89 and Voucher Nos. 171416 through 171815 in the Amount of \$1,806,514.95:** The City Council approved the Payroll and Vouchers as presented.

**CC-3 Cooperative Fire Protection Agreement with the United States Forest Service Angeles National Forest, FS Agreement No. 11F1-11-05-1-00016:** The City Council approved the Cooperative Fire Protection Agreement with the United States Forest Service Angeles National Forest, FS Agreement No. 11F1-11-0501-00016, and authorized the Fire Chief to execute the necessary documents including subsequent Annual Operating Plans.

**CC-4 Agreement with Mark Krikorian, P.E., DBA MAK Fire Protection, for Professional Engineering Consulting and Plan Check Services:** The City Council approved the service agreement with Mark Krikorian DBA MAK Fire Protection.

**CC-5 Set for Public Hearing on June 21, 2011; General Plan Amendment GPA2011-01, Amending the Land Use Element, and Zone Change ZC2011-01, Amending Title 17 (Zoning) of the Monrovia Municipal Code to Change the Designations from Public/Quasi Public (P/QP) to Specific Plan (SP) and Adopting the Rose Gardens at Santa Teresita Specific Plan, for a Phased Development of Senior Housing and Care Facilities in the Cities of Monrovia (2.7 acres) and Duarte (9.3 acres); and Conditional Use Permit CUP2011-08 for the Construction of a 22-Unit Assisted Living Facility for Property Located at the Southeast Corner of Royal Oaks Drive and Sierra Terrace, APN 8530-001-059; Carmelite Sisters of Monrovia, Applicant:** The City Council set June 21, 2011, as the date of the Public Hearing.

**CC-6 Purchase of Personal Protective Equipment from L.N. Curtis & Sons in the Amount of \$27,782.91 and All Star Fire Equipment in the amount of \$929.58 under the Federal Emergency Management Agency (FEMA) 2009 Assistance to Firefighters Grant:** The City Council authorized the purchase of personal protective equipment from L.N. Curtis & Sons in the amount of \$27,782.91 and All Star Fire Equipment in the amount of \$929.58.

**PUBLIC INPUT**

1. Kurt Thorgerson, Monrovia
2. Chuck Keen, American Legion Post 44
3. Gayle Banks, Gayle Banks Engineering, Monrovia

**PUBLIC HEARINGS / MEETINGS:**

**PH-1 2011 Urban Water Management Plan Update, Resolution No. 2011-23**

Ron Bow, Director of Public Works, reviewed the Staff Report.

Mayor Lutz opened and closed the Public Hearing as there was no one present who wished to speak for or against the matter.

**It was moved by Mayor Pro Tem Garcia, seconded by Councilmember Shevlin, to adopt Resolution No. 2011-23.** The motion carried unanimously.

Mayor Lutz announced a five minute recess at 8:00 p.m. to allow City Attorney Steele to step down and Agency Attorney Clark to take his seat for the duration of the Agency meeting.

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

**MRA CONVENE:** Chairman Mary Ann Lutz convened the Meeting of June 7, 2011, of the Monrovia Redevelopment Agency Board of Directors at 8:05 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, Clarence R. Shaw, Becky A. Shevlin, Vice-Chairman Joe Garcia and Chairman Mary Ann Lutz.

**MRA CONSENT CALENDAR:** It was moved by Vice-Chairman Garcia, seconded by Boardmember Shaw, to approve the Consent Calendar. The motion carried unanimously. The Consent Calendar consisted of the following Agenda item:

**MRA CC-1 Unadopted Minutes of the May 17, 2011, Regular Meeting of the Monrovia Redevelopment Agency:** The Agency Board approved the Minutes as presented.

#### **MRA PUBLIC HEARINGS/MEETINGS:**

**MRA PH-1 Joint Public Hearing; Purchase and Sale Agreement between the Monrovia Redevelopment Agency and the Metro Gold Line Foothill Extension Construction Authority for the Total Consideration of \$39,627,818.00; Resolution Nos. 7-2011 and 2011-22**

Darlene Sanchez, Senior Project Manager, reviewed the Staff Report.

Mayor/Chairman Lutz opened the Public Hearing.

Public Input:

1. Robert Silverstein, Attorney at Law, representing Excalibur Property Holdings LLC and George Brokate, spoke in opposition and submitted 8 sets of written objections.
2. Wesley Beverlin, Attorney at Law, representing Metro Gold Line, spoke in opposition.

Mayor/Chairman Lutz closed the Public Hearing.

City Manager Ochoa made clarifications on the proposed deal and reiterated the long standing objectives of any purchase and sale agreement with the Gold Line Construction Authority (GLCA) for the purpose of locating a Maintenance and Operations Facility within the City of Monrovia. He reviewed prior and existing lawsuits filed against the City and Agency by Excalibur Property Holdings and an existing settlement agreement related to condemnation or the cause of condemnation of the plaintiff's property by the City and/or Agency for redevelopment purposes. He discussed the options recently presented by GLCA to the City and Agency: Participate in a settlement agreement between GLCA and Excalibur related to existing litigation; without settlement, accept a purchase price of \$17 million; or GLCA acquisition of Agency owned property through condemnation.

Mayor/Chairman Lutz expressed anger and disappointment with the position GLCA had taken and asked the City Council/Agency Board to continue the item until the next Regular Meeting to allow time for GLCA to demonstrate movement toward the commitments and negotiations made in good faith. She restated that a maintenance and operations facility was not the City's first choice for the site.

**It was moved by Mayor/Chairman Lutz, seconded by Mayor Pro Tem/Vice-Chairman Garcia, to continue the item to the June 21, 2011 Regular Meeting.**

Councilmember/Boardmember Adams expressed his strong distaste for the deal and GLCA, and asked the Council to stop negotiations immediately and withdraw from the project. Mayor Pro Tem/Vice-Chairman Garcia and Councilmembers/Boardmembers Shaw and Shevlin also expressed their anger and disappointment in the stance taken by GLCA when there were no other cities in the region willing to accept the facility.

The motion carried unanimously on the following vote: **AYES:** Councilmembers/Boardmembers Shaw and Shevlin; Mayor Pro Tem/Vice-Chairman Garcia; Mayor/Chairman Lutz. **NOES:** Councilmember/Boardmember Adams.

**MRA ADMINISTRATIVE REPORTS:** None.

**MRA ADJOURNMENT:** Chairman Lutz adjourned the Meeting at 8:45 p.m. and called for a 10 minute recess.

### RECONVENE MONROVIA CITY COUNCIL MEETING

Mayor Lutz reconvened the City Council Meeting at 8:53 p.m. City Attorney Craig Steele resumed his place at the Staff desk.

### REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

**RCC-1 Mayor Lutz** reported on:

- (a) Current draft redistricting proposals continued to divide the City; Mayor Pro Tem Garcia would be in attendance at an upcoming meeting held in Whittier on June 17, 2011;
- (b) Recent attendance at the International Council of Shopping Centers conference with Councilmember Shaw and Staff;
- (c) The 2011 Youth Employment Services (YES!) summer intern program.

**RCC-2 Mayor Pro Tem Garcia** reported on:

- (a) Attendance with Mayor Lutz at the Los Angeles Division of the League of California Cities meeting on the topic of Pension Reform.

**RCC-3 Councilmember Adams** reported on:

- (a) Thanked Chuck Keen of the American Legion Post 44 and Allied Veterans Council for a fabulous Memorial Day Event.
- (b) Requested Staff to look into the recent reduction of disabled parking at the Pavilions shopping center parking lot.
- (c) **Crime Mapping:** Interim Police Chief Jim Hunt provided a report on three crime mapping companies that were investigated in response to a request made previously by Councilmember Adams, and indicated Staff will contact crimemapping.com to pursue service.

**RCC-4 Councilmember Shaw** reported on:

- (a) Thanked Staff, particularly Management Analyst II Dan Bell, for helping address the issue of dilapidated newspaper stands at the corner of Lime and Ivy Avenues.

**RCC-5 Councilmember Shevlin** reported on:

- (a) Congratulated Monrovia High School graduates and their families;
- (b) Reviewed upcoming events in the community;
- (c) Current draft redistricting proposals;
- (d) Commended Community Services Staff on the recent Summer Extravaganza Program Registration
- (e) Commended MAP award winners, including NUSA "who's who in America's Neighborhoods" award recipient Larry Spicer, MAP Leader and Planning Commissioner.

**ADMINISTRATIVE REPORTS:**

**AR-1 Amended and Restated Agreement with Athens Services Related to Street Sweeping Services in the amount of \$176,572.88 for Fiscal Year 2011-2012 with a Consumer Price Index (CPI) Increase for Each Subsequent Year for the Period Ending June 30, 2016**

Ron Bow, Director of Public Works, reviewed the Staff Report.

Following brief discussion, it was moved by Mayor Pro Tem Adams, seconded by Councilmember Shevlin, to approve the amended and restated agreement with Athens Services for street sweeping services in the amount of \$176,572.88 for Fiscal Year 2011-2012 with a Consumer Price Index (CPI) Increase for Each Subsequent Year for the Period Ending June 30, 2016, and authorize the City Manager to execute the necessary documents. The motion carried unanimously.

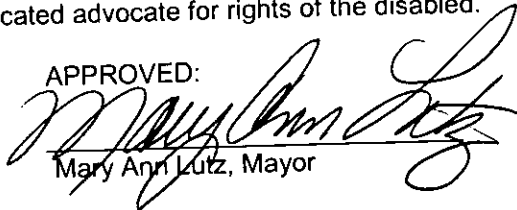
**SCHEDULED MEETINGS:** The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, June 21, 2011, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

**PUBLIC INPUT, CONTINUED, IF NEEDED:** None.

**ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED:** None.

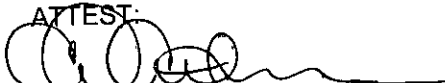
**ADJOURNMENT:** At 9:30 p.m. Mayor Lutz adjourned the Meeting in memory of David Marshall, former Community Services Commissioner and dedicated advocate for rights of the disabled.

APPROVED:



Mary Ann Lutz, Mayor

ATTEST:



Alice D. Atkins, CMC, City Clerk