

**MINUTES OF THE REGULAR MEETING OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, AUGUST 7, 2012, 7:30 P.M.**

CLOSED SESSION: Mayor Lutz convened the Closed Session Meeting of the Monrovia City Council at 6:30 p.m. on Tuesday, August 7, 2012, in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, at which all Councilmembers were present to discuss the following Closed Session items: CC-1 Conference with Labor Negotiator pursuant to Government Code §54957.6; Agency Designated Negotiator: Danielle Tellez; Employee Organization: Monrovia Police Officers Association; CC-2 Conference with Legal Counsel, Existing Litigation Pursuant to Government Code §54956.9 (a); Hsinlei Shao v. City of Monrovia, et al., Case No. CV-11-06433 GW(JCGx); CC-3 Real Property Negotiations Pursuant to Government Code §54956.8; a Portion of Real Property Located at 1622 South Magnolia Avenue, 200-204 West Pomona Avenue, and 1675 South Primrose Avenue; Agency Negotiator: City Manager; Negotiating Parties: The Parks at Monrovia Station Square I LLC, The Parks at Monrovia Station Square II LLC and Samuelson & Fetter LLC; Under Negotiation: Price and Terms of Payment. The meeting adjourned at 7:40 p.m.

CONVENE: Mayor Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, August 7, 2012, at 7:42 p.m. in City Council Chambers, in honor of Justin Zaki, born April 26, 2012, to Christeen Doss and Amir Zaki. In attendance were City Manager Laurie Lile, City Attorney Craig A. Steele, and City Clerk Alice D. Atkins.

INVOCATION: Police Chaplain Jerry Johnson led the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Larry Spicer led the Pledge of Allegiance.

ROLL CALL: In attendance were Councilmembers Tom Adams, Becky A. Shevlin, Larry Spicer, Mayor Pro Tem Joe Garcia, and Mayor Mary Ann Lutz.

REPORT OF CLOSED SESSION: City Attorney Craig A. Steele stated that no reportable action was taken on items CS-1 and CS-2. He further stated that he abstained from items CS-3 and CS-4 due to potential conflicts of interest, and was informed that no reportable action was taken on those items, as well.

PRESENTATIONS/PROCLAMATIONS: None

STUDENT GOVERNMENT REPRESENTATIVE REPORT: To resume in September.

ORDER OF BUSINESS: City Manager Laurie Lile stated that there were no changes to the order of business.

CONSENT CALENDAR: It was moved by Councilmember Adams, seconded by Mayor Pro Tem Garcia, to approve the consent calendar. The motion carried unanimously. The Consent Calendar consisted of the following Agenda items:

CC-1 Unadopted Minutes of the July 17, 2012, Regular Meeting of the Monrovia City Council: The Minutes were approved as presented.

CC-2 Payroll Nos. 15 and 16 in the Net Amounts of \$556,590.57 and \$535,422.39, Respectively, and Voucher Nos. 178457 through 178789 (Checks) and 179 through 197 (EFT) in the Total Amount of \$1,646,284.08: The City Council approved the Payroll and Vouchers as presented.

CC-3 Amendment to the Agreement with John L. Hunter and Associates, Inc., for NPDES (National Pollutant Discharge Eliminations System) Industrial/Commercial Stormwater Inspections, for the Period Ending December 31, 2012, in the Amount of \$14,955.00 for Additional Stormwater Technical Consulting Services: The City Council approved an amendment to the agreement with John L. Hunter and Associates, Inc., for NPDES Industrial/Commercial Stormwater Inspections in the Amount of \$14,955.00 for additional storm water technical consulting services, and authorized the City Manager to execute the necessary documents

CC-4 Final Tract Map No. 71883 for Re-subdivision of Property Located at 547 El Norte by Dexter El Norte, LLC: The City Council approved Final Tract Map No. 71883.

CC-5 Professional Services Agreement with Cost Recovery Systems, Inc., for the Completion of Senate Bill 90 (SB 90) State Mandated Reimbursement Claims in an Amount Not to Exceed \$9,250.00: The City Council approved the Professional Services Agreement with Cost Recovery Systems, Inc., in an amount not to exceed \$9,250.00.

CC-6 Police Department Vehicle Maintenance by Parking Company of America in an amount not to exceed \$90,000.00 for the Period Ending June 30, 2013: The City Council approved Police Department vehicle maintenance by Parking Company of America for the Period Ending June 30, 2013, in an amount not to exceed \$90,000.00

CC-7 Production and Printing of the Fall/Winter Monrovia Department of Community Services Brochure by Ink Spots in an Amount Not to Exceed \$5,888.40: The City Council approved the production and printing of the Fall/Winter Monrovia Department of Community Services Brochure by Ink Spots in an amount not to exceed \$5,888.40.

CC-8 Subrecipient Agreement between Los Angeles County and the City of Monrovia related to 2011 State Homeland Security Grant Program Funds in the Amount of \$478,228.00: The City Council approved the Subrecipient Agreement between Los Angeles County and the City of Monrovia related to 2011 State Homeland Security Grant Program Funds in the amount of \$478,228.00 and authorized the Fire Chief and/or Police Chief to execute the necessary documents

CC-9 Subrecipient Agreement between Los Angeles County and the City of Monrovia related to 2009 State Homeland Security Grant Program Funds in the Amount of \$150,000.00 for the Purchase of 24 Motorola Dual Band Portable Radios: The City Council approved the Subrecipient Agreement between Los Angeles County and the City of Monrovia related to 2009 State Homeland Security Grant Program Funds in the amount of \$150,000.00 for the Purchase of 24 Motorola Dual Band Portable Radios and authorized the Police Chief to execute the necessary documents

CC-10 Tax-Advantaged Bonds Post-Issuance Compliance Procedures, Resolution No. 2012-42: The City Council adopted Resolution No. 2012-42

PUBLIC INPUT

1. Kurt Thorgerson, Monrovia
2. Linda Whitehead, Monrovia

City Manager Lile directed Ms. Whitehead to speak with the Directors of Public Works and Community Development regarding her concerns.

PUBLIC HEARINGS / MEETINGS:

PH-1 Los Angeles County Congestion Management Program (CMP) Local Development Report, Resolution No. 2012-30

Steve Sizemore, Director of Community Development, reviewed the Staff Report.

Mayor Lutz 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 Spicer, seconded by Councilmember Shevlin, to adopt Resolution No. 2012-30. The motion carried unanimously.

REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

RCC-1 Mayor Lutz:

- (a) Recent attendance at ITT Excelis-hosted viewing of Curiosity rover landing.
- (b) San Gabriel Valley Housing and Homeless Coordinating Council; Scott Chamberlain, Executive Director, provided an overview of the organization's history, mission, and vision. City Manager Lile provided an update on short-term approaches to minimize impacts of homelessness in community, as well as plans address long-term needs.

RCC-2 Mayor Pro Tem Garcia:

(a) Requested the City Manager to review planning efforts in response to upcoming Excessive Heat Watch.

RCC-3 Councilmember Adams:

(a) Upcoming Make a Difference Day on October 27, 2012.

RCC-4 Councilmember Shevlin:

- (a) Upcoming events in the community.
- (b) Volunteer opportunities in the City.
- (c) Requested feedback on volunteer needs, efforts and hours contributed.

RCC-5 Councilmember Spicer:

(a) Upcoming MAP 2012 Neighborhood Conference.

ADMINISTRATIVE REPORTS:**AR-1 Final Tract Map No. 71889 for Re-subdivision of Properties Located at 212 and 216 West Olive by Bowden Development**

City Attorney Steele explained that due to potential conflicts of interest affecting a majority of the Councilmembers, and because there was no other body of the City that could make the decision, in accordance with the Rule of Legally Required Participation, the affected Councilmembers would draw straws prepared by the City Attorney in order to determine who would participate. Councilmember Adams and Mayor Pro Tem Garcia stated a potential conflict of interest due to a business relationship with the applicant, and Councilmember Shevlin due to a client relationship between the applicant and her former employer.

Councilmember Adams, having drawn the shortest straw, remained for discussion. Councilmember Shevlin and Mayor Pro Tem Garcia abstained from voting on the matter and exited Council Chambers at 8:22 p.m.

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

It was moved by Councilmember Spicer, seconded by Councilmember Adams, to approve Final Tract Map No. 71889. The motion carried unanimously on the following vote: **AYES:** Councilmember Adams and Spicer; Mayor Lutz. **NOES:** None. **ABSENT:** None. **ABSTAIN:** Councilmember Shevlin; Mayor Pro Tem Garcia.

Mayor Lutz called for a five-minute recess at 8:25 p.m. and reconvened at 8:31 p.m.

AR-2 Memorandum of Understanding with the Volunteer Center of San Gabriel Valley to Participate in the Court Referred Community Service Program

Councilmember Adams exited council chambers due to a potential conflict of interest as the current Board Chair of the Volunteer Center of San Gabriel Valley.

April Soash, Director of Community Services, reviewed the Staff Report.

Following discussion, **it was moved by Councilmember Shevlin, seconded by Councilmember Spicer, to approve a Memorandum of Understanding with the Volunteer Center of San Gabriel Valley to Participate in the Court Referred Community Service Program, including the revision to expand the program to include volunteers with all types of misdemeanors, and authorized the City Manager to execute the necessary documents.** The motion carried unanimously on the following vote: **AYES:** Councilmember Shevlin and Spicer; Mayor Pro Tem Garcia; Mayor Lutz. **NOES:** None. **ABSENT:** None. **ABSTAIN:** Councilmember Adams.

Adams returned to Council Chambers at 8:44 p.m.

AR-3 Community Wildfire Protection Plan Update

Chris Donovan, Fire Chief, reviewed the Staff Report.

Public Input:

1. Dorothy Kelty, Monrovia

Mayor Lutz asked Chief Donovan to address allegations of plans for "secret" meetings of the oversight committee and provide background on the intent of the group.

2. Cyrus Kemp, Monrovia

Following discussion, **it was moved by Councilmember Shevlin, seconded by Councilmember Spicer, to receive and file the report, with the added contingency that CWPP advisory group meetings be noticed for observation only, and that future public meetings be noticed with full participation available to the community.** The motion carried unanimously.

Craig Steele stated for clarification that the advisory group process will be open in that public can attend informally and observe; future community meetings will be noticed, fully open to participation; and the CWPP advisory group is not a Brown Act body.

AR-4 Agreement with Community Media of the Foothills for Public Access, Governmental and Educational Cable Television Production and Cablecasting for the Period Ending June 30, 2015

Dan Bell, Management Analyst II, reviewed the Staff Report.

Public Input:

1. Cyrus Kemp, Monrovia
2. Dorothy Kelty, Monrovia
3. Doug McComb, Monrovia
4. David Ibrahim, Monrovia
5. Nick Ziegich, Monrovia
6. Chuck Keen, Monrovia
7. Bob Maluso, Monrovia

Management Analyst Bell, addressed comments and questions raised during Public Input. City Attorney Steele reminded the City Council that the conversation had in years passed whether or not the City wanted to oversee the governance of a contractor, and whether that defeated the purpose of contracting out the services.

Executive Director Mungia addressed comments and questions raised during Public Input.

Following discussion, **it was moved by Councilmember Adams, seconded by Councilmember Shevlin, to approve an agreement with Community Media of the Foothills for the Period Ending June 30, 2015, and authorize the City Manager to execute the necessary documents.** The motion carried unanimously.

AR-5 Stormwater Program Regulatory Update

Mayor Lutz stated that she had a conflict of interest due to serving on the regulatory board governing the stormwater program, and exited Council Chambers at 10:05 p.m.

Heather Maloney, Senior Management Analyst, reviewed the Staff Report.

Following discussion, **it was moved by Councilmember Adams, seconded by Councilmember Shevlin, to receive and file the report.** The motion carried unanimously on the following vote: **AYES:** Councilmember Adams, Shevlin and Spicer; Mayor Pro Tem Garcia. **NOES:** None. **ABSENT:** None. **ABSTAIN:** Mayor Lutz

AR-6 Amendment to Personnel Rules and Regulations to Provide for Compensation and

Supplemental Benefits Effective Fiscal Years 2012-2014 for Management Employees, Appendix "C," Resolution No. 2012-35; Mid-Management Employees, Appendix "H," Resolution No. 2012-36; Temporary/Hourly Employees, Appendix "F," Resolution No. 2012-37; and Elected and Appointed Employees, Appendix "D," Resolution No. 2012-38; and Paying and Reporting the Value of Employer Paid Member Contributions to the California Public Employees' Retirement System (CalPERS), Resolution No. 2012-39

Mark Alvarado, Director of Administrative Services, reviewed the Staff Report.

It was moved by Mayor Pro Tem Garcia, seconded by Councilmember Spicer, to adopt Resolution Nos. 2012-35 through 2012-39. The motion carried unanimously.

AR-7 Issuance of 2012-13 Tax Revenue Anticipation Notes; Resolution No. 2012-34

Mark Alvarado, Director of Administrative Services, reviewed the Staff Report.

It was moved by Councilmember Shevlin, seconded by Councilmember Spicer, to adopt Resolution No. 2012-34. The motion carried unanimously.

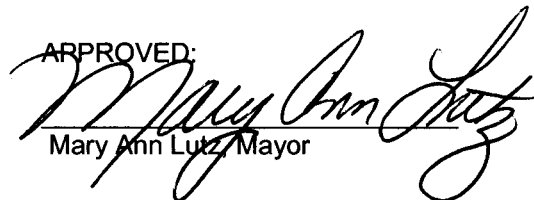
PUBLIC INPUT, CONTINUED, IF NEEDED: None.

ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED: None.

SCHEDULED MEETINGS: The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, September 4, 2012, 7:30 p.m., City Council Chambers, 415 South Ivy Avenue, Monrovia, California. The August 21, 2012, Regular Meeting was cancelled.

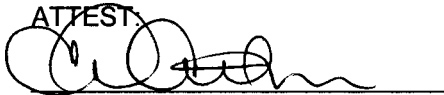
ADJOURNMENT: At 10:46 p.m., Mayor Lutz adjourned the meeting in memory of Amanda Andrews, Monrovia High School Student and Daughter of Rich and Kristen Andrews; Alice Louise Johnson, Aunt of Police Chaplain Terrence Brown; and Timothy Leroy Adams, son of Jerome and Deborah Adams.

APPROVED:



Mary Ann Lutz, Mayor

ATTEST:



Alice D. Atkins, CMC, City Clerk