



SPECIAL MEETING
of the
MONROVIA CITY COUNCIL
SALUTE TO SERVICE
City Council Chambers
Tuesday, October 20, 2009
7:00 P.M.

REGULAR MEETING
of the
MONROVIA CITY COUNCIL
7:30 P.M.

AGENDA SUMMARY

CONVENE

Mayor Mary Ann Lutz

IN HONOR OF

Gaige Conor Wilson Born September 21, 2009, to Parents Charity Ann Shatswell and Shane Wilson, and Grandparents Rachael and Brian Hughes

Ryan Cruz and Natalie Marie Sanchez Born June 3, 2009, to Parents Darlene and Javier Sanchez

INVOCATION

Myriam Gonzalez

PLEDGE OF ALLEGIANCE

Councilmember Clarence Shaw

ROLL CALL

Councilmembers Garcia, Shaw, Shevlin, and Mayor Lutz
Excused: Mayor Pro Tem Adams

PRESENTATIONS/PROCLAMATIONS

PR-1 Proclaiming October 24, 2009 as "Make a Difference Day"

The Monrovia Volunteer Center, in recognition of "Make a Difference Day," has requested that the City Council proclaim October 24, 2009 as "Make a Difference Day in Monrovia." Amy Gray, Volunteer Services Coordinator of the Volunteer Center, will be on hand to receive the proclamation and report to the City Council and community the plans and needs for the day.

Student Government Representative Report

Student Liaison Savannah Spicer

ORDER OF BUSINESS

CONSENT CALENDAR

CC-1 Minutes of the Regular Meeting of the Monrovia City Council of October 6, 2009

CC-2 Payroll No. 21 in the Amount of \$555,809.95 and Voucher Nos. 160196 through 161345 in the Amount of \$1,258,071.69

CC-3 Destruction of Certain City Clerk Department Records, Resolution No. 2009-64

Government Code §34090 provides a procedure whereby any city record which has served its purpose and is no longer required may be destroyed, as long as the destruction of said records will not interfere with the services and functions of the City. On August 5, 2003, the City Council approved the Citywide Records Retention/Destruction Schedule, setting into place the regulations covering the retention and destruction of citywide records.

There is no fiscal impact associated with this action and Staff recommends that the City Council adopt Resolution No. 2009-64 relating to the destruction of certain City Clerk Departmental records listed on the attached Exhibit "A."

If the City Council concurs, the appropriate action would be a motion to:

Adopt Resolution No. 2009-64.

CC-4 Legislative Bulletin

This report will highlight and summarize pending State legislation that may be important to Monrovia and provides a brief analysis of the potential impacts to the City. The recommendations made by staff reflect the City's priorities and programs, as well as the direction taken by the League of California Cities.

If the City Council concurs, the appropriate action would be a motion to:

Approve the Legislative Bulletin and direct staff to contact Monrovia's elected representatives for their support.

CC-5 Application for Grant Funds from the Los Angeles County Regional Park and Open Space District for Canyon Park Trails Improvements, Resolution No. 2009-61

Los Angeles County Regional Parks and Open Space District Competitive Grant Program has \$1,398,180 in funds available for projects that consist of acquisition, development and/or improvement of real property for trails and public access. The grant criteria encourages applicants/recipients to make improvements to public parks and recreation facilities such as bike paths, trails and public access points. Projects must range in cost from a minimum of \$25,000 to a maximum of \$150,000 and must be accompanied with an authorizing resolution. Based on the grant criteria, Staff intends to apply for \$150,000 for Canyon Park improvements, which include improvements to the decomposed granite walking path, replacement of picnic tables, replacement of Bear Proof Receptacles, interpretive signage and fence replacement.

Staff recommends the City Council authorize Staff to apply for grant funds from the Los Angeles County Regional Park and Open Space District Competitive Trails Grant Program for Canyon Park Improvements.

If the City Council concurs, the appropriate action would be a motion to:

Adopt Resolution No. 2009-61.

CC-6 Community Media of the Foothills 2008-09 Annual Report; Receive and File

In September of each year, Community Media of the Foothills (CMF) files with the City a report on its activities, finances, Board makeup and other pertinent issues for the preceding year. This report is required by the long-standing agreement between the City and CMF. In addition, the City Council asked that this year's report also comment on issues raised during discussion of renewal of the Agreement last May, specifically issues of Brown Act and Public Records Act compliance and those involving complaint procedures. CMF submitted this year's report prior to the September 15 deadline and it contains all of the information required and requested. Staff recommends that the City Council receive and file the report.

If the City Council concurs, the appropriate action would be a motion to:

Receive and file the Community Media of the Foothills Annual Report.

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 last 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 this time.

Staff worked with the City Attorney to develop the language for the Lease Agreement . The Lease Agreement has been reviewed and accepted by the legal counsel of the YMCA. The terms include but are not limited to the insurance requirements, rent, maintenance and upkeep of the facility.

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

If the City Council concurs, the appropriate action would be a motion to:

Approve the Facility Lease Agreement for use of the Mary Wilcox Youth Center.

PUBLIC INPUT

PUBLIC HEARINGS / MEETINGS

None

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

MRA CONVENE Chairman Lutz

MRA ROLL CALL Boardmembers, Garcia, Shaw, Shevlin, , and Chairman Lutz
Excused: Vice-Chairman Adams

MRA CONSENT CALENDAR

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

RECONVENE MONROVIA CITY COUNCIL MEETING

REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

- RCC1** Mayor Lutz
- RCC2** Mayor Pro Tem Adams - Excused
- RCC3** Councilmember Garcia
- RCC4** Councilmember Shaw
- RCC5** Councilmember Shevlin

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 will review the Staff Report.

As the City Council is aware, City Clerk Linda B. Proctor retired from her elected position and her employment with the City on October 19, 2009. Her duties are 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 now has 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 are 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 is elected or appointed City Clerk will fill the remainder of Ms. Proctor's term, which expires 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 is estimated that a special election to fill this vacancy would cost at least \$64,000.00.

If the City Council decides that an appointment would be appropriate, the corresponding action would be a motion to:

Adopt Resolution No. 2009-66.

If the City Council decides to fill the vacancy at a special election the appropriate action would be a motion to:

Direct Staff to return with the necessary resolutions after discussions regarding the logistics of a special election.

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

Finance Director Mark Alvarado will review 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 will borrow 8% of the amount of property tax revenue apportioned to the City of Monrovia. The state will 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 will 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 will be taking property tax from local agencies). The purchase price paid to Monrovia will equal 100% of the amount of the property tax take away. The City of Monrovia is scheduled to lose approximately \$800,000 in 2009-10 as part of the State budget takeaway. All transaction costs of issuance and interest will be paid by the State of California. Participating local agencies will have no obligation on the bonds and no credit exposure to the State.

If the City of Monrovia does sell its Proposition 1A receivable under this program, California Communities will pledge the City's Proposition 1A receivable to secure the repayment of a corresponding amount of the Prop 1A Bonds. The City's sale of its Proposition 1A receivable will be irrevocable. Bondholders will have no recourse to the City if the State does not make the Proposition 1A repayment.

The fiscal impact is that the City is set to lose approximately \$800,000 of property tax revenue for fiscal year 2009-10 to the State. By approving the Proposition 1A receivable program, the City of Monrovia will receive Proposition 1A bond proceeds to make up for the property tax revenue taken by the State. There will be no net revenue loss to the City.

If the Proposition 1A program is not approved, the City will lose approximately \$800,000 in property tax revenue. The money will be repaid by the State of California, with interest, no later than June 30, 2013.

If the City Council concurs, the appropriate action would be a motion to:

Adopt Resolution No. 2009-63.

SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council is scheduled for Tuesday, November 3, 2009, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

PUBLIC INPUT, CONTINUED, IF NEEDED

ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED

ADJOURNMENT TO CLOSED SESSION

ACS-1 Conference with Legal Counsel - Anticipated Litigation, Government Code §5495.9 (b); Significant Exposure to Litigation: 1 potential case

RECONVENE AND REPORT OF CLOSED SESSION

RCS-1 Conference with Legal Counsel - Anticipated Litigation, Government Code §5495.9 (b); Significant Exposure to Litigation: 1 potential case

ADJOURNMENT

Respectfully submitted,



Scott Ochoa
City Manager

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A full City Council agenda packet with all backup information is available at City Hall, the Monrovia Library, and on the City's website at www.cityofmonrovia.org. Copies of individual Agenda Reports are available via email upon request (aatkins@ci.monrovia.ca.us).