**MINUTES OF THE SPECIAL AND REGULAR MEETINGS OF THE MONROVIA CITY COUNCIL HELD TUESDAY, MAY 6, 2014, 7:30 P.M.**

**STUDY SESSION:** Mayor Mary Ann Lutz convened the Special Meeting/Study Session of the Monrovia City Council at 4:35 p.m. on Tuesday, May 6, 2014, in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, at which all Councilmembers were present to discuss the Draft Community Wildfire Protection Plan (CWPP) and Station Square Transit Village Public Improvements. Staff reviewed and received direction from the City Council on maintenance costs, inclusion or exclusion of certain features, potential use and revenue and/or disposition of the historic depot. Mayor Lutz adjourned the meeting at 6:18 p.m. Public Input: Gloria Crudgington, Monrovia. Mayor Lutz adjourned the meeting at 6:10 p.m.

**CLOSED SESSION:** Mayor Lutz convened the Closed Session Meeting of the Monrovia City Council at 6:30 p.m. on Tuesday, May 6, 2014, in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, at which all Councilmembers were present to discuss the following Closed Session items: CS-1 Conference with Labor Negotiator pursuant to Government Code §54957.6; Agency Negotiator: Danielle Tellez; Group Employees: All Groups; CS-2 Public Employee Appointment Pursuant to Government Code §54957: City Manager; CS-3 Conference with Real Property Negotiator pursuant to Government Code §54956.8; 123 and 137 West Pomona Avenue; Successor Agency Negotiator: City Attorney; Negotiating Party: Wine of the Month Club, Inc.; Under Negotiation: Price and Terms of Payment. Mayor Lutz adjourned the meeting at 7:25 p.m.

**CONVENE:** Mayor Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, May 6, 2014, at 7:35 p.m. in City Council Chambers. In attendance were Interim City Manager Francis M. Delach, City Attorney Craig A. Steele, and City Clerk Alice D. Atkins.

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

**PLEDGE OF ALLEGIANCE:** Mayor Pro Tem Becky A. Shevlin led the Pledge of Allegiance.

**ROLL CALL:** In attendance were Councilmembers Tom Adams, Alexander C. Blackburn, Larry J. Spicer, Mayor Pro Tem Becky A. Shevlin, and Mayor Mary Ann Lutz.

**REPORT OF CLOSED SESSION:** City Attorney Craig Steele stated that the City Council met in closed session to discuss the items on the posted agenda and there was no reportable action.

**PRESENTATIONS/PROCLAMATIONS:**

**PR-1 Proclaiming the Month of May 2014 as "Older American Month" and Introduction of 2014 Older American of the Year Honorees John Watson and Katie Gundersen Watson:** Rebecca Romero, Assistant Recreation Coordinator, assisted the Mayor and City Council in presenting the proclamation for "Older American Month" to honorees John Watson and Katie Gundersen Watson.

**PR-2 Proclaiming the Month of May 2014 as "Historic Preservation Month":** The Mayor and City Council presented a proclamation to Monrovia Old Homes Preservation Group representatives Jim Wigton and Hal Leavens.

**PR-3 Recognition of 2014 Citywide Spelling Bee Winners:** The Mayor and City Council presented certificates of recognition to Ishika Muchhal, First Place; Syed Hussein, Second Place; and Aliah Sow, Third Place.

**PR-4 Recognition of 2014 Spring Egg Hunt & Healthy Kids Day Event Sponsors:** Lisa Hansberger, Recreation Supervisor, assisted the Mayor and City Council in recognizing the sponsors of the 2014 Spring Egg Hunt & Health Kids Day event.

**STUDENT GOVERNMENT REPRESENTATIVE REPORT:** Student Liaison Kevin Lee was excused.

**ORDER OF BUSINESS:** Interim City Manager Fran Delach stated there were no changes to the order of business.

Public Input:

1. Dick Mountjoy, Monrovia, spoke against supporting proposed legislation at this time
2. Dan Simpson, Azusa, spoke against supporting proposed legislation at this time
3. Fred Bowden, Monrovia, spoke against supporting proposed legislation at this time
4. David Conway, Monrovia, spoke in favor of supporting proposed legislation
5. Peggy Mew, Monrovia, spoke against supporting proposed legislation at this time
6. Hal Leavens, Monrovia, spoke against supporting proposed legislation at this time
7. Debbie Neal, Glendora, spoke against supporting proposed legislation at this time
8. Lois Shade, Glendora, spoke against supporting proposed legislation at this time
9. Belinda Faustinos, San Gabriel Mountains Forever, spoke in favor of supporting proposed legislation
10. Mark Masaoka, Asian Pacific Policy & Planning Council, spoke in favor of supporting proposed legislation
11. Annette Condo, Volunteer for San Gabriel Mountains Forever, spoke for supporting proposed legislation
12. Ramiro Santiago, Amigos de los Rios, spoke in favor of supporting proposed legislation
13. Fabiola Lau, Sierra Club, spoke in favor of supporting proposed legislation and submitted 16 letters of support received from Monrovia residents through a petition campaign
14. Cyrus Kemp, Monrovia, spoke against supporting proposed legislation at this time
15. Gloria Crudgington, Monrovia, spoke against supporting proposed legislation at this time
16. Dorothy Kelty, Monrovia, spoke against supporting proposed legislation at this time
17. Cleve Crudgington, Monrovia, spoke against supporting proposed legislation at this time

Further discussion ensued regarding lack of interest from federal government when City was attempting to purchase the land, misinformation regarding lack of trail maps, importance of preservation, questions of expected funding, deferred maintenance of existing national recreation areas, benefits versus risk and costs, risk of counting on future funds, review of prior comment period and ad hoc committee, proposing to Congresswoman Chu that opt-in/out language be included, and concerns that existing funding for the City's hillsides won't be sufficient on its own in the long run.

**It was moved by Councilmember Adams, seconded by Councilmember Shevlin, to direct Staff to draft a letter to Congresswoman Chu opposing inclusion of Monrovia in the National Recreation Area Boundaries.** Following discussion, the motion carried unanimously.

**It was moved by Councilmember Adams that Mayor Lutz, as representative to the San Gabriel Council of Governments, send a letter to the COG rescinding Monrovia's vote in support. Councilmember Blackburn seconded the motion to allow for further discussion.** Following discussion regarding City Council policy on representatives casting votes at regional meetings on behalf of the City Council, **Councilmember Adams amended the motion to direct Staff to copy the COG on the letter sent to Congresswoman Chu.** 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, May 20, 2014, 7:30 p.m., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

**ADJOURNMENT:** At 12:47 a.m. on Wednesday, May 7, 2014, Mayor Lutz adjourned the meeting in memory of the Jan Marugg, longtime Monrovia resident and community advocate.

APPROVED:

Mary Ann Lutz, Mayor

ATTEST:

Alice D. Atkins, CMC, City Clerk

**CONSENT CALENDAR: It was moved by Councilmember Adams, seconded by Mayor Pro Tem Shevlin, to approve the consent calendar.** Councilmember Blackburn stated that he would be abstaining from item CC-9 due to a conflict of interest as the result of a business relationship with the proposed contractor. The amendment was accepted and the motion carried unanimously. The Consent Calendar consisted of the following Agenda items:

**CC-1 Unadopted Minutes of the April 15, 2014, Special and Regular Meetings of the Monrovia City Council:** The City Council adopted the Minutes of the April 15, 2014, Special and Regular Meetings.

**CC-2 Payroll No. 9 in the Net Amount of $470,613.08, and Warrant Register dated April 10, 2014 in the Total Amount of $1,221,748.18:** The City Council approved Payroll No. 9 in the net amount of $470,613.08, and Warrant Register date April 10, 2014 in the total amount of $1,221,748.18

**CC-3 Facility Use Agreement and License between the City of Monrovia, MAX Aquatics and Michael Jafari related to Aquatics Programs and Use of the Monrovia High School Pool Facility for the Period June 9, 2014, through June 5, 2015:** The City Council approved the Facility Use Agreement and License between the City of Monrovia, MAX Aquatics and Michael Jafari related to aquatics programs and use of the Monrovia High School Pool Facility for the period June 9, 2014, through June 5, 2015, and authorized the City Manager to execute the necessary documents.

**CC-4 Sanitary Sewer Service Agreement with the City of Bradbury for Three (3) Bradbury Estates Properties Located at 188 Deodar Lane, 18 Dovetail Lane, and 28 Dovetail Lane:** The City Council approved a Sanitary Sewer Service Agreement with the City of Bradbury for three (3) Bradbury Estates Properties located at 188 Deodar Lane, 18 Dovetail Lane, and 28 Dovetail Lane, and authorized the City Manager to execute the necessary documents.

**CC-5 Amendment to Professional Services Agreement with Geosyntec Consulting, Inc., Related to Stormwater Ordinances, Policies, and Training, Extending the Term for a One-Year Period Ending June 30, 2015:** The City Council approved an amendment to the professional services agreement with Geosyntec Consulting, Inc., and authorized the City Manager to execute the necessary documents.

**CC-6 Destruction of Certain Departmental Records, Resolution No. 2014-20:** The City Council adopted Resolution No. 2014-20.

**CC-7 Declaring the Portion of Santa Anita Canyon Road within the City of Monrovia Boundaries to be a Part of the Los Angeles County System of Highways, Resolution 2014-21:** The City Council adopted Resolution No. 2014-21.

**CC-8 Legislative Bulletin:** The City Council approved the Legislative Bulletin and directed Staff to contact Monrovia's elected representatives as outlined in the Agenda Report.

**CC-9 Award of Contract to Bruce Goss in the amount of $7,087.91 for Masonry Work to Repair the Farmer's Club Monument at Library Park:** The City Council awarded a contract to Bruce Goss in the amount of $7,087.91 for the masonry work to repair the Farmer's Club Monument at Library Park, and authorized the Director of Public Works to execute the necessary documents in a form approved by the City Attorney. As stated above, Councilmember Blackburn abstained from this item due to a conflict of interest.

**PUBLIC INPUT:**

1. Matthew Aguilar, Monrovia High School Students
2. Maya Carvajal and Phillip Rodriguez, Monrovia High School Students
3. Rainbow Yeung, South Coast Air Quality Management District
4. Dorothy Kelty, Monrovia
5. Chuck Keen, American Legion Post 44

**PUBLIC HEARINGS / MEETINGS:**

**PH-1 Historic Landmark HL-130 and Mills Act Contract MA-123 for the Property Located at 227 North Ivy Avenue by Property Owners Carlos Parrague and Shannon Chang, and Determination that the Project is Categorically Exempt (Class 1) Pursuant to the California Environmental Quality Act (CEQA); Resolution No. 2014-19**

Craig Jimenez, Planning Division Manager, reviewed the Agenda Report.

Mayor Lutz opened the Public Hearing.

In Favor:
1. Carlos Parrague, Property Owner

Opposed: None

Following brief discussion, **it was moved by Councilmember Spicer, Seconded by Mayor Pro Tem Shevlin, to adopt Resolution No. 2014-19.** The motion carried unanimously.

**REPORTS OF CITY MANAGER AND STAFF**

In response to comments made under Public Input regarding access at Cloverleaf Drive to the Hillside Wilderness Preserve, the City Attorney provided an overview of the history of the Cloverleaf access points and current efforts to formalize and perfect the rights to ensure public access, following every aspect of state law while at the same time respecting the rights of property owners.

**REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES**

**RCC-1 Mayor Mary Ann Lutz:**
(a) National Day of Prayer
(b) Water 101 Information Resource Guide
(c) U.S. Conference of Mayors Water Council discussion of Storm Water Legislation

**RCC-2 Mayor Pro Tem Becky A. Shevlin**
(a) Upcoming events in the community
(b) Voter registration deadline for June 3, 2014, statewide election

**RCC-3 Councilmember Tom Adams** had no report.

**RCC-4 Councilmember Alexander C. Blackburn** had no report.

**RCC-5 Councilmember Larry J. Spicer**
(a) Congratulated Mayor Lutz on receiving the Mary Wilcox Youth Advocacy Award

**ADMINISTRATIVE REPORTS:**

**AR-1 Amendment to Title 8 (Health & Safety) of the Monrovia Municipal Code, Adding Chapter 8.44 Regulating the Use of Plastic Carryout Bags and Recyclable Paper Bags and Promoting the Use of Reusable Bags, Introduction and First Reading of Ordinance No. 2014-02**

Carl Hassel, Director of Public Works, reviewed the Agenda Report.

Discussion ensued regarding clarification on the definition of carry out bags, effect of potential state regulations passed after local regulations are adopted, concerns about making Monrovia an island surrounded by cities without bag restrictions, education for voluntary participation versus a ban, and delayed implementation/enforcement with extended education period. Staff noted small typographical errors, specifically the placement of the word "or" in section 8.44.010(K) and the omission of reference to Subsection K (4) in section 8.44.070, both of which would be corrected. Staff also provided clarification regarding exemptions and enforcement through the Administrative Fine program. City Attorney Steele

stated the Ordinance could be revised to include direction to Staff not to issue citations for a certain period established by the City Council.

Public Input:

1. Pam Fitzpatrick and Rudy Castrellon; Old Town Merchants, spoke in opposition
2. Hal Leavens, Monrovia, spoke in opposition
3. Brad Haugaard, Monrovia, spoke in opposition
4. Norm and Pat Johanson, Monrovia, spoke in favor
5. Cyrus Kemp, Monrovia, spoke in opposition
6. Sen. Dick Mountjoy, spoke in opposition
7. Dorothy Kelty, Monrovia, spoke in opposition

Following additional discussion, **it was moved by Councilmember Blackburn, seconded by Councilmember Spicer, to introduce, waive further reading, and read by title only Ordinance No. 2014-02 with the revision to delay enforcement and penalties for a period of 120 following the effective date.** The motion carried on the following vote: AYES: Councilmembers Blackburn, Spicer, and Mayor Pro Tem Lutz. NOES: Councilmember Adams and Mayor Pro Tem Spicer.

The City Attorney read the title of Ordinance No. 2014-02 as follows:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, AMENDING TITLE 8 (HEALTH AND SAFETY) BY ADDING CHAPTER 8.44 RELATED TO REGULATING THE USE OF PLASTIC CARRYOUT BAGS AND RECYCLABLE PAPER BAGS AND PROMOTING THE USE OF REUSABLE BAGS**

Mayor Lutz called for a recess at 9:56 p.m. and reconvened the meeting at 10:08 p.m.

**AR-2 Lease Agreement with Enterprise Fleet Maintenance Trust for an Open-Ended Lease of Light-Duty Vehicles to replace certain Public Works, Community Services, and Community Development Vehicles and including a Contract between Enterprise Fleet Management, Inc. for Maintenance of Light-Duty Vehicles**

Carl Hassel, Director of Public Works, reviewed the Agenda Report and provided clarification on the amount available in the vehicle replacement fund, logistics for maintenance of the leased vehicles, average and current annual maintenance costs, and how Staff arrived at the number of vehicles to be replace under the proposed lease.

Following discussion, **it was moved by Councilmember Adams, seconded by Councilmember Spicer to approve the Lease and Maintenance Agreements with Enterprise Fleet Maintenance Trust and Enterprise Fleet Management, Inc., for up to twenty-five (25) light-duty vehicles, and authorize the City Manager to execute the necessary documents.** The motion carried unanimously.

**AR-3 Discussion on Proposed Legislation by Congresswoman Judy Chu Designating Various Areas within the San Gabriel Valley as a National Recreation Area, Wild and Scenic, and Wilderness**

Interim City Manager Fran Delach reviewed the Agenda Report.

Mayor Lutz requested clarification on concerns stated by Interim City Manager Delach related to local control. City Attorney spoke to the concerns stated by Staff in a letter dated April 30, 2014, specifically that other organizations would make a determination as to what was "consistent with local plans" and without direct representation on the boards mentioned, those making decisions would not have the same accountability to Monrovia voters. Absent language in the bill to opt in or opt out, there was nothing to include the City making findings or decisions on issues.

Discussion continued regarding how much legislative control the City would maintain if Monrovia were included in the National Recreation Area, expanded promotion of the Hillside Wilderness Preserve through NRA related websites, development of an NRA Management Plan and possible inclusion of the City's adopted Resource Management Plan.