

**MINUTES OF THE REGULAR MEETING OF THE  
MONROVIA CITY COUNCIL  
HELD TUESDAY, APRIL 3, 2012, 7:30 P.M.**

**CLOSED SESSION:** Mayor Lutz convened the Closed Session Meeting of the Monrovia City Council at 6:00 p.m. on Tuesday, April 3, 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 Public Employee Appointment Pursuant to Government Code §54957: City Manager; CC-2 Conference with Labor Negotiator pursuant to Government Code §54957.6; Agency Negotiator: Danielle Tellez; Group Employees: Monrovia Municipal Employees Association and Monrovia Firefighters Association, 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: Interim 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; and CC-4 Conference with Legal Counsel, Existing Litigation Pursuant to Government Code §54956.9 (a); Metro Gold Line Foothill Extension Construction Authority v. City of Monrovia, Monrovia Redevelopment Agency et al, Case No. BC476000. The meeting adjourned at 7:30 p.m.

**CONVENE:** Mayor Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, April 3, 2012, at 7:40 p.m. in City Council Chambers. In attendance were Interim City Manager Mark Alvarado, City Attorney Craig A. Steele, and City Clerk Alice D. Atkins.

**INVOCATION:** Chaplain Terrence Brown 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 CC-2, CC-3, and CC-4. With respect to Item CC-1, the City Council voted unanimously to appoint Laurie K. Lile to the position of City Manager. A contract would be prepared for approval by the City Council at the Regular Meeting on April 17, 2012.

Mayor Lutz welcomed Ms. Lile, who was in attendance, and offered her a moment to say a few words.

**PRESENTATIONS/PROCLAMATIONS:**

**PR-1 Recognition of Firefighter Michael Bailey, Recipient of the Martin Luther King Jr. Volunteer Award and Letter of Commendation from President Obama:** Due to illness, Firefighter Bailey was unable to attend and this item was rescheduled.

**PR-2 Recognition of Police Employees, Officer Thomas Montes, Officer Gerald DeHart, Sergeant Nick Manfredi and Sergeant Patty Newton, Recipients of the 2012 Mothers Against Drunk Driving Award:** Chief of Police Jim Hunt assisted the Mayor and City Council in recognizing Officer Thomas Montes, Officer Gerald DeHart, Sergeant Nick Manfredi, and Sergeant Patty Newton, recipients of the 2012 Mothers Against Drunk Driving Award.

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

**ORDER OF BUSINESS:** Interim City Manager Mark Alvarado stated that there were no changes to the order of business.

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

**CC-1 Unadopted Minutes of the March 20, 2012, Regular Meeting of the Monrovia City Council:** The Minutes were approved as presented.

**CC-2 Payroll No. 7 in the Amount of \$512,858.00, and Voucher Nos. 176622 through 176827 (Checks) and 92 through 106 (EFT) in the Total Amount of \$1,002,158.99:** The City Council approved the Payroll and Vouchers as presented.

**CC-3 Review of the Successor Agency to the Monrovia Redevelopment Agency Conflict of Interest Code and Designation of the City Clerk as the Filing Officer, Resolution No. 2012-14:** The City Council adopted Resolution No. 2012-014.

#### **PUBLIC INPUT**

1. Carol Quan and Robert Meraz, Office of Los Angeles County Tax Assessor John Noguez
2. Sabin Gray, Friends of Dorothy

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

**PH-1 Tentative Tract Map No. 71883 and Conditional Use Permit CUP2012-01 for Property Located at 547 West El Norte Avenue; Dexter El Norte, LLC, Applicant**

Councilmember Adams requested details regarding the Principals of Dexter El Norte LLC. It was determined no potential conflict of interest existed.

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

Following questions regarding city boundaries and logistics with the public right of way being part of the City of Arcadia, Mayor Lutz opened the Public Hearing.

Public Input:

In Favor:

1. Hank Jong, Project Engineer on behalf of the applicant

Opposed: None

Mayor Lutz closed the Public Hearing.

**It was moved by Councilmember Spicer, seconded by Mayor Pro Tem Garcia, to approve Tentative Tract Map No. 71883 and CUP2012-01 pursuant to the recommendations in the Staff Report. The motion carried unanimously**

**PH-2 Tentative Tract Map No. 71889, Conditional Use Permit CUP2012-02/Variance V2012-02 for Property Located at 212-216 West Olive Avenue; Bowden Development, Inc., Applicant**

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 8:15 p.m.

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

Mayor Lutz opened the Public Hearing.

Public Input:

## In Favor:

1. Todd Bowden, Bowden Development
2. Pam Fitzpatrick, Monrovia

Opposed: None

Mayor Lutz closed the Public Hearing.

**It was moved by Councilmember Adams, seconded by Councilmember Spicer, to approve Tentative Tract Map No. 71889, CUP2012-02, and V2012-02 pursuant to the recommendations in the Staff Report.** The motion carried on the following vote: **AYES:** Councilmembers Adams and Spicer; Mayor Lutz. **NOES:** None. **ABSENT:** None. **ABSTAIN:** Councilmember Shevlin; Mayor Pro Tem Garcia.

**REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES****RCC-1 Mayor Lutz:**

- (a) Proclaimed April 2012 as "Sexual Assault Awareness Month" and April 25, 2012, as "Denim Day" in Monrovia
- (b) Wished everyone a happy Easter and Passover
- (c) Attendance at the upcoming Mayors Water Conference, a joint conference with the U.S. Conference of Mayors
- (d) Upcoming Annual Spring Egg Hunt and Healthy Kids Day

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

- (a) Attendance at the upcoming Los Angeles Division League of California Cities meeting and announcement of new leadership of Southern California Association of Governments.
- (b) New public art structure at corner of Huntington Drive and Magnolia

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

**RCC-4 Councilmember Shevlin:**

- (a) Upcoming events in the community.
- (b) Upcoming positions open on boards and commissions.
- (c) Foothill Unity Center food supply shortage and call for donations.

**RCC-5 Councilmember Spicer:**

- (a) Recent Monrovia Area Partnership (MAP) Youth Leadership Academy and upcoming graduation ceremony

**ADMINISTRATIVE REPORTS:**

**AR-1 Interim Urgency Ordinance of the City of Monrovia Enacted Pursuant to California Government Code Section 65858 Establishing a Temporary Moratorium on the Opening and Licensing of New Tobacco Stores During the Review and Adoption of Amendments to Relevant Licensing and Zoning Regulations; Adoption of Ordinance No. 2012-02U; Introduction and First Reading of Ordinance 2012-02**

City Attorney Craig Steele reviewed the Staff Report.

Questions followed regarding zones, effect on business that has received business license but not opened, and number of existing smoke shops and businesses that sell tobacco.

## Public Input:

1. Timothy Ritchey, Monrovia
2. Jamie Holes, Monrovia
3. Gwendolyn Jones, Monrovia
4. Pam Fitzpatrick, Monrovia

Discussion ensued regarding timing of options and proposed regulations coming back to City Council, enforcement options available to the Police Department related to synthetic cannabis, regulations in effect related to glass "paraphernalia," and unintended consequences of complete bans. Councilmember Adams indicated that he was not in favor of urgency ordinances.

**It was moved by Councilmember Adams to introduce read by title only and waive further reading of Ordinance No. 2012-02.** The motion failed for lack of a second.

Following additional discussion regarding timeline for adoption of regulations and concerns with urgency ordinances, **it was moved by Councilmember Spicer, seconded by Councilmember Shevlin, to read by title only and adopt Urgency Ordinance No. 2012-02U.** The motion carried on the following vote: **AYES:** Councilmembers Shevlin, Spicer, Mayor Pro Tem Garcia, Mayor Lutz. **NOES:** Councilmember Adams. **ABSENT:** None. **ABSTAIN:** None.

The City Attorney read the title of Ordinance No. 2012-02U as follows:

**AN URGENCY INTERIM ZONING ORDINANCE OF THE CITY OF MONROVIA, CALIFORNIA, PROHIBITING THE ESTABLISHMENT OF SMOKE SHOPS IN ANY ZONING DISTRICT WITHIN THE CITY**

**It was moved by Councilmember Shaw, seconded by Mayor Pro Tem Garcia, to introduce, read by title only and waive further reading of Ordinance No. 2012-02.** The motion carried on the following vote: **AYES:** Councilmembers Shevlin, Spicer, Mayor Pro Tem Garcia, Mayor Lutz. **NOES:** Councilmember Adams. **ABSENT:** None. **ABSTAIN:** None.

The City Attorney read the title of Ordinance No. 2012-02 as follows:

**AN INTERIM ZONING ORDINANCE OF THE CITY OF MONROVIA, CALIFORNIA, PROHIBITING THE ESTABLISHMENT OF SMOKE SHOPS IN ANY ZONING DISTRICT WITHIN THE CITY**

**AR-2 Approval of a Cooperative Agreement for the Advance and Reimbursement of Administrative, Overhead and Other Expenses By and Between the City of Monrovia and the Successor Agency, Resolution No. 2012-15**

Buffy Bullis, Finance Division Manager, reviewed the Staff Report.

**It was moved by Councilmember Adams, seconded by Councilmember Shevlin, to adopt Resolution No. 2012-15.** The motion carried unanimously.

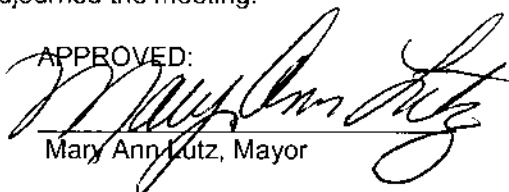
**PUBLIC INPUT, CONTINUED, IF NEEDED:** None.

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

**SCHEDULED MEETINGS:** The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, April 17, 2012, 7:30 p.m., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

**ADJOURNMENT:** At 9:23 p.m., Mayor Lutz adjourned the meeting.

APPROVED:

  
Mary Ann Lutz, Mayor

ATTEST:

  
Alice D. Atkins, CMC, City Clerk