

**MINUTES OF THE REGULAR MEETING OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, APRIL 20, 2010, 7:30 P.M.**

CONVENE: Mayor Mary Ann Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, April 20, 2010, at 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California, in honor of Ariabella Violetta Dimino, born February 20, 2010, to Kathleen and Anthony Dimino, Seth Cameron Cardenas, born April 1, 2010, to Cristyn Asucan and Cameron Cardenas, and Harmony Selah Barrett, born September 18, 2009, to Melody and Donald Barrett. In attendance were City Manager Scott Ochoa, City Attorney Craig A. Steele, and City Clerk Alice D. Atkins.

INVOCATION: Pastor Ulises Gutierrez gave the Invocation.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Tom Adams led the Pledge of Allegiance.

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

REPORT OF CLOSED SESSION

RCS-1 Conference with Legal Counsel; Existing Litigation Pursuant to Government Code §54956.9; Hillside Wilderness Preservation Campaign Group, a California unincorporated association, and Thomas A. Suess, an individual, vs. City of Monrovia, BS119186: City Attorney Craig Steele reported that there was no reportable action.

PRESENTATIONS/PROCLAMATIONS:

PR-1 Recognition of the Sponsors of the 2010 Spring Egg Hunt and YMCA Healthy Kids Day "Spring Extravaganza"

Community Services Commission Vice-Chair Tom Dittmar introduced the sponsors of the 2010 Spring Egg Hunt and YMCA Healthy Kids Day, "Spring Extravaganza." The Spring Egg Hunt and YMCA Healthy Kids Day was held on Saturday April 3, from 10:00am to 1:00pm in Recreation Park. Over 3,200 youth attended this year's event, which would not have been possible without the generous donations of the main sponsors including Monrovia Memorial Hospital, Donna Baker of Dickson Podley Realtors, Diane Balsamo of Bank of America Home Loans, Karen Taylor-Straley of Century 21 of Adams and Barnes, Monrovia Firefighters Association and Kaizen Martial Arts and Fitness.

PR-2 Recognition of the Winter 2009 Youth Sports Program Participants

Kerri Zessau, Recreation Supervisor and Memo Chavez, Assistant Recreation Coordinator, introduced the first place Basketball and Cheerleading teams and Scholar Athlete winners from the Department of Community Services Youth Sports program. The 2010 winter sports season was offered at Bradoaks, Mayflower, Monroe and Wild Rose Elementary Schools. The program operated January 4 through March 19, 2010. The 1st Place Basketball team was Mayflower Elementary and the 1st Place Cheerleading team was Wild Rose Elementary. Staff implemented a Scholar Athlete Program to reinforce the importance of education, and to encourage and acknowledge participants for their homework and academic achievements. Participants who received an equivalent of 3.0 or better during the semester, received a Scholar Athlete Award. Forty-eight participants received the Award.

PR-3 Introduction of the Monrovia Area Partnership (MAP) Program Neighborhood Beautification Crew

Dan McConnell, Neighborhood Services Coordinator, introduced the members of the Monrovia Area Partnership - Neighborhood Beautification Crew to the Mayor, City Council and the community

The following item was taken out of order:

REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

RCC1 Mayor Lutz

(b) Neighborhood Conference 2010: Alexis Newell, Neighborhood Services Specialist, introduced newly hired Community Development Intern Heather Maluso and gave an overview of the upcoming First Annual Neighborhood Conference which would be held on April 24, 2010 in Library Park.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Liaison Savannah Spicer reported on past and future activities at the high school.

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

CONSENT CALENDAR: It was moved by Councilmember Garcia, seconded by Councilmember Shaw, to approve the Consent Calendar. There were no objections. The Consent Calendar consisted of the following Agenda items:

CC-1 Unadopted Minutes of the April 6, 2010, Regular Meeting of the Monrovia City Council

CC-2 Payroll No. 8 in the Amount of \$509,424.30 and Voucher Nos. 164321 through 164557 in the Amount of \$943,620.92

CC-3 Monrovia Library Water Fountain, Project No. C-3037; Acceptance of Work, Filing of Notice of Completion, and Final Payment to Patrick Glynn Construction in the amount of \$15,900.00: On September 15, 2009, the City Council awarded the water fountain contract to Patrick Glynn Construction in the amount of \$159,000.00. The contractor started the project on October 12, 2009, and completed the work on February 17, 2010. There were no change orders issued to this contract. Funds for this project were available in the Water Fund.

Staff recommended that the City Council accept the contract work as completed by Patrick Glynn Construction in the total amount of \$159,000.00, direct the City Clerk to file a Notice of Completion with the Los Angeles County Recorder's Office, and authorize the Director of Public Works to approve final payment in the amount of \$15,900.00 to Patrick Glynn Construction thirty-five (35) days after filing of Notice of Completion with the Los Angeles County Recorder's Office.

CC-4 Amendment to the Contract with West Coast Arborists, Inc., to Include Brush Chipping Services: The grant-funded brush chipper program, administered through the Fire Department, was a highly successful fire prevention program over the last decade. The brush chipper program assisted residents who lived in the High Fire Zone (north of Hillcrest/Grand) during hazardous vegetation maintenance, by allowing the placement of cut vegetation in the street fronting their residence and having the vegetation chipped and hauled. In the past, West Coast Arborists, Inc., had provided excellent customer service to the community while working with the Fire Department to promptly remove hazardous vegetation, but the contract only identified terms such as tree trimming services.

In order to meet the current grant requirements the existing contract with West Coast Arborists, Inc., required language that specifically identified brush chipping as a service provided to the City of Monrovia under the execution of the grant guidance. This technical amendment would meet the grant requirement, bring the contract more in line with actual services rendered and allow the program to continue for the remainder of the West Coast Arborists, Inc., contract which expired in 2012. To take no action on this item could cause the City to de-obligate grant funds identified and without alternate funding sources the brush chipper program would thereby be discontinued.

Staff recommended that the City Council approve the amendment to the contract with West Coast Arborists, Inc., expiring June 30, 2012, to include language for brush chipping services.

CC-5 Transit Village Grant Application for Proposition 84 Urban Greening Program; Resolution No. 2010-17: In 2003 and 2005, the Park Capital Projects Committee recommended construction of a new park south of the 210 Freeway. On November 7, 2006, Californian voters passed Proposition 84, the "Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006," granting \$5.4 billion in funds. Under Proposition 84, the Urban Greening for Sustainable Communities Program was established providing \$70 million in funds. Grant funds will be administered over three cycles, the first of which will award approximately \$15.2 million during fiscal year 2010-11.

Staff proposed an application for funding under the Proposition 84 Urban Greening for Sustainable Communities Program to help fund the design and construction of a new multi-use residential, commercial, open green space within the Station Square Transit Village development. The multi-benefit project supported the Strategic Growth Council's objectives by creating new community gathering spaces, education, fitness, and social opportunities, enhancing commercial opportunities, increasing access to transportation and recreation, improving stormwater, water and air quality and helping to reduce green house gas emissions.

Amigos De Los Rios was partnering with the City to prepare the grant application as this project supported both their, and the City's goal to improve stormwater quality and increase multi beneficial recreational and green spaces available to residents. Nominal costs associated with preparing this grant application were budgeted in the Stormdrain Maintenance Fund.

Staff recommended that the City Council adopt Resolution No. 2010-17.

CC-6 Denial of Liability Claim Filed by Verizon: Verizon alleged that on December 10, 2009, the City and/or a contractor employed by the City, damaged a Verizon hand hole while performing grading work.

City employees did not perform the work described above. The work was performed by a private contractor. The City was covered as an additional insured on the contractors' insurance policy and Verizon was given the contact information for the contractor. Therefore, the City bore no responsibility for this matter.

Staff recommends that City Council deny the claim filed by Verizon.

CC-7 Legislative Bulletin: This report highlighted and summarized pending State legislation that might be important to Monrovia and provided a brief analysis of the potential impacts to the City. The recommendations made by Staff reflected the City's priorities and programs, as well as the direction taken by the League of California Cities, and were as follows: Support, AB715, SB346; Bills in Suspense; Oppose, AB479. Staff was directed to contact Monrovia's elected representatives for their support.

Staff recommended that the City Council approve the Legislative Bulletin and direct staff to contact Monrovia's elected representatives for their support.

PUBLIC INPUT:

1. Cyrus Kemp, Monrovia
2. John Jogminas, Monrovia
3. John Goergino, Monrovia
4. Ulises Gutierrez, Monrovia Arcadia Ministerial Association
5. Nathan Hall, Monrovia

PUBLIC HEARINGS/MEETINGS: None.

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

MRA CONVENE: Chairman Mary Ann Lutz convened the Meeting of April 20, 2010, of the Monrovia Redevelopment Agency Board of Directors at 8:19 P.M. in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting.

MRA ROLL CALL: Those in attendance were Boardmembers Joe Garcia, Clarence R. Shaw, and Becky A. Shevlin, Vice-Chairman Tom Adams and Chairman Mary Ann Lutz.

MRA CONSENT CALENDAR: It was moved by Boardmember Shaw, seconded by Boardmember Shevlin, to approve the Consent Calendar. There were no objections. The Consent Calendar consisted of the following item:

MRA CC-1 Unadopted Minutes of the April 6, 2010, Regular Meeting of the Monrovia Redevelopment Agency

MRA PUBLIC HEARINGS/MEETINGS: None.

MRA ADMINISTRATIVE REPORTS: None.

MRA ADJOURNMENT: Chairman Lutz adjourned the Meeting at 8:19 P.M.

RECONVENE MONROVIA CITY COUNCIL MEETING

REPORTS OF CITY COUNCILMEMBERS AND SUB-COMMITTEES:

REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

RCC1 Mayor Lutz reported that:

- (a) **Proclaiming May 1, 2010, as "Silver Star Service Banner Day"** She reviewed the background of Silver Star Service Banner Day, which honored wounded and ill members of the armed forces.
- (b) **Neighborhood Conference:** This item was taken out of order following Presentations above.
- (c) **Monrovia Fire Department Centennial Celebration:** Battalion Chief Ron Pelham reviewed events scheduled for the Monrovia Fire Department's Centennial celebration on May 15, 2010, in coordination with the Monrovia Day activities
- (d) **Fourth of July Celebration**
- (e) She attended a forum for the California Comprehensive Water Treatment Package, stating that forums would be taking place regarding bonds on the upcoming November ballot.
- (f) She asked Alice Griselle, Director of Community Development, to give an update on the Census 2010, who reported that the overall return rate for Monrovia was 72% compared to the National return rate of 59%, California 68%. Beginning May 1, census takers would begin going door to door. For those concerned with safety, Gwendolyn Jones described how to verify identity of legitimate Census workers.
- (g) She asked City Manager Ochoa to review options for bringing back the Fourth of July celebration; Staff and the pyrotechnics consultant recommended using Library Park. **It was moved by Mayor Lutz, seconded by Councilmember Adams, to give Staff approval to move forward with planning.** There were no objections.

RCC2 Mayor Pro Tem Adams reported that:

- (a) **Monrovia Earth Day Celebration and Volunteer Work Day:** He commented on the success of the recent Earth Day Volunteer Work Day at Canyon Park and asked Recreation/Library Division Manager Michele Tompkins to review the various volunteers and projects completed. He asked Staff to look into making it possible for members of the community to make contributions through the Wilderness Preserve Foundation specifically directed toward Canyon Park. Those interested in volunteering were directed to contact Susan Immer.
- (b) He reviewed upcoming events in the community.

RCC3 Councilmember Garcia reported that:

- (a) He had recently attended the National League of Cities (NLC), and, as promised at the last City Council Meeting, he provided to the City Manager the NLC's toolkit on preventing gang violence.

RCC4 Councilmember Shaw reported that:

- (a) He was pleased to see the youth being recognized at the Meeting and opined it was a testimony that the City is still providing activities for youth to stay involved.

RCC5 Councilmember Shevlin reported that:

- (a) She had been speaking with the City Manager about arranging a few specific work days throughout the year and would bring something back to a future meeting.
- (b) Elisa Clifford of Southern California Edison would be at the Neighborhood Conference and would be available to answer questions regarding the new Smart Meters.
- (c) She attended the recent Foothill Transit Board Meeting and cutbacks were not expected to be as severe as originally projected, there were upcoming public hearings on proposed rate increases, and more information was available on the Foothill Transit website.
- (d) Monrovia Reads had distributed over 1,000 books at the Spring Egg Hunt. The annual Cinco de Mayo fundraiser would be held on May 3, 2010, at the Doubletree hotel.
- (e) She reviewed upcoming events in the community.

ADMINISTRATIVE REPORTS

AR-1 Update on Anti-Gang Injunction

Police Chief Roger Johnson reviewed the Staff Report.

This report was on the first quarter evaluation and update of Operation Safe Neighborhoods - Anti-Gang Injunction. Chief Johnson provided information on performance indicators for the City's gang injunction implementation

Public Input:

- 1) Gwendolyn Jones, Monrovia
- 2) Jeanette Chavez, Alhambra

Councilmember Shaw requested a change to the format of the report to include adding a new category of how many individuals had been added to the list.

It was moved by Councilmember Shevlin, seconded by Councilmember Shaw, to receive and file the report. There were no objections.

AR-2 Issuance of 2010-11 Tax Revenue Anticipation Notes, Resolution No. 2010-18

Mark Alvarado, Director of Finance reviewed the Staff Report.

The City of Monrovia adopted a balanced budget every year, appropriating certain expenditures to be met with anticipated revenues that were projected to be received by the City of Monrovia during the same fiscal year. Budgeted revenues were not received by the City evenly throughout the fiscal year. It was difficult at times to match operational expenditures and/or one time construction project costs with available revenues.

In a normal budget year, the City of Monrovia used approximately six to eight million dollars of reserves during the first half of a budget year to pay for ongoing operational costs. This was because a large amount of our annual revenue, property taxes, does not begin to come in until December. Normally, the City's cash reserves were sufficient to cover this temporarily use of funds. Three factors were impeding this practice currently. First, the downturn in the economy the last two years had severely impacted the overall amount of revenue that came in to the City. Second, the State of California, over a three-year period, including 2010-11, would be taking \$3 million from the City, and would be "borrowing" another \$1.3 million. And third, the City and Redevelopment Agency, seeking to capitalize on an economic development opportunity, had secured land acquisitions within the last two years, in anticipation of the Transit Village development centered around the Gold Line light rail extension.

The issuance of Tax Revenue Anticipation Notes ("TRANS"), would be a short term borrowing. With property tax revenues to be received in December 2010 and April 2011, Staff fully expected to repay the borrowing by June 30, 2011. This financing is part of a statewide program called the California Communities Cash Flow Financing Program. There were many local agencies participating in this program. The expected borrowing of the City would be between six and eight million dollars.

The pricing and issuance of the notes would occur sometime around June 1, 2010. The interest rate was estimated to be 5%. After taking into account interest earnings on the anticipated proceeds that were not used, the net cost of this borrowing would be between 2% and 3%. Thus, the estimated cost was approximately \$125,000. This cost would ultimately be paid by the sale of the City/Redevelopment Agency's considerable land holdings in the Station Square project area. Naturally, if the City/Redevelopment Agency sold land holdings sooner than anticipated, the repayment of this TRANS issue could be moved up and result in a decrease in the net interest costs. In this event, the overall costs could be less than half of the estimated \$125,000.

Mayor Pro Tem Adams questioned a discrepancy between the Staff report, which stated an amount not to exceed \$10 million, and page 13 of the Resolution stating \$5 million.

After discussion, it was moved by Councilmember Garcia, seconded by Councilmember Shevlin, to adopt Resolution No. 2010-18 with corrections identified on page 13 to reflect \$10 million.

ROLL CALL Ayes: Councilmembers Garcia, Shaw, Shevlin, Mayor Pro Tem Adams, Mayor Lutz.

Motion Carried: 5-0

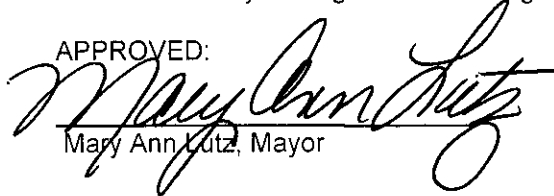
SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council is scheduled for Tuesday, May 4, 2010, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

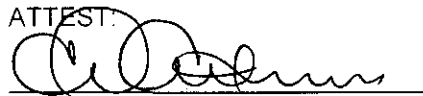
PUBLIC INPUT, CONTINUED, IF NEEDED: None

ADJOURNMENT: At 10:11 P.M. Mayor Lutz adjourned the Meeting in memory of Bonnie Craig, Mother of Brian Hughes and Mother-in-law of Executive Assistant to the City Manager Rachael Hughes.

APPROVED:


Mary Ann Lutz, Mayor

ATTEST:


Alice D. Atkins, CMC, City Clerk