

**MINUTES OF THE REGULAR MEETING OF THE  
MONROVIA CITY COUNCIL  
HELD TUESDAY, MARCH 17, 2009, 7:30 P.M.**

**CONVENE:** Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, March 17, 2009, at 7:36 P.M., in City Council Chambers, 415 South Ivy Avenue, Monrovia, California in honor of Newborn Declan Jameson Segraves Siegrist born January 4, 2009 to Parents James and Rochelle Siegrist. In attendance were City Manager Scott Ochoa, City Attorney Craig A. Steele and City Clerk Linda B. Proctor.

**INVOCATION:** Youth Minister Ulises Gutierrez gave the Invocation.

**PLEDGE OF ALLEGIANCE:** Mayor Pro Tem Dan Kirby led the Flag Salute.

**ROLL CALL:** In attendance were Councilmembers Tom Adams, Joe Garcia, Mary Ann Lutz, Mayor Pro Tem Dan Kirby, and Mayor Rob Hammond.

**PRESENTATION/PROCLAMATION:**

**PR-1 Recognition of Newly Sworn Police Officers Richard Schneider and Adam Villalobos:** Lieutenant Alan Sanvictores introduced Newly Sworn Police Officers Richard Schneider and Adam Villalobos to the Mayor, City Council, and community.

**STUDENT GOVERNMENT REPRESENTATIVE REPORT:** Interim Student Liaison Dimaya Lozano reported on events and activities at Monrovia High School.

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

**CC-1 Unadopted Minutes of the March 3, 2009 Regular Meeting of the Monrovia City Council**

**CC-2 Payroll No. 5 in the Amount of \$585,045.08 and Voucher Nos. 157016 Through 157265 in the Amount of \$985,586.34**

**CC-3 Award of Contract to FR Construction for the California Air Resources Board (CARB) Phase II Enhanced Vapor Recovery (EVR) Upgrade for Fuel Station in the Amount of \$33,550.00:**

The State of California required that all retail and non-retail gasoline dispensing facilities with underground storage tanks be equipped with a certified Phase II Enhanced Vapor Recovery system (EVR). The program was designed to further reduce emissions of gasoline vapors. The Executive Order required the system to be in place and operable by April 1, 2009. The vapor recovery system collected gasoline vapors that would otherwise escape into the atmosphere during bulk fuel delivery (Phase I) and vehicle refueling (Phase II). (Phase I was completed in 2005 per CARB requirements.)

In October 2008, the Monrovia Fueling System was inspected for the proposed installation of the EVR system. On February 2, 2009, the LA County Department of Public Works Environmental Programs approved the plans, and on February 27, 2009, the South Coast Air Quality Management District approved the plans for installation.

Three bids were received ranging from \$33,550.00 to \$43,500.00. After evaluating each bid, FR Construction appeared to be the lowest qualified bidder. Funding for this project was available in the fuel station revenues account.

**CC-4 Denial of Liability Claim; Sylvia Baque (Carpenter and Zuckerman LLP) vs. City of Monrovia**

Sylvia Baque alleged that on August 18, 2008, she tripped and fell in a hole created in the public parkway as the result of a new light pole installation. She claimed she sustained numerous injuries. As the City did not install any light poles at the location indicated in the claim, it bore no responsibility for this matter.

**CC-5 Denial of Liability Claim; Margaret and Michael Simmons vs City of Monrovia:** Margaret and Michael Simmons alleged that on July 25, 2008, she was notified by City personnel of a water leak on her property. Claimants believed the leak was caused by a truck owned by a private party that backed onto the water meter box on their property. They believed the City should pay their plumbing repair bill. This was an alleged incident involving private property. Therefore, the City bore no responsibility for this matter.

**PUBLIC INPUT:**

- 1 Dr. Sylvia Domotor, Animal House, Monrovia, and Jenny Pappano, Relay for Life
- 2 Chris Ziegler, Monrovia
- 3 Chuck Keen, Monrovia

**PUBLIC HEARINGS / MEETINGS:**

**PH-1 Formation of Underground Utility District No. 2009-01 on Magnolia Avenue Between Central Avenue and Duarte Road, Resolution No. 2009-16**

Public Works Director Ron Bow reviewed the Staff Report.

Under the Public Utilities Commission's 1968 decision, Rule 20A Program, SCE must allocate a set amount of funds each year to all 192 local governments. Monrovia's allocation amount was approximately \$197,000.00 per year. To date, Public Works had over \$960,000.00 available for overhead to underground conversion projects.

On March 3, 2009, the City Council adopted Resolution No. 2009-09, calling for a Public Hearing on March 17, 2009 to determine whether the public necessity, health, safety or welfare requires the formation of Underground Utility District No. 2009-01 on Magnolia Avenue between Central Avenue and Duarte Road. The formation of Underground Utility Districts (UUD) would call for the overhead facilities to be removed and be placed underground. Edison's estimated construction costs are \$800,000.00. In accordance with the Monrovia Municipal Code Section 13.16.020, UUD 2009-01 can proceed if the "City or a public utility has voluntarily agreed to pay over 50% of all costs of conversion, excluding costs of users' connection to underground facilities." Funding for the Underground Utility District will utilize Edison Rule 20A funds.

**PUBLIC HEARING OPENED:** Mayor Hammond opened the Public Hearing.

In favor: None  
Opposed: None

**PUBLIC HEARING CLOSED:** Mayor Hammond closed the Public Hearing as there was no one who wished to speak for or against the matter.

**It was moved by Councilmember Lutz, seconded by Mayor Pro Tem Kirby, to adopt Resolution No. 2009-16.** There were no objections.

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

**MRA CONVENE:** Chairman Rob Hammond convened the Meeting of March 17, 2009, of the Monrovia Redevelopment Agency Board of Directors at 8:10 P.M. in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting.

**MRA ROLL CALL:** Those in attendance were Boardmembers Tom Adams, Joe Garcia, Mary Ann Lutz, Vice-Chair Dan Kirby and Chairman Hammond.

Boardmember Adams stated that he would abstain from voting on the MRA CC-3 due to a conflict of interest.

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

**MRA CC-1 Unadopted Minutes of the March 3, 2009 Regular Meeting of the Monrovia Redevelopment Agency**

**MRA CC-2 Professional Services Contract with Camarena Land Clearing Company for the Demolition of the Structure at 1234 Sherman Avenue for the Total Consideration of \$13,500 00.** Over the years, the Agency had worked to address the various forms of blight and provide affordable housing opportunities to the low-moderate income residents. The Agency wished to demolish the dilapidated Agency owned unit to continue with the significant upgrades now underway on Sherman Avenue. A low-moderate income housing opportunity at the site would be presented at a future Board meeting for consideration.

Under the proposed agreement, the Agency would pay the Contractor \$13,500 00 for the demolition of the single family residence upon completion of the work.

**MRA CC-3 Lease Agreement with Calvary Church for Real Property Located at 123 West Pomona Avenue.** The Agency acquired the former World Gym site, located at 123 West Pomona Avenue, as part of the Station Square development. The site was located in the third phase of the project, which was expected to break ground in approximately eighteen months. Rather than allowing the property to remain vacant and become an attractive nuisance, the Agency determined that a better alternative was to identify a temporary tenant for the site.

The proposed tenant, Calvary Church, would lease the site for a monthly rate of \$5,224 00, a figure consistent with market rates. The initial term was for a twelve month period, with a month to month option extension at the conclusion of the initial term. The Lease required the tenant to be responsible for the maintenance of the property and also required the tenant to waive any relocation benefits at the conclusion of the term.

**MRA PUBLIC HEARINGS/MEETINGS:** There were none.

**MRA ADJOURNMENT:** Chairman Hammond adjourned the Meeting at 8 11 P M.

### RECONVENE MONROVIA CITY COUNCIL MEETING

#### REPORTS OF CITY COUNCILMEMBERS AND SUB-COMMITTEES:

**RCC-1 Mayor Rob Hammond** reported that

(a) **Dedication Ceremony of the new Library:** He reminded the public that April 4, 2009, 11 00 A M, was the Dedication of the new Library in Library Park. Tours would be given and the public could see what the Library looked like before the books were moved in. The opening would be in May, 2009. He thanked Monica Greening and her Staff for conducting business in the cramped area they have been in for the past year. He reported that hot dogs, popcorn, and drinks would be available. The "Dream Come True" Library tours were scheduled for the afternoon, with the official opening on the City's birthday celebration day.

(b) **MAP Update:** He called upon Community Development Director Alice Griselle to give an update on the next phase of the Monrovia Area Partnership program.

(c) He thanked Mayor Pro Tem Kirby for attending the Strings Concert in his place. He thanked Lynda and Blaine Fetter who wrote a check for \$25,000 00 to start the program which targeted 4th and 5th grade students. Over 125 students were now in the program and he was looking forward to years and years of music in Monrovia.

**RCC-2 Mayor Pro Tem Dan Kirby** reported that

(a) **Update on Animal Control Program and Inland Valley Animal Shelter** He called upon Captain Rick Miglia who presented the update on Monrovia's successful Animal Control Program which was established in the summer of 2007.

(b) He expressed regrets for not being able to attend Wildrose Historic Designation. He thanked Councilmember Garcia for his leadership and mentorship for the program and himself.

(c) He and Councilmember Lutz threw out the first pitch of opening day for Monrovia Youth.

Baseball and noted that the attendance was remarkable

(d) He thanked Community Services for providing the updates on the Youth Sports Program and thanked Memo Chavez for his outstanding assistance to the youth. He read the basketball and cheering squads' statistics

(e) He filled in for Mayor Hammond and joined Monrovia students and families to see the "Superstars for Music" program. He also attended the brand new strings program which was made possible by the Boone Family and Mayor Hammond

**RCC-3 Councilmember Tom Adams** reported that

(a) The Week of March 22-28, 2009 was proclaimed "Voter Registration Week "

**RCC-4 Councilmember Joe Garcia** reported that

(a) Housing Element. He introduced Alice Griselle who presented a brief report on the housing element

(b) **Wildrose Historic District.** He thanked his colleagues for their support of the long awaited Historic District

**RCC-5 Councilmember Mary Ann Lutz** reported that

(a) **Update on "Green" Activities:** She called upon Operations Division Manager Dan Iwata who reviewed the activities of the Green Library Building and Park. The program was among the finalists for Los Angeles County's Green Leadership Award. A panel would meet next week to see the Leeds facility, which was the Library

(b) Quota International of Monrovia-Duarte's Salute to Stars would be held on April 8, 2009, 11:30 A.M., Double Tree Hotel, honoring Dr. Sylvia Domotor, Ulises Guitierrez and Linda Wright

(c) She attended the "Building Liveable Communities" conference and brought back many items for use in the City

## ADMINISTRATIVE REPORTS

**AR-1 Determination that a Designated Portion of the City was a Depressed Area and that Designation of the Area as an Enterprise Zone was Necessary to Attract Private Sector Investment, Resolution No. 2009-05**

Management Assistant Lauren Vasquez reviewed the Staff Report

The purpose of the Enterprise Zone program was to target areas throughout the state to stimulate business and industrial growth. Special state and local incentives encouraged business investment and promoted the creation of new jobs through business attraction, expansion and retention. The Enterprise Zone program was the state's most significant tool to assist local governments in leveling the playing field with other states in the highly competitive field of business attraction. Establishing an Enterprise Zone for the City of Monrovia should prove to be a valuable tool for its economic sustainability.

The proposed Monrovia Enterprise Zone would be a regional economic development effort. Partners in the application included Citrus College, Monrovia Chamber of Commerce, L.A. Works, CalWORKs, local business, financial institutions, job developers, and the real estate community.

As part of the application requirements, Staff prepared an initial study for the project per the California Environmental Quality Act (CEQA). Based upon the Initial Study, Staff determined there was no substantial evidence that the project would have a significant adverse impact on the environment. As a result, a Negative Declaration had been prepared.

The Enterprise Zone application had to be received by the State Department of Housing and Community Development no later than 5:00 pm on March 27, 2009. The application must go through two reviews before being scored. The scoring process took several months, and it was anticipated that those winning EZ communities would be announced beginning in June 2009.

**It was moved by Councilmember Adams, seconded by Councilmember Garcia, to adopt Resolution No. 2009-05 and authorize the submittal of the Enterprise Zone application to the State of California Department of Housing and Community Development for designation as the Monrovia Enterprise Zone.** There were no objections.

## **AR-2 Purchase of Workstations, Printers, Software, Networking and other Equipment for the New Public Library in an Amount not to Exceed \$225,000 00**

City Manager Ochoa reviewed the Staff Report

At the March 3, 2009 City Council meeting, the report to purchase the technology for the new Library was presented. The Council requested a cost analysis for the "Thin Client" and traditional workstations. The complete Staff Report provided the cost analysis and the research conducted over this past year.

The Library and Information Systems Staff worked together to develop the list of desired capabilities for the technology in the new Library. The Library Staff had operated the public workstations since 1999. This provided a good basis to establish the technology requirements for the public workstations. Two key requirements developed from the Library's experience with its current technology centers were the removal of the diskette drive and keeping the CD/DVD drive. The diskette drive was a reliability and maintenance issue and was the one component that continually needed replacement. Flash drives were the current technology for saving information.

The CD/DVD recommendation precluded the use of Thin Client workstations for the public workstations. Thin Client workstations did not provide cabinet space for a CD or DVD drive. An external CD/DVD drive could be added using one of the USB ports, however, it was not recommended in this environment since there was no way to conveniently secure the units to keep them safe from theft. The external units would also add to the cost.

While researching technology and policies this past year, Staff conducted a survey of other Public Libraries. The survey determined if any Libraries were using the Thin Client workstations, and if so, where were they being used (i.e., circulation, Public Access Catalog (PAC), public technology centers, and staff). Included in this survey were three of the newest libraries, Alhambra, Fontana and San Marino, as well as two of the more progressive libraries, Cerritos and Santa Monica. Cerritos was the only Public Library surveyed using the Thin Client workstations. In 2008, Cerritos Public Library tested Thin Clients for use in circulation and at the public use computers. Based on the results of the test, the Cerritos Public Library decided to stay with traditional computers for public use computers. Cerritos decided to use Thin Clients for the Public Access Catalog.

Discussion ensued regarding the purchase of additional Staff workstations at this time.

**It was moved by Mayor Hammond, seconded by Councilmember Lutz, to approve the purchase of traditional workstations, laptops, software, printers and other related equipment for technology in an amount not to exceed \$190,000 00 for a public hardware and software, and put the remainder of funds from the \$225,000 00 original recommendation in an interest bearing account to be used only for the upgrade of hardware and software in the future (4 to 6 years), and return to the City Council if the funds were needed to be used before that time, and, authorize the City Manager to execute the necessary documents. An amendment by Mayor Hammond to have the Library Internet stand alone was accepted by Councilmember Lutz.**

**ROLL CALL: Ayes: Councilmembers Adams, Garcia, Lutz, Mayor Pro Tem Kirby, Mayor Hammond**  
**Motion carried: 5-0 - 4-0**

\* No: Councilmember Adams

City Manager Ochoa stated that he would be giving at least quarterly reports on Library trends.

### **SCHEDULED MEETINGS**

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

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

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

**ADJOURNMENT TO CLOSED SESSION.** At 9:52 P.M., Mayor Hammond announced that the City Council would adjourn to Close Session regarding the following matters and would reconvene the City

Council Meeting to report City Attorney Steele reported that Mayor Hammond and Councilmember Garcia would not participate in the discussion

**ACS-1 Conference with Legal Counsel, Existing Litigation pursuant to Government Code §54956 9(a), Name of Case Hillside Wilderness Preservation Campaign Group and Thomas A Sues, Case No. BS119186**

**ACS-2 Conference with Legal Counsel, Anticipated Litigation pursuant to Government Code Section 54956 9(c) 1 potential case**

**RECONVENE AND REPORT OF CLOSED SESSION**

**RCS-1 Conference with Legal Counsel; Existing Litigation pursuant to Government Code §54956.9(a), Name of Case: Hillside Wilderness Preservation Campaign Group and Thomas A Sues, Case No. BS119186** City Attorney Craig Steele reported that no reportable action was taken

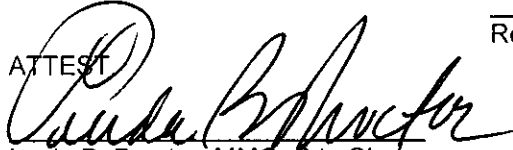
**RCS-2 Conference with Legal Counsel, Anticipated Litigation pursuant to Government Code Section 54956 9(c) 1 potential case:** City Attorney Craig Steele reported that no reportable action was taken

**ADJOURNMENT** Mayor Hammond adjourned the Meeting at 10 05 P M

APPROVED

  
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Rob Hammond, Mayor

ATTEST

  
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Linda B Proctor, MMC, City Clerk