

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, MAY 4, 2004, 7 30 P M**

CONVENE Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, May 4, 2004 at 7 35 P M in City Council Chambers, 415 South Ivy Avenue, Monrovia, California Staff in attendance was City Manager Scott Ochoa, City Attorney Craig A Steele, and City Clerk Linda B Proctor

INVOCATION Pastor Gregory Douglass led the Invocation

PLEDGE OF ALLEGIANCE Councilmember Tom Adams led the Flag Salute

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

REPORT OF CLOSED SESSION(S) None

PRESENTATIONS

1 Recognition of Mimi Mency as the Monrovia "Senior of the Year" and Winner of the "Older American Recognition Award"

Penny Arroyo, Assistant Recreation Coordinator, assisted Mayor Hammond in introducing Mimi Mency, Monrovia "Senior of the Year" and winner of the "Older American Recognition Award" to City Council and community Ms Arroyo also introduced Shirley Goshorn, Monrovia Volunteer Center's "Volunteer of the Year "

PROCLAMATIONS

1 Proclaiming the Month of May, 2004 as "Older Americans' Month"

Mayor Hammond proclaimed the month of May as "Older Americans' Month" in celebration of older Americans everywhere Mimi Mency, Monrovia's 2004 Senior of the Year and recipient of the Older American Award, received the Proclamation

2 Proclaiming the week of May 16-22, 2004 as "National Public Works Week"

Mayor Hammond proclaimed the week of May 16-22, 2004 as "National Public Works Week " This year's theme was "24/7 - Focused on our Community " The aim of Public Works Week was to recognize the hard work and accomplishments of the engineers and public works employees, including parks, streets, facilities, water, and sanitation workers

Dave Fike, Public Works Director, accepted the Proclamation

The following item was taken out of order

G REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

1 Mayor Hammond reported that

(a) Challenge Cup Relay Team Update by Officer Nick Manfredi, Monrovia Police Officers Association

Mayor Hammond introduced Monrovia Police Officer Nick Manfredi who reported that the Challenge Cup Relay Baker to Vegas 120 mile relay race was held last weekend. He reported that it was a grueling and challenging race. He recognized all of those who volunteered their time for the event, and reported that the team improved its time from last year and finished 10th this year. He reported that two hundred and twenty-two teams participated, and that they came from as far away as Germany, Australia and England. He presented the City Council with a plaque of appreciation for their involvement in the event.

STUDENT GOVERNMENT REPRESENTATIVE REPORT Student Liaison Susu Ji reported on activities at Monrovia High School.

A CONSENT CALENDAR

Cyrus Kemp, resident, requested that Agenda Items *I-4, *I-5 be pulled from the Consent Calendar.

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Garcia, to approve the Consent Calendar consisting of Items *B, *F-1, *F-2, *I-2, *I-3, and *I-6, and *J.

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

***B MINUTES** The Minutes of the Regular Meeting of April 20, 2004, were approved by order of the Consent Calendar.

C ORAL COMMUNICATIONS

1 Cyrus Kemp, Monrovia, expressed concern regarding votes by City Councilmembers that he believed the public did not understand, and his belief that Agenda titles lacked substance.

2 Cindy York, Monrovia Day Association, introduced the current Monrovia Day Queen, Ryann Blackshire, and her Court. They presented the City Council with its official portrait, and reported on various events planned for Monrovia Days on May 15, 16, 2004.

3 Karen Suarez, Monrovia Liaison, San Gabriel Valley Mosquito & Vector District, reported that this was the West Nile Virus Week. She reviewed the functions of the District.

4 Clint Arsenault, Monrovia, expressed his opinion that the streets intersecting with railroad crossings for the light rail be gated on both sides for utmost safety on the 12 crossings in Monrovia.

D PUBLIC HEARINGS/MEETINGS None

CONVENE MONROVIA REDEVELOPMENT AGENCY MEETING WITHOUT ADJOURNING CITY COUNCIL MEETING

CONVENE Chairman Rob Hammond convened the Regular Meeting of May 4, 2004 of the Monrovia Redevelopment Agency Board of Directors at 8:12 P.M. in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting.

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

A CONSENT CALENDAR

It was moved by Chairman Hammond, seconded by Vice-Chairman Garcia, to approve the Consent Calendar consisting of Item *B. There were no objections.

***B MINUTES** The Minutes of the Regular Meeting of April 20, 2004, were approved by order of the Consent Calendar

MRA REPORTS

1 Public Hearing, Opened and Continued from April 20, 2004 Agency Meeting, Authorization to Enter into a Disposition and Development Agreement with Colorado Commons, Inc , Regarding Real Property Located at the Northeast Corner of Primrose Avenue and Colorado Boulevard, Resolution Nos 2004-25 and 4-2004

As their business properties were located within 500 feet of the proposed project, Chairman Hammond and Boardmember Lutz exited City Council Chambers at 8 27 P M and 8 32 P M , respectively

Executive Director Scott Ochoa, Redevelopment Division Manager Kevin O'Brien, and Community Development Director Alice Griselle reviewed the Staff Report

Pursuant to the proposed Disposition and Development Agreement (the "DDA"), the Agency and City would transfer the property at 131-145 W Colorado Boulevard and City Parking Lots 9 and 10, to Colorado Commons, Inc (the "Developer") The Developer would construct the Colorado Commons (the "Development"), consisting of up to 57 loft units, 31,000 square feet of commercial space, a 350 space parking structure, and five town homes

The Colorado Commons would be constructed in two phases Phase 1 would include the development of City Parking Lot 9 with two loft buildings, consisting of 16 loft units and commercial space Phase 2 will include the development of Parking Lot 10 and the property at 131-145 W Colorado Boulevard In Phase 2, the Developer would construct three loft buildings consisting of 41 loft units, the corresponding commercial space, a 350-space parking structure and five town homes

The Monrovia Redevelopment Agency acquired 131-145 W Colorado Boulevard between 1994 and 1997 The Agency paid \$910,000 for the property The City has owned Parking Lots 9 and 10 since at least 1960, however, there was no information regarding a purchase price

Consideration to the Agency for the property would consist of 20% of the total number of loft units reserved for moderate-income homebuyers Due to this restriction, the maximum sale price of these units is approximately \$140,000 00 below the anticipated sale price of the market rate loft units The value of the affordable units, represented by the difference between the restricted price and the market price is \$1,540,000 00

In exchange for City Parking Lots 9 and 10, the Developer would construct a parking structure to replace the 131 public parking spaces lost as a result of the Development The Developer will subsequently convey title, as well as the obligation to maintain the structure, back to the Agency

Staff recommended that the City Council and the Agency Board approve the proposed DDA

In response to concern expressed by Boardmember Adams regarding using public funds for property owners parking structure, Executive Director Ochoa stated that a maintenance assessment district would be established

PUBLIC HEARING OPENED Vice-Chairman Garcia opened the Public Hearing He noted that Mr Crocket of Crocket Construction, Sierra Madre, and Dick Hale, of The Hale Corp, were in attendance to answer any questions that may arise

Mamdani Therefore, the City bore no responsibility in this matter Staff recommended that the City Council deny this claim

2 Denial of Liability Claim, Bonnie Bogharian vs City of Monrovia

This matter was approved by order of the Consent Calendar

Ms Bonnie Bogharian asserted that on Friday, November 7, 2003, she was walking southbound on Myrtle Avenue during the Friday Night Festival and tripped over a piece of lumber sticking out from beneath a parked vehicle As a result, she suffered various injuries including a severe sprain/strain of her left ankle

Ms Bogharian was notified to contact the Family Festival regarding this incident as it was responsible for the Friday Night Festival Claimant sought \$315,000 00 in damages Staff recommended that the City Council deny this claim

H REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

1 Mayor Hammond reported that

(a) **Challenge Cup Relay Team Update by Officer Nick Manfredi, Monrovia Police Officers Association** This item was reported on during Oral Communications above

(b) At a recent Team Building Session with Staff and the City Council, discussion took place on how to improve services to all of the citizens in Monrovia even though financial times were tight, and the City Council gave direction to Staff to look at the ability to extend hours at City Hall by opening on Fridays as well The proposal was in the talking stages at this time It would give the opportunity for employees to have a flex schedule on Mondays or Fridays, thus incurring no additional costs, and would provide the residents with another day to do business with City Hall

2 Mayor Pro Tem Garcia reported that

(a) The Mother's Day Tour by the Monrovia Old House Preservation Group was scheduled for this coming Sunday

(b) American Bungalow Magazine carried an amazing article on the Wildrose Tract of California Bungalows in Monrovia

3 Councilmember Adams reported that

(a) Monrovia Fire Department Annual Pancake Breakfast was scheduled for Saturday, May 9, 2004 at the Fire Station from 7 00 A M to 11 00 A M , with tours of the Fire Department available until 1 00 P M

(b) He will be absent at the next Meeting as he will be getting married on May 15, 2004 and will be on his honeymoon at the time of the City Council Meeting

(c) At his request, Chief Sam DiGiovanna reported on the current fires in Southern California

(d) The annual Don Montgomery Memorial Golf Tournament was scheduled for Friday, May 14, 2004 at Azusa Greens

4 Councilmember Kirby reported that

(a) The Mary Wilcox Youth Center opened last Saturday, which he attended

(b) Adelphia Cable was having financial difficulties, but that business was as usual at this time

(c) This Thursday was the National Day of Prayer

5 Councilmember Lutz reported that

(a) She congratulated Santa Fe Middle School Band that played the National Anthem at the Quakes game in Cucamonga, and noted that the Band Director, Tony Ellis, threw the first pitch

(b) She thanked the Queen and Court for reviewing activities of upcoming Monrovia Days, and reviewed other activities for May 15 and 16, 2004

(c) She thanked the Fire Department, Fire Safe Council, and the Rotary Club for a joint project that created a fire safe garden in Rotary Park to illustrate to residents how to plant for fire safety She thanked those who participated in this great project

H REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES None

I ADMINISTRATIVE REPORTS

1 Amendment to Title 8, Chapter 8 04 of the Monrovia Municipal Code Relating to the Health Code, Introduction and First Reading of Ordinance No 2004-08 Adopting by Reference the Los Angeles County Health Code, and Setting a Public Hearing for June 1, 2004 with Respect Thereto

Alice G Griselle, Community Development Director, presented the Staff Report

In 1998, the Los Angeles County Board of Supervisors adopted an ordinance requiring retail food establishments to post a grade card at the end of routine inspections upon their cities' adoption of the ordinance

Monrovia is one of the remaining ten cities (of the 88 cities in Los Angeles County) that has not adopted an ordinance requiring the posting of grades at their food establishments

At its April 6, 2004 meeting, the City Council reviewed information provided by Staff regarding the Los Angeles County's retail Food Establishment Inspection/Grading Program After public input, the City Council directed Staff to draft an ordinance addressing a letter grade and inspection system for food establishments within the City of Monrovia

The proposed ordinance allowed the Los Angeles County Health Department to operate their retail Food Establishment Inspection/Grading Program within the City of Monrovia Data has shown that the general public is aware of this program and that mandatory grade posting causes overall revenue of the food establishments to increase Restaurants in Monrovia have been advised by letter that the City Council will be considering the adoption of the letter grading and inspection system for food establishments at the May 4, 2004 City Council Meeting Staff recommended that the City Council introduce Ordinance No 2004-08

Those speaking in favor

- 1 Rafael Fajardo, owner of Tidal Wave
- 2 Rudy Castellon, owner of Rudy's
- 3 Tom Palmer, resident

It was moved by Councilmember Adams, seconded by Councilmember Lutz, to introduce, waive further reading, and read by title only Ordinance No 2004-08 relating to Los Angeles County Retail Food Establishment Inspection/Grading Program, and set for Public Hearing on June 1, 2004

ROLL CALL

Ayes Councilmembers Adams, Kirby, Lutz, Mayor Pro Tem Garcia, Mayor Hammond
Motion carried 5-0

City Attorney Steele read as follows

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA ADOPTING BY REFERENCE THE LOS ANGELES COUNTY HEALTH CODE AND AMENDING TITLE 8 OF THE MONROVIA MUNICIPAL CODE

***2 Initiation of Proceedings for the 2004-2005 Fiscal Year Citywide Lighting and Landscape Maintenance Assessment District, Resolution No 2004-18**

This matter was approved by order of the Consent Calendar

The Citywide Lighting and Landscape Maintenance Assessment District has been in existence since the early 1980's. It provides funding for the maintenance of public street lighting and traffic signals, maintenance of street trees, maintenance of landscaping of street median and parkway areas including East Duarte Road, Myrtle Avenue, Huntington Drive, Cypress Avenue and Maple Avenue and maintenance of landscaping of parkway areas for the Gold Hills Development area.

Staff recommended adoption of Resolution No 2004-18 initiating proceedings and ordering preparation of the Engineer's Report.

***3 Initiation of Proceedings for the 2004-2005 Fiscal Year Park Maintenance Assessment District, Resolution No 2004-19**

This matter was approved by order of the Consent Calendar.

Under the Landscaping and Lighting Act of 1972 and assessment conditions of Proposition No 218, a budgetary review of the Assessment District is required and action to initiate the Park Maintenance District annual review for Fiscal Year 2004-2005 must be taken.

The proposed assessments for Fiscal Year 2004-2005 can be changed from the assessments of Fiscal Year 2002-2003 by the federally calculated Consumer Price Index cost of Living Adjustment allowed by Proposition No 218 of 1996 which was estimated at an increase of 2%.

Staff recommended the adoption of Resolution No 2004-19 initiating proceedings for the annual levy of assessments and ordering the preparation of an Engineer's Report.

4 Fiscal Year 2004-05 Citywide Lighting and Landscaping Assessment Maintenance District, Approve Engineer's Report, Resolution No 2004-20, and, Intention of Public Hearing on June 15, 2004, Resolution No 2004-23

Cyrus Kemp, Monrovia, expressed concern regarding Staff recommendations.
Tom Palmer, Monrovia, expressed concern regarding property taxes.

The Citywide Lighting and Landscaping Maintenance District has provided the funding for Maintenance of public street lighting and traffic signals, maintenance of street trees, maintenance of landscaping of street median and parkway areas (Myrtle Avenue, Huntington Drive, Cypress Avenue and Maple Avenue), and maintenance of landscaping of parkway areas for the Gold Hills development.

The recommended assessment for Fiscal Year 2004-2005 for a typical single family dwelling as compared to the previous year's assessments was as follows:

<u>Fiscal Year</u>	<u>Assessment for a Single Family Dwelling Unit</u>
2001-2002	\$56 38
2002-2003	\$56 23
2004-2004	\$56 23
2004-2005	\$56 23

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Garcia, to adopt Resolution Nos 2004-20 and 2004-23, and authorize a Gas Tax Fund Contribution in the Amount of \$309,091 00 to the Citywide Lighting and Landscaping Maintenance District

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

5 **Fiscal Year 2004-05 Park Maintenance Assessment District, Approve Engineer's Report, Resolution No 2004-21, and Intention of Public Hearing on June 15, 2004, Resolution No 2004-24**

Cyrus Kemp, Monrovia, expressed concern regarding Staff recommendations
Tom Palmer, Monrovia, expressed concern regarding property taxes

In accordance with the Landscaping and Lighting Act of 1972 and the provisions of Proposition 218, the City Council approved the establishment of the Park Maintenance District

The recommended assessment for Fiscal Year 2004-2005 for a typical single family dwelling was \$8 78 This would be a \$0 16 increase from Fiscal Year 2003-2004

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Garcia, to adopt Resolution Nos 2004-21 and 2004-24, and authorize a General Fund Contribution of \$66,400 00 to the Park Maintenance Assessment District

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

***6** **Set for Public Hearing for May 18, 2004, Vesting Tract Map No 60806/Conditional Use Permit CUP2004-10, 853-855 West Olive Avenue, Tom Courtney, Applicant**

This matter was approved by order of the Consent Calendar

On January 14, 2004, the Planning Commission reviewed the proposal for a six-unit Planned Unit Development After the Public Hearing, the Commission forwarded the item to the City Council with a recommendation of approval subject to revision of the elevations to include at least two different design elements The applicant recently submitted the revisions to Planning staff Staff recommended setting May 18, 2004 as the date of the Public Hearing

***J** **PAYROLL & VOUCHERS**

Payroll No 9 in the net amount of \$453,089 82 and Voucher Numbers 118068 through 118333 non-sequentially in the amount of \$676,551 61 were approved by order of the Consent Calendar

K SCHEDULED MEETINGS

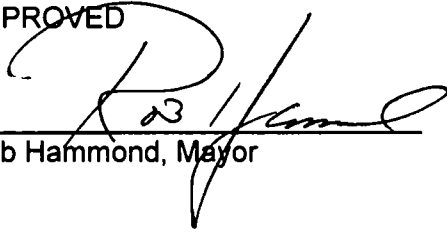
The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, May 18, 2004, 7 30 P M , City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Budget Study Session, 6 00 P M , City Council Chambers

L ORAL COMMUNICATIONS, CONTINUED, IF NEEDED None

M CLOSED SESSION None

N ADJOURNMENT At 10 02 P M , Mayor Hammond adjourned the City Council Meeting in memory of Tiana Hudson and Elizabeth Kathary, mother of Finance Department employee Debbie Krantz

APPROVED



Rob Hammond, Mayor

ATTEST



Linda B Proctor, CMC, City Clerk