

**MINUTES OF THE REGULAR MEETING OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, MARCH 2, 2010, 7:30 P.M.**

CONVENE: Mayor Mary Ann Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, March 2, 2010, at 7:32 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California, in honor of Josiah Rodrigo Valencia Azucena, born February 10, 2010, to Parents Rodrigo and Myra Azucena, preceded by a closed session at 6:30 P.M. (at which all Councilmembers were present). In attendance were City Manager Scott Ochoa, City Attorney Craig A. Steele, and City Clerk Alice D. Atkins.

INVOCATION: Pastor Dorothy Scott gave the Invocation.

PLEDGE OF ALLEGIANCE: Councilmember Clarence R. Shaw led the Pledge of Allegiance.

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

PRESENTATIONS/PROCLAMATIONS:

PR-1 Proclaiming the Week of March 7 through March 13, 2010, as "Teen Tech Week"

Shawn Thrasher, Senior Youth Services Librarian, introduced Teen Advisory Boardmembers Alex Villa and Lauren Velasquez to the Mayor, City Council and the community. Mr. Villa and Miss Velasquez reviewed some of the events planned for Teen Tech Week at the library.

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

ORDER OF BUSINESS: None.

CONSENT CALENDAR: Mayor Lutz asked that the Consent Calendar be broken up into two parts, the first consisting of items CC-1 and CC-2, the second including CC-3 and CC-4. She stated that she and Councilmember Shevlin would abstain from voting on CC-3 and CC-4 due to the proximity of their businesses to the location of the encroachment permits.

CC-1 Unadopted Minutes of the February 16, 2010 Regular Meeting of the Monrovia City Council

CC-2 Payroll No. 4 in the Amount of \$514,237.67 and Voucher Nos. 163394 through 163683 in the Amount of \$970,680.48

It was moved by Mayor Pro Tem Adams, seconded by Councilmember Shaw, to approve Consent Calendar items CC-1 and CC-2. There were no objections.

CC-3 Permit for Temporary Encroachment on a Public Street by Family Festival Productions, Inc., for the 2010 Friday Night Family Festival

The permit applicant, Family Festival Productions, Inc., (FFPI) desired to temporarily encroach into the public street right-of-way located on Myrtle Avenue between Lemon Avenue and Walnut Avenue. The purpose of the encroachment was to conduct the Friday Night Family Festival, on Friday nights only, during the hours of 5:00 p.m. – 9:00 p.m. Under this permit FFPI would have authorization to encroach on the public right-of-way between the hours of 3:30 p.m. and 11:00 p.m. The Family Festival would only take place in the 500, 600 and 700 blocks of South Myrtle Avenue.

There was no fiscal impact and Staff recommended approval of the temporary encroachment permit.

CC-4 Permit for Temporary Encroachment on a Public Street by Family Festival Productions, Inc., for the 2010 Sunday Farmers' Market

In the recently conducted Family Festival survey, the Farmers' Market received the highest ratings of all the components of the Festival. This fact encouraged Staff to explore the development of a secondary farmers' market (Market at the Park). This proposed market would operate on Sundays between the hours of 9:00 a.m. and 2:00 p.m. and would be held on the 100 block of West Lime Avenue. Staff was working with Family Festival Productions, Inc. (FFPI) to produce this new project. The goal of the Market in the Park was to create another special event in Old Town, generate increased foot traffic throughout the district and help support the merchants within the district.

The permit applicant, Family Festival Productions, Inc., (FFPI) desired to temporarily encroach into the public street right-of-way located on the 100 block of West Lime Avenue. This market would include farmers only, no food or craft vendors. Under this permit, FFPI shall have authorization to encroach on the public right-of-way between the hours of 8:00 a.m. and 3:00 p.m. The Farmers' Market shall only take place in the 100 block of West Lime Avenue.

There was no fiscal impact and Staff recommended approval of the temporary encroachment permit.

Mayor Pro Tem Adams called on Management Analyst Dan Bell to review changes and clarifications related to the Staff Reports for items CC-3 and CC-4.

With respect to item CC-3, Mr. Bell explained that the footprint of the festival also included some encroachment into various side streets. Specifically, the festival encroached approximately 45 feet into the 100 blocks of both West Colorado Boulevard and West Olive Avenue, as well as approximately 30 feet into the 100 blocks of both East Colorado Boulevard and East Olive Avenue.

Regarding item CC-4, Mr. Bell clarified that there would be food items for sale; however, these would not be food items prepared on site. Unlike the food vendors that were present at the Friday Night Festival (e.g. Jake's, Rudy's, Sam's Deli, etc.), the food at the Sunday market would be prepared and packaged off site (i.e. Hummus, pita bread, cookies, olives, etc.).

It was moved by Mayor Pro Tem Adams, seconded by Councilmember Garcia, to approve the Consent Calendar items CC-3 and CC-4, with the changes noted by Mr. Bell.

ROLL CALL:
Ayes: Councilmembers Garcia, Shaw, Mayor Pro Tem Adams
Abstained: Councilmember Shevlin, Mayor Lutz
Motion carried: 3-0

REPORT OF CLOSED SESSION:

RCS-1 Conference with Labor Negotiator Pursuant to Government Code §54957.6, City Negotiator: Theresa St. Peter; Group Employees: Monrovia Firefighters' Association: City Attorney Steele reported that this item was continued to follow the City Council Meeting.

RCS-2 Conference with Legal Counsel, Existing Litigation, Pursuant to Government Code §54956.9, Sergio Bostick vs. City of Monrovia, CV09-01410: City Attorney Steel reported that the City Council received a report from Staff and there was no reportable action.

PUBLIC INPUT:

1. Dan McConnell and Alexis Newell, Monrovia Area Partnership and Neighborhood Strategies Team
2. Hal Leavens, Monrovia Historic Preservation Group
3. Rainbow Yeung, South Coast Air Quality Management District
4. Ann Battle, Monrovia Teachers Association
5. Gwendolyn Jones and Eloise Hart, Monrovia
6. Chuck Keen, American Legion Post

PUBLIC HEARINGS/MEETINGS: None.

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

MRA CONVENE: Chairman Mary Ann Lutz convened the Meeting of March 2, 2010, of the Monrovia Redevelopment Agency Board of Directors at 8:11 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, Becky A. Shevlin, Vice-Chairman Tom Adams and Chairman Mary Ann Lutz.

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

MRA CC-1 Unadopted Minutes of the February 16, 2010, Regular Meeting of the Monrovia Redevelopment Agency

MRA PUBLIC HEARINGS/MEETINGS:

MRA PH-1 Joint Public Hearing to be Opened and Continued to April 6, 2010; Amendment to the Disposition and Development Agreement (DDA) with the Parks at Monrovia Station Square I LLC, the Parks at Monrovia Station Square II LLC, and Samuelson and Fetter LLC

Mayor Lutz opened and continued the Joint Public Hearing to April 6, 2010, after noting that no one was present who wished to speak for or against the matter.

MRA ADMINISTRATIVE REPORTS: None.

MRA ADJOURNMENT: Chairman Lutz adjourned the Meeting at 8:12 P.M.

RECONVENE MONROVIA CITY COUNCIL MEETING

REPORTS OF CITY COUNCILMEMBERS AND SUB-COMMITTEES:

RCC-1 Mayor Lutz reported that:

(a) **Monthly Census 2010 Update:** Alice Griselle, Director of Community Development, gave a brief update, announcing that Census Day, April 1, was less than a month away. There would be a Census booth at the March 12, 2010, Family Festival in Old Town, and she commended Ili Lobaco for her outstanding efforts in coordinating activities and acquiring the free giveaways.

RCC-2 Mayor Pro Tem Adams had no report at this time.

RCC-3 Councilmember Garcia report that:

(a) As Vice-Chair of the National League of Cities First Tier Suburbs Council, he would be honored to represent Monrovia at the upcoming Congressional City Conference, March 13-17, 2010, in Washington D.C. Mayor Lutz thanked him for being a part of the Council, noting that this appointment at the national level came from his hard work, including his term as the President of the League of California Cities, Los Angeles Division.

RCC-4 Councilmember Shaw had no report at this time.

RCC-5 Councilmember Shevlin reported that:

(a) In the past week there had been three ribbon cuttings for new businesses in Monrovia, including London Gastropub, Loose Teas Café and Gifts, and the Market Grille.

(b) On Friday, State Superintendent of Public Instruction Jack O'Connell, 2006 Olympian Maria Garcia and educators from the *Silicon Valley Education Foundation* gave students at Clifton Middle School a high-tech education about the physics of the human body. Clifton teacher Kyle McClure showed students the organization's "Muscles and Motion" lesson plan, which was built around how Olympic athletes train their muscles to perform at an elite level.

(c) She reported on future events in the City, including an Arbor Day Celebration at Library Park on March 4, a Household Hazardous Waste and E-Waste roundup on March 6, and the Habitat for Humanity dedication of the houses on Sherman Way on March 6.

(d) Foothill Transit was proposing cost and service reductions, including elimination of two lines in the area. A schedule of Public Hearings would be coming out soon and service reduction implementation

would occur by July 1, 2010. She would share more information as she received it and encouraged residents to follow the proceedings and give their input.

(e) The Dignity Memorial Vietnam Wall Event was scheduled to take place at Rose Hills Memorial Park in Whittier, March 23-30.

ADMINISTRATIVE REPORTS

AR-1 Complimentary Ticket Policy Pursuant to Fair Political Practices Commission Regulation 18944.1, Resolution No. 2010-08

City Attorney Craig Steele presented the Staff Report.

The Fair Political Practices Commission (FPPC) amended its regulation that applied to complimentary event tickets or passes distributed to government officials by their agency. The new regulation required the City Council to adopt a written policy governing the distribution of "complimentary tickets or passes," defined as admission to a facility, event, show or performance for entertainment, amusement, recreational or similar purpose. The new regulation further required that the agency document the distribution and use of complimentary tickets on FPPC Form 802 (Tickets Provided by Agency Report). The agency must complete and post Form 802 on its website within thirty (30) days of distributing the ticket or pass. The FPPC also had substantially amended FPPC Regulation 18946.4, which set forth requirements for the reporting and valuation of complimentary tickets or passes to political and non-profit fundraising events.

Pursuant to Council direction, the City Attorney prepared three options for the City Council to consider. Option 1 was the policy recommended at the last City Council meeting, which would allow the City to accept and use most complimentary tickets and passes received by the City. Option 2 would limit the use of such tickets only to those events where a City official or officials were required to play some official or ceremonial role. Option 3 would prohibit the City from accepting or using complimentary tickets or passes to events.

Staff recommended that the City Council adopt a Complimentary Ticket Policy pursuant to Fair Political Practices Commission Regulation 18944.1

After discussion, it was moved by Councilmember Shevlin to adopt Resolution No. 2010-08 with Option 2 as the exhibit. The motion failed for lack of a second.

It was moved by Mayor Pro Tem Adams to adopt Resolution No. 2010-08 with Option 3 as the exhibit. The motion failed for lack of a second.

It was moved by Councilmember Shaw, seconded by Councilmember Garcia, to adopt Resolution No. 2010-08 with Option 1 as the exhibit.

ROLL CALL:
Ayes: Councilmembers Garcia, Shaw, Councilmember, Mayor Lutz
Noes: Councilmember Shevlin, Mayor Pro Tem Adams.
Motion carried: 3-2

SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, March 16, 2010, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California. Mayor Lutz announced that Councilmember Garcia would be excused due to his attendance at the National League of Cities conference, and Councilmember Shaw would be excused due to his military reserve duty.

PUBLIC INPUT, CONTINUED, IF NEEDED: None

ADJOURNMENT TO CLOSED SESSION: At 8:47 P.M., Mayor Lutz announced that the City Council would meet in Closed Session to discuss the following matter and would announce the findings at the conclusion of Closed Session:

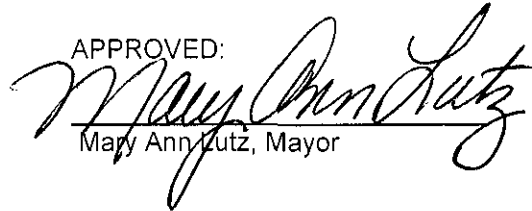
ACS-1 Conference with Labor Negotiator Pursuant to Government Code §54957.6, City Negotiator: Theresa St. Peter; Group Employees: Monrovia Firefighters' Association

RECONVENE AND REPORT OF CLOSED SESSION City Attorney Steele reported that no reportable action was taken on the following matter:

ACS-1 Conference with Labor Negotiator Pursuant to Government Code §54957.6, City Negotiator: Theresa St. Peter; Group Employees: Monrovia Firefighters' Association


ADJOURNMENT: At 9:35 P.M. Mayor Lutz adjourned the Meeting in memory of Julie Palasco, sister of Sheila Kemp.

APPROVED:



Mary Ann Lutz, Mayor

ATTEST:



Alice D. Atkins, CMC, City Clerk