

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY MAY 28 2002 7 30 P M**

CONVENE Following a Study Session at the Police Department Community Room 140 East Lime Avenue to discuss the 2002-03 Fiscal Year Budget from 6 00 P M to 7 15 P M at which all City Councilmembers were in attendance Mayor Lara Larramendi Blakely convened the Regular Meeting of the Monrovia City Council of Tuesday May 28 2002 at 7 30 P M in City Council Chambers 415 South Ivy Avenue Monrovia California

INVOCATION City Clerk Linda B Proctor led the Invocation

PLEDGE OF ALLEGIANCE Councilmember Victor M Franco led the Pledge of Allegiance

ROLL CALL In attendance were Councilmembers Tom Adams Victor M Franco Joe Garcia Mayor Pro Tem Rob Hammond and Mayor Lara Larramendi Blakely

REPORT OF CLOSED SESSION(S)

May 14 2002 Conference with Labor Negotiator Pursuant to Government Code Section §54957.6 Agency Negotiator Theresa St Peter Group Employee All Employees

City Attorney Craig A Steele reported that no reportable action was taken and that direction was given to Staff

PRESENTATIONS

1 Introduction of Police Department Personnel Three Newly Hired Police Officers Evan Attencio David Valenzuela Ruben Banuelos and Newly Promoted Personnel and Training Officer Kristen Merritt

Police Chief Joe Santoro gave a brief history and introduced newly promoted Personnel and Training Officer Kristen Merritt and newly hired Police Officers Evan Attencio Ruben Banuelos and David Valenzuela (arriving late) to the Mayor City Council and community

2 Introduction of Soapbox Classic Winners and Recognition of Monrovia Day Celebration Chairpersons Joseph Santoro and Donald R Hopper Soapbox Classic Linda Proctor and Marjorie Irvin Park Festivities Chairmen Terry Dochnahl Car Shows Karin Crehan Sponsors First Presbyterian Church Pancake Breakfast Bill Beebe Parade Chairman Deborah Beebe Queen and Court Chairman and Mary Ann Lutz Monrovia Day Association President

Recreation Division Manager Michele Tompkins thanked the Monrovia Day Celebration Chairpersons Joseph Santoro and Donald Hopper Soapbox Classic Linda Proctor and Marjorie Irvin Park Festivities Chairmen Terry Dochnahl Car Shows Karen Crehan Sponsors First Presbyterian Church Pancake Breakfast Parade Chairman Bill Beebe Queen and Court Chairman Deborah Beebe and Monrovia Day Association President Mary Ann Lutz She introduced the Soapbox Classic Winners who brought their trophies with them for picture taking opportunities A brief clip of the Soapbox Classic races was shown Mary Ann Lutz President Monrovia Day Association introduced the Association's Board of Directors She presented plaques to Gold and Silver winners and introduced Bronze winners

presenting them with a Certificate of Appreciation Mayor Blakely presented a plaque to Monrovia Day Association President Mary Ann Lutz on behalf of the City Council for the Association's successful 116th birthday celebration Mayor Blakely presented Certificates of Appreciation to Bill Beebe and Deborah Beebe

3 Commendation of Pasadena Police Officers Mark Lang and John Spatz of the Foothill Air Support Team (F A S T)

Police Chief Joe Santoro introduced Pasadena Police Officers Lang and Spatz and Pasadena Air Support Sergeant/Supervisor Bob Mulhall to the Mayor City Council and community He reported that on April 27 2002 in the nighttime hours Officers Mark Lang and John Spatz were patrolling the City of Monrovia in a Foothill Air Support Team helicopter They observed flames from the rooftop of a residence and radioed the Monrovia Police Department Using their public address system they attempted to warn the occupants Neighbors heard the announcement and woke the five occupants of the home They escaped unharmed F A S T was commended for their quick action that saved the occupants of the house from certain injury or death Maggie and Jay Gray were on hand to thank the officers Mrs Gray revisited the events noting that neighbors including next door neighbor David Proctor awoke their son and daughter-in-law and them thus allowing them to leave without harm as the helicopter circled above with its spotlight on

PROCLAMATIONS None

STUDENT GOVERNMENT REPRESENTATIVE REPORT Student Government Liaison Matt Binford reported on activities at Monrovia High School

A CONSENT CALENDAR

It was moved by Councilmember Franco seconded by Mayor Pro Tem Hammond to approve the Consent Calendar consisting of Items *B *F-1 *I-3 *I-4 *I-5 *J-1 *J-2 *J-3 and *K

ROLL CALL Ayes Councilmembers Adams* Franco Garcia Mayor Pro Tem Hammond Mayor Blakely
Motion carried 5-0

*with the exception of *I-5 on which Councilmember Adams abstained

*B **MINUTES** The Minutes of the Regular Meeting of May 14 2002 were approved by order of the Consent Calendar

C ORAL COMMUNICATIONS

Mayor Blakely stated that she wanted to make some clarifications and apologies noting that at the last Meeting there were some citizens who wished to speak to an item on the Agenda but did not After reviewing the page of the Agenda regarding addressing the City Council for items on the Agenda she opined that it may not be clear on how citizens should do that even though it would be the same procedure for speaking under Oral Communications that of filling out a Speaker Information Form giving it to the City Clerk and presenting comments within the three minute period She apologized for any confusion or misunderstanding that the process was not clear enough and instructed Staff to make a correction for clarification on the Agenda

1 Cyrus Kemp Monrovia spoke in opposition of using Speaker Information Forms

2 Mary Fahey Monrovia thanked the City Council and especially Mayor Blakely for the great efforts they took to obtain the \$9.3 million from the State for the grant to purchase the hillside property and Mayor Blakely's part in the formation of the conservancy to save the foothill lands in the San Gabriel Valley

3 Taras Matla Monrovia spoke in opposition of the demolition of Library and expressed his displeasure regarding the Historic Preservation Commission and Cotton/Bridges who performed the EIR. He stated that he believed that many pages contained misinformation.

4 Marian Rudnyk Monrovia expressed his displeasure with the Historic Preservation Commission's support of a new library.

5 Rosemary Harrahill Monrovia stated that she enjoyed the Soapbox Classic and expressed her concern that Mayor Blakely did not ask for Public Input at the last meeting regarding the purchase of the Planned Parenthood property on South Myrtle Avenue. She stated that for the last eighteen months people have been attending meetings regarding Planned Parenthood and had been limited to three minutes and that this was the only time those people could have spoken for more than three minutes.

6 Steve Miller expressed his remorse at the killing of the mountain lion by Fish and Game in a neighborhood in Monrovia last Thursday.

7 Karen Suarez Community Media of the Foothills reported that KGEM elections were upcoming and asked that interested persons contact the studio.

In response to Mayor Blakely's request, Police Chief Joe Santoro reported on the killing of the mountain lion. The morning of the event, media and neighbors on the west side of town, close to Foothill Boulevard, were outside because of the report of the mountain lion in the area. As the safety of citizens was in jeopardy and the mountain lion then secluded in a grove of bamboo, appeared to be hurt or sick, the Police Department concurred with Fish and Game that the animal should be put down after many attempts by Fish and Game to shoot it with a tranquilizer dart. The mountain lion had come down from the foothills and had been on a neighbor's roof prior to jumping down into the bamboo. As time passed, young children were preparing to walk to school. A lion doesn't drop when shot with a tranquilizer dart; it runs. A decision had to be made to let the mountain lion run free in the neighborhood or put it down for safety of the community. The decision was not made lightly and was made based on the fact that the safety of people in community came first.

Mayor Blakely again clarified the procedure for citizens to speak under Oral Communications, Public Hearings and other matters on the Agenda. She stated that the Agenda will be adjusted to expressly state what the procedure will be.

Mayor Blakely called a recess from 8:35 P.M. to 8:47 P.M.

Mayor Blakely took the following item out of order:

I ADMINISTRATIVE REPORTS

1 Purchase Agreements with S. Pokrajac (8503-004-025 through 029), Bowden (8523-020-001 through 8523-020-021) and Miller (8501-009-008, 8503-003-006, 8503-015-005) and Finding that the Acquisition is a Categorical Exemption from the California Environmental Quality Act, Resolution No. 2002-48.

Due to an ongoing relationship with Bowden Development, Councilmember Adams exited City Council Chambers at 8:50 P.M., stating that he would not take part in discussion or voting on the portion of the Staff Report relating to Mr. Bowden. City Attorney Steele stated that the Bowden purchase would be made separately with an amendment of the Resolution to reflect only the Bowden purchase. The remaining two purchases would have a new Resolution assigned to them.

City Manager Donald R Hopper reviewed the Staff Report

On July 11 2000 Monrovia voters approved a special tax to acquire open space with 77% voting in favor The vote was the culmination of a long public debate on the future development of Monrovia's hillsides Throughout the Public Hearing process at both the Planning Commission and City Council the message from Monrovia residents was clear - preserve our community's natural resources

The special tax was designed to generate \$10 million dollars over its 30-year lifespan either through the annual revenue stream or as a bonded lump sum This funding could then be leveraged against State or federal matching grants for open space acquisition

Following the success of the vote the City Council appointed the Wilderness Preserve Steering Committee (WPSC) to direct the City's efforts to prioritize and acquire property In general the WPSC continued the theme of preserving first those properties most threatened by development This meant that the Miller property which abutted the City's existing street system and a large portion of which already had most of its development entitlements became the priority acquisition

The Bowden property and its permitted 21 homes also became a priority In addition to the nature preservation component this property is especially key because its northern reaches connect to Spanish Canyon and into Monrovia Canyon Park and ultimately to the National Forest

Early on the Wildlife Conservation Board (WCB) was pinpointed as the best location to seek matching grants By June 2001 the City had entered an agreement with the WCB for as much as \$9 million in matching grants pending certification of property appraisals by the state Department of General Services (DGS)

The City originally retained the firm of Eichel & Associates to appraise the properties These appraisals came in very low and although certified by DGS were rejected by all of the property owners Miller and Pokrajac and Bowden submitted their own appraisals (Waldron Associates and Karen Davidson MAI respectively) While DGS felt that Bowden's appraisal was fairly accurate they felt that the Waldron reports were incomplete DGS ultimately certified Bowden's appraisal at \$4.7 million and retained the services of a review appraiser David Riach MAI to help reconcile the differences on the Miller property

In October 2001 Riach valued the Miller property at \$6.625 million However Mr Miller had made it clear that he would not sell the property at that value Additionally there was general apprehension about the Riach review because it analyzed the appraisals submitted to DGS only - it didn't take into account additional facts or new market information Recognizing the deficiencies of the existing appraisals the City requested and the WCB agreed to a new appraisal of the Miller property This appraisal was conducted by Mr Harry McWaters MAI In December 2001 McWaters submitted an appraisal of \$12.2 million on the Miller property

In a move to be absolutely sure about the value of the Miller property the City and the WCB agreed to again continue Monrovia's grant application until May 2002 so that a review of the McWaters appraisal could be done Tom Erickson MAI reviewed all of the submitted appraisal reports and confirmed the McWaters number of \$12.2 million Recognizing that a great deal of scrutiny would be placed on this purchase City officials requested that DGS staff come to Monrovia to tour the property for themselves DGS ultimately certified a value of \$11.770 million on the Miller property

During this time the City also urged other hillside property owners who were dissatisfied with the Eichel report to work with Eichel to modify update and/or complete his appraisal of their

properties Mr Steve Pokrajac was the only property owner to do so and upon the submission of more and better information to Eichel a revised appraisal of \$740 000 was submitted to DGS and certified

Owners of the Miller Bowden and Steve Pokrajac properties agreed to the values certified by DGS and are willing to sell their properties to the City of Monrovia At the Wilderness Preserve Steering Committee s (WPSC) May 21 2002 regular meeting the Committee voted to recommend these purchases to the City Council conditioned on Wildlife Conservation Board approval At the May 23 2002 Wildlife Conservation Board Meeting the Board approved Monrovia s grant application of \$9 035 000 million in matching funds

Gloria Crudgington Co-Chairman WPSC reviewed the Committee s process and reported that the WPSC recommended the purchase of 20 6 acres zoned for 21 homes at the State certified price of \$4 7 million dollars of the Bowden property and accept the generous donation of forty (40) additional acres from Fred Bowden that provides connection to Canyon Park Spanish Park and to the Angeles National Forest She stated that his property was the first certified by the State of California

City Manager Hopper explained the lengthy appraisal process and the importance of the State s certification of the value of any property He stated that the City spent a year working towards this certification He noted that with the purchase of the Bowden property the residents were getting 61 acres for the price of 20 6 acres In answer to an inquiry by Mayor Pro Tem Hammond Mr Hopper stated that the Norumbega Specific Plan has been in place since the mid 1980 s

It was moved by Mayor Pro Tem Hammond seconded by Councilmember Franco to adopt Resolution No 2002-48 as amended approving the purchase agreement with Fred Bowden and Diane Bowden (8523-020-001 through 8523-020-021) for 20 6 acres not to exceed \$4 7 million to which the property owners have agreed the donation of 40 additional acres and the finding that the acquisition is categorically exempt from the California Environmental Quality Act

Discussion ensued City Clerk Proctor entered into the record a letter from Thomas and Pamela Suess asking that the land be preserved as is saving the habitat and preserving the integrity of the wildlife and views and nothing more and that it not be used for parklands trails or other recreational open space whether passive or otherwise

1 Kathy Brand Monrovia stated she was in favor of the Bowden purchase and thanked the City Council and former mayor Robert T Bartlett

2 Earl Butcher Monrovia stated that he believed his property would now be worth nothing due to purchase of Miller property which left no access to the Butcher family property and expressed his feelings of unfairness of the Bowden purchase when all other property owners had participated much longer He asked that the City continue to look for funds to purchase the remainder of the properties

3 Cyrus Kemp Monrovia spoke in favor of purchasing the Bowden property

City Manager Hopper reported that over the course of the past year WPSC gave specific instructions to go back and meet with those owners who had not accepted the State s certification values and determine if the City could assist them in working with the State to get their property certified Every property owner was sent multiple letters and multiple meetings were held with all of them and in the end it still came down to the State certifying three appraisals which were those now appearing on the Agenda He stated that the City would continue to work with all of the property owners to look for other sources of funds primarily Proposition 12 and Proposition 40 funds and that the City believed it could also match some of the property to specific grants The City would continue to work with the property owners

He stated that there were a little more than 200 acres still targeted to be purchased and the City would be working with all of the owners until all of the acreage was purchased. In answer to Mayor Pro Tem Hammond's inquiry, Mr. Hopper stated that there were approximately eight more property owners. Of the total of eleven, all owners were advised that they needed to have a MIA appraisal. The State rejected their appraisals because they were beyond the State's calculations. The City worked to get either reconciliation of those appraisals or new appraisals. He stated that this was such a critical point and that the City spent the last eight months working with the State to try and get the State to accept all of the appraisals. He stated that the remaining property owners really had to start working very hard with the State to make sure that they got a State certified appraisal.

City Attorney Steele noted for the record that the Purchase Agreement in the City Council packet had been agreed to by the property owner, the purchase price was at the State certified appraisal price, and the amount had been agreed to by the property owner. Hence, with regard to City Councilmember Adams' abstention, this was a firm number and there was no place to move.

ROLL CALL

Ayes Councilmembers Franco Garcia Mayor Pro Tem Hammond and Mayor Blakely
Excused Councilmember Adams
Motion carried 4-0

Property Owner Fred Bowden stated that he wanted to make a contribution to the Skate Park and youth facility and announced his donation of \$125,000.00 to help its completion in a timely manner. He also challenged other property owners or developers to get on board to do the same, noting that the youth of our community was our future.

Councilmember Adams returned to Council Chambers.

City Manager Hopper reported that the State had certified the values of the remaining two properties (Miller and S. Pokrajac) at \$11.77 million and \$740,000, respectively. The WPSC also considered the priorities of these two properties along with all of the other properties in the hillside.

Co-Chairman Gloria Crudgington reviewed the process of the WPSC with regard to the purchase of the Miller and Pokrajac properties at 165.6 acres zoned for fifty-nine homes at the State certified price of \$11.77 million and 5.66 acres on one of the most visible properties facing the City at the State certified price of \$740,000, respectively. These properties were most imminent for development and the State certified the value of the properties. She reminded all that there were worries every inch of the way—during Public Hearings, during the campaign when people said Monrovia would never pass a tax measure to tax themselves, and then the victory of the 77% margin, the purchase of the Wright property for which the City has since been awarded a grant for \$125,000 from the State Department of Parks & Recreation. There were people who said the City would never get matching funds from the State. Since then, there has been an energy crisis, a terrorist attack, a recession, a dot-com crash, and the State budget escalated by \$23 billion. During these dark times, the Committee Staff and City Council persevered and were awarded this most recent \$9,000,000 million in matching funds. Committee members, City Council, and City Staff, under the strong leadership of City Manager Hopper, remained determined. She said she felt confident that the team-driven determination to do what the people of Monrovia asked them to do would result in the completion of this project. She stated that with the accumulation of these funds, she was certain others would join in the success and that she heartily recommended the purchase of both of these properties.

City Manager Hopper stated that this would not have happened had it not been for the hard work of the WPSC Staff and City Council. He stated that a delegation including the WPSC and the City Council went to Sacramento last week and testified at the Wildlife Conservation Board meeting. A short clip of Mayor Blakely's testimony and testimony of support by Assemblyman Howard Wayne was shown.

It was moved by Councilmember Garcia seconded by Mayor Pro Tem Hammond to approve the purchase agreements with S Pokrajac (8503-004-025 through 029) and Gary Miller (8501-009-008 8503-003-006 8503-015-005) and finding that the acquisition is categorically exempt from the California Environmental Quality Act (new Resolution No 2002-55)

Members of the City Council expressed their feelings when awarded the \$9,300,000 million in Sacramento, thanked all for their team effort, and thanked the people of Monrovia for putting their money up first, and stated that they would remain diligent until all the land was purchased.

- 1 Nancy Zack Monrovia did not respond
- 2 Karen Suarez Monrovia thanked all involved for the success of this venture and thanked the property owners

ROLL CALL Ayes Councilmembers Adams Franco Garcia Mayor Pro Tem Hammond and Mayor Blakely
Motion carried 5-0

D PUBLIC MEETINGS/HEARINGS

1 Draft Environmental Impact Report (EIR) for Library Project

Steve Sizemore, Planning Division Manager, reviewed the Staff Report.

In 1998, the City prepared a Needs Assessment Study for Library Services that concluded that the existing library at the Library Park is not meeting the library needs of Monrovia's present and future populations. Based upon that study, it was determined that the community now needs a library facility between 45,000 and 50,000 square feet.

The City hired the consulting firm of Cotton/Bridges/Associates to assist the City in the preparation of environmental documents that would address the environmental impacts associated with the demolition of the current library and the construction of a new library. An Environmental Impact Report (EIR) was prepared and is now ready for public review and comment. The public review period for the Draft Environmental Impact Report (DRAFT EIR) is from May 1, 2002 to May 30, 2002.

The purpose of the DRAFT EIR was to discuss the proposed project, its environmental setting, its probable impacts, the realistic means of reducing or eliminating those impacts, its cumulative effects, and alternatives to the project. The California Environmental Quality Act (CEQA) requires that DRAFT EIRs be made available for review by the public and other agencies prior to consideration of a project. The review period allows concerned citizens and agencies to comment on the completeness and adequacy of the DRAFT EIR prior to its completion. Comments received in writing or given in public testimony must then be incorporated, along with written response, into a FINAL EIR.

The purpose of the meeting was to allow the public to comment on the DRAFT EIR. The Consultant was available should the City Council have questions prior to taking public testimony. After completion of public testimony, no further action of the City Council was

required The Consultant will prepare responses to comments from the meeting along with any written comments and comments received at the Historic Preservation Commission meeting The comments and responses will be incorporated into a FINAL EIR The FINAL EIR will be back before the City Council at its June 11 2002 Meeting

PUBLIC HEARING OPENED Mayor Blakely opened the Public Hearing

Comments

- 1 Marian Rudnyk 438 Sierra Vista Avenue Monrovia spoke against the demolition of the current Library
- 2 Adrian G Rudnyk 732 West Hillcrest Boulevard Monrovia spoke against the demolition of the current Library
- 3 Taras Matla 164 Poinsettia Avenue Monrovia spoke against the demolition of the current Library
- 4 Katherine Hummer 745 Yucco Ridge Road Glendora spoke against the EIR
- 5 Cyrus Kemp 346 North Bradoaks Avenue Monrovia spoke against building a new library

PUBLIC HEARING CLOSED Mayor Blakely closed the Public Hearing as there was no one else who wished to speak for or against the matter

This matter was for public testimony and required no action at this time The Final EIR will be on the June 11 2002 Agenda

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

CONVENE Chairman Lara Larramendi Blakely convened the Regular Meeting of May 28 2002 of the Monrovia Redevelopment Agency Board of Directors at 10 04 P M in City Council Chambers without adjourning the City Council Meeting

ROLL CALL Those in attendance were Boardmembers Tom Adams Victor M Franco Joe Garcia Vice-Chairman Rob Hammond and Chairman Lara Larramendi Blakely

A CONSENT CALENDAR *B

It was moved by Boardmember Councilmember Franco seconded by Boardmember Adams to approve the Consent Calendar

ROLL CALL Boardmembers Adams Franco Garcia Vice-Chairman Hammond and Chairman Blakely
Motion carried 5-0

***B MINUTES** The Minutes of the Regular Meeting of May 14 2002 were approved by order of the Consent Calendar

MRA REPORTS

- 1 Joint Public Hearing, Proposed Sixth Amendment to the Redevelopment Plan for Project Area No 1 the Central Redevelopment Project Agency Resolution Nos 6-2002 through 9-2002 City Council Resolution Nos 2002-45 through 2002-47 and 2002-49 Introduction and First Reading of City Council Ordinance No 2002-09

Chairman Blakely stated that because of the technicalities of the Joint Public Hearing Staff had worked with her and prepared a script for her use in order that the proceedings were held

in compliance with State law She stated that she would be reading from the script She stated that this was a Joint Public Hearing Proposed Sixth Amendment to the Redevelopment Plan for Project Area No 1 the Central Redevelopment Project Agency Resolution Nos 6-2002 through 9-2002 City Council Resolution Nos 2002-45 through 2002-47 and 2002-49 and introduction and first reading of City Council Ordinance No 2002-09

For the record Chairman Blakely stated that this was a joint session of the City Council of the City of Monrovia and the Redevelopment Agency of the City of Monrovia The members of the City Council also sit as members of the Redevelopment Agency She stated that she was the Mayor of the City of Monrovia and also sat as Chair of the Redevelopment Agency The purpose of this joint session was to hold a Public Hearing to consider and act upon the proposed Sixth Amendment to the Redevelopment Plan and related documents Also the Redevelopment Agency will hold a concurrent Public Hearing on the First Amendment to the Update of the Implementation Plan for Project Area No 1 the Central Redevelopment Project

She then declared that the Public Hearing on the proposed Sixth Amendment to the Redevelopment Plan and the Redevelopment Agency's Public Hearing on the proposed amendments to the Update of the Implementation Plan were open

She further stated that pursuant to law it was her responsibility as Mayor and Agency Chair to preside over this joint Public Hearing for both the City Council and the Redevelopment Agency

She stated that the law under which we are acting is the Community Redevelopment Law of the State of California This law required that we follow certain procedures some of them formal in the conduct of today's joint Public Hearing and concurrent Public Hearing

The purpose of the hearings was to consider

- 1 Proposed Sixth Amendment to the Redevelopment Plan for Project Area No 1 the Central Redevelopment Project
- 2 Proposed First Amendment to the Update of the Implementation Plan and
- 3 All evidence presented for and against the adoption of the proposed Sixth Amendment to the Redevelopment Plan and the proposed First Amendment to the Implementation Plan

Notices of the joint Public Hearings were mailed and published as required by law

She emphasized that the Sixth Amendment discussed at the hearing proposed to add territory to the boundaries of Project Area No 1 the Central Redevelopment Project A transcript would be made of the hearing Persons making statements would be subject to questions through her as Mayor and Chairman and that all persons desiring to speak would be given an opportunity to do so

She then outlined the procedure of the hearing as follows

- 1 Agency Staff will present
 - (a) an overview of the Project and need for its amendment
 - (b) the components of the proposed Sixth Amendment
 - (c) a Staff Report including the Agency's Report to the City Council on the proposed Sixth Amendment
 - (d) other evidence in support of the proposed Sixth Amendment and
 - (e) an overview of the First Amendment to the Update of the Implementation Plan and the process for amending the Implementation Plan
- 2 Written comments would be received followed by

3 Any oral questions and comments Those who wished to address the Council and Agency were asked to fill out a Speaker s Form and present it to the City Clerk

4 After all presentations have been made and public questions and comments received responses will be made to any questions and comments

5 After public questions and comments were received and responded to the joint Public Hearing and the Implementation Plan Public Hearing would be closed and the Redevelopment Agency and City Council would consider action on the matters before them (either at this Meeting or at a Continued Meeting to be held on June 11 2002)

Chairman Blakely then called upon Kevin O'Brien Senior Project Manager for the Redevelopment Agency to begin the Staff presentation on the Sixth Amendment and Implementation Plan Update

Mr O'Brien reviewed the Staff Report

The process to amend the Redevelopment Plan with a Sixth Amendment has been ongoing for approximately two years The primary purpose of this amendment is to add new territory to the existing redevelopment project area The amendment process is established by State law and is designed to provide notice to all those parties that potentially could be affected by the amendment including property and business owners as well as tenants Also provided notice of the proposed actions are all taxing entities that could potentially be impacted by the amendment

With the assistance of a PowerPoint presentation Mr O'Brien provided information on the boundaries of the sites of Ranch Market/Rosedale Composite Structures Old Depot area and the Avery Label area

The final action that needed to be taken to complete the Plan Amendment was for the City Council and Redevelopment Agency to conduct a joint Public Hearing to consider adoption of an ordinance approving the Sixth Amendment a Public Hearing for a proposed amendment to the Agency's Implementation Plan as well as several required Agency and Council resolutions Written notice of the hearing was sent to approximately 2400 property owners tenants businesses and taxing agencies In the notice all potentially affected parties were advised that the Council and Agency would be considering adoption of the Sixth Amendment and that they would be provided the opportunity to speak either in support or opposition of the amendment

He also explained the updated Five-Year Implementation Plan which was last amended in December 1997 The Plan was designed to establish strategies for the elimination of blight Those projects designated as priorities in the Plan were parking streetscape façade improvements in Old Town job creation business attraction and retention SeeBeyond Campus development Huntington Drive and Fifth Avenue second phase commercial/residential improvements along Foothill Boulevard streetscape improvements at I-210/Myrtle Avenue entryway and increasing the quantity of affordable housing

He introduced Melanie Haulk Legal Counsel She stated that the Redevelopment Agency had submitted the proposed Plan to the Planning Commission which determined that the Plan was in accordance with the City's General Plan and also recommended adoption of the proposed Plan Amendment by the City Council She further stated that prior to this Meeting the Redevelopment Agency took action to approve the report to the City Council The report was part of the Staff Report The Public Hearing was noticed in the newspaper five successive weeks prior to the Public Hearing in accordance with the Redevelopment Law She stated that the Public Hearing was being held to for the Agency Board and City Council to hear and consider all written and oral comments and objections to the Sixth Amendment and to evaluate the report to the City Council delivered by the Agency The City Council and

Agency will also consider the report and recommendation of the Project Area Committee (PAC) for and against the adoption of the Amendment

The City Council is obligated by Redevelopment Law to respond in writing to any written objections received before or at the Public Hearing. Such written responses shall address the objections in detail and give reasons for either not accepting the objections or for otherwise overruling them. To the extent that written objections were received prior to or at this hearing the City Council can adopt the Plan Amendment only after adopting written findings and responses thereto. Furthermore, to the extent written objections have been received the City Council may not go forward at this Hearing with the adoption of the Plan Amendment or the first reading of the Ordinance adopting the Plan Amendment but must rather do so at a Meeting to be held no less than one week following this Hearing.

Because this was a joint Public Hearing of the Agency Board and the City Council only the City Council needed to act to approve the Plan Amendment because the membership of the City Council and the Agency Board was the same. That single action was sufficient action to officially approve and adopt the Redevelopment Plan Amendment. She further stated that for the benefit of the City Council and Agency Board and for those who wished to speak regarding the Plan Amendment the decision of the City Council when made would be considered final and conclusive except to the extent an action as to the validity of the Plan Amendment was made within sixty days after adoption.

She also noted that under the Doctrine of Exhaustion of Administrative Remedy if anyone should choose to challenge the Redevelopment Plan Amendment following approval they may be limited to raising only those issues that they or someone else raised prior to or at the Public Hearing.

She further noted that a Project Area Committee (PAC) was formed in conjunction with the Plan Amendment. The PAC considered and developed a recommendation to the City Council to approve the Plan Amendment and to the extent that the Plan Amendment is approved that recommendation would be incorporated thereto.

In response to Chairman Blakely's request City Clerk Proctor read into the record that written objections were received from Russell Wolpert representing 99¢ Only Stores proposed at the old Lucky's Store site Douglas D Potratz representing owner Patricia R Carpentier regarding property at 400 through 480 West Huntington Drive Steven N Skolnik representing Brokates Trust for property at 520-624 Evergreen Avenue and a letter of support from Brian Soash PAC.

Chairman Blakely stated that as required by law written objections from property owners and/or affected taxing agencies within the existing Project Area and the Proposed Sixth Amendment Area will be considered by the City Council at the continued Public Meeting on June 11 2002. She then asked to hear any questions or comments from those present in the audience and reminded them that speakers should limit their questions and comments to three minutes. She asked that speakers begin their statements by giving their name address and the organization if any they represented and whether they owned or rented property within the existing Project Area or the proposed Sixth Amendment Area.

JOINT PUBLIC COMMENT PERIOD OPENED Chairman Blakely explained that the light system would be used and asked that the City Clerk read the names of those wishing to speak.

Those speaking

1 John Herman 146 W Pomona Avenue Monrovia spoke in opposition

- 2 Russell Wolpert 4000 Union Pacific Avenue Commerce spoke in opposition and submitted an additional handwritten letter of opposition
- 3 Jeff Gold 4000 Union Pacific Avenue Commerce 99¢ Only Stores spoke in opposition distributed his company's Annual Report a CD about his company and a letter of opposition
- 4 Reid Samuelson 602 East Huntington Drive Monrovia spoke in favor
- 5 Steven N Skolnik 2800 28th Street #315 Santa Monica CA 90405 spoke in opposition
- 6 Bernard Buller 410 East Duarte Road Monrovia spoke in opposition
- 7 Ed Adams 10239 Freer Temple City spoke in opposition
- 8 Blaine Fetter 602 East Huntington Drive Monrovia spoke in favor
- 9 Cyrus Kemp 346 North Bradoaks Avenue Monrovia expressed his displeasure about the three minute time limit and spoke in opposition
- 10 Marvin Inouye 5648 Stardust Road La Canada spoke in favor of the plan but was concerned about receiving fair market value
- 11 Joe Torres 4567 Peck Center La Verne spoke in opposition
- 12 Sandra Ferndale Myrtle Avenue and at Duarte Road property owner asked for assurances that they would be treated fairly

Chairman Blakely called for any others who wished to speak to the matter As there was no one else who wished to speak for or against the matter she reconvened the Public Hearing

Mr O'Brien explained that as there had been letters of opposition the procedure for the matter had changed He then reintroduced Agency Counsel Haulk Ms Haulk stated that on review of a couple of the letters and she had not seen them all she believed that it constituted written objections therefore she stated that under the Redevelopment Law the Agency must put over all actions related to the approval of the Redevelopment Plan Amendment until a hearing which is not less than one week from this evening to June 11 2002

Chairman Blakely called for a motion to continue the matter to the June 11 2002 Meeting and stated that at the June 11 2002 the City Council would consider approving written responses to written objections received from property owners or taxing agencies within the existing Project Areas or the proposed areas to be added at the just concluded Joint Public Hearing after which the Agency and Council would deliberate on the matters before them

It was moved by Boardmember Franco seconded by Vice-Chairman Hammond to continue the Public Hearing until June 11 2002

Boardmember Adams spoke in favor of the record of the Redevelopment Agency and stated that very few people would disagree with the fact that it has made Monrovia into a wonderful community that we enjoy driving around it every day He stated that he believed that in 28 years there has only been one piece of property that was taken by eminent domain City Manager Hopper stated that this City Council and Redevelopment Agency has probably such an extraordinary track record of dealing with property owners that it has become the model of redevelopment not just in the San Gabriel Valley but probably in Southern California One because this City Council sets the tone on how the City deals with people He believed that in talking to anyone who had ever either had their property acquired by the City and Redevelopment Agency or who has worked with the City of Monrovia and the Redevelopment Agency under relocation of a business or residence and that he would virtually guarantee that they would say that they were very fearful going in originally that they had heard all the war stories about not being paid fair value not being treated properly and coming out on the short end of the stick somehow And after he believed they would probably say that none of that ever happened in Monrovia He stated that he believed Boardmember Adams comments were right on target He invited anyone in the audience who had not talked to Staff to call

Staff to meet with them to go over each step and talk about and answer every question they should have including what the City Council/Agency Board had done in the past what was intended and what the view of the future looked like They would then have the best information available in order to make a decision Vice-Chairman Hammond invited anyone who wished to to call upon Staff or City Councilmembers and stated that they would take as much time as needed to answer questions Boardmember Adams stated he believed they could guarantee that anyone who deals with the City of Monrovia will not only be treated fairly but if they are getting close to retirement he believed that their transaction would be safe with the City of Monrovia He further stated that he could not imagine that anyone of the City Council/Agency Boardmembers would approve anything that was not fair and in fact that the law required that anytime property was purchased that fair market value was required

ROLL CALL **Ayes Boardmembers Adams Franco Garcia Vice-Chairman Hammond and Chairman Blakely**
Motion carried 5-0

ADJOURN Chairman Blakely adjourned the Monrovia Redevelopment Agency Meeting at 10 57 P M and the City Council Meeting continued

Mayor Blakely called a recess from 10 57 P M to 11 06 P M

RECONVENE MONROVIA CITY COUNCIL MEETING

E BIDS

1 Purchase of Two Turbine-Electric Trolleys from Ebus Inc in the amount of \$570 289 15 using Federal Department of Transportation Grant Funds, Resolution No 2002-42

Alice Gnselle Community Development Director reviewed the Staff Report

Over the past two years the City has been planning the implementation of a fixed route trolley to serve Old Town Two years ago Congress appropriated \$574 383 00 in federal funds to the City of Monrovia for the purchase of Electric Trolleys The City is required to provide a 20% match

The Monrovia Municipal Code regulates the procedures for purchases However if the City Council finds that negotiation best serves the City the procurement can be exempted from the formal bid process Based on research conducted by City Staff and the City s transportation consultant Ebus Inc is the only manufacturer of a 22-foot hybrid-electric trolley Therefore Staff negotiated a purchase price with Ebus Inc and recommended sole source procurement instead of going out to bid Staff determined that the required Federal requirements and criteria have been met The cost breakdown of proposal received from Ebus Inc was as follows

Two turbine-electric trolleys @ \$259 663	\$519 326 00
One set interface computers software etc	\$ 7 500 00
Sales Tax	\$ <u>43,463 15</u>
Total	\$570 289 15

The City is responsible for the total cost of the vehicles however it will be reimbursed \$456 231 32 The City s required match is \$114 057 83 Proposition A Local Return funds will be used for the City s match

At the Study Session held on January 22 2002 the City Council concurred with Staff that propane/electric was the best fuel choice This week the manufacturer informed Staff that delivery of the propane fuel tanks on the vehicles are not currently available and may take as long as four months to receive However he offered the same trolley with a diesel/electric MicroTurbine that could be delivered by the end of June While the hybrid vehicles using diesel are still rated ultra low-emission vehicles Staff believed that because the propane vehicle produced 41% fewer emissions propane was the better choice

Staff recommended approval of Resolution No 2002-42 and the award of bid to Ebus Inc

It was moved by Councilmember Garcia seconded by Councilmember Franco to approve Resolution No 2002-42 finding that sole source procurement conforms to the City's purchasing policy and award the bid for the purchase of two turbine-electric trolleys to Ebus Inc in the amount of \$570 289 15

ROLL CALL

**Ayes Councilmembers Adams Franco Garcia Mayor Pro Tem Hammond and Mayor Blakely
Motion carried 5-0**

F COMMUNICATIONS AND PETITIONS

***1 Denial of Claim Law Office of Bernard Lehrer on Behalf of Rosa Tsai V City of Monrovia**

This matter was approved by order of the Consent Calendar

Ms Tsai claims that on March 11 2002 she stepped from her vehicle and was hit by a school bus She further alleges that the bus fled the scene She indicates that she sustained injury to her left shoulder neck and head

As the City of Monrovia does not own or operate any school buses the City bears no responsibility in this matter The claimant has been notified to contact the Monrovia Unified School District to further pursue this issue

Claimant is seeking an unspecified amount of damages Staff recommended that the City Council deny this claim

G REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

1 Mayor Blakely

(a) Wildlife Conservation Board

Mayor Blakely deferred her reports to the June 11 2002 City Council Meeting due to the late hour

2 Mayor Pro Tem Hammond reported that

(a) He stated that a historic significant event happened in Monrovia this evening (regarding the wilderness purchase agreements) The fact that the entire City Council members of the Wilderness Preservation Steering Committee folks from the community who thought it was important to be there and Staff who took time to meet in Sacramento was very much appreciated He thanked the Staff who put the whole thing together for the participants so they could get there He stated he appreciated all the time and energy over the decades that had gone on with people meeting and coming to this conclusion that was approved tonight He thanked elected officials in Sacramento—State Senator Bob Margett and Assemblyman Dennis Mountjoy In addition he thanked Congressman David Dreier Senator

Jack Scott Pasadena Senator Barbara Boxer and Assemblyman Carol Liu for their letters of support He stated that it helped the City to have these elected officials supporting this matter He also thanked members of the City Council for taking time out of their schedules and work to be a part of the delegation in Sacramento

(b) May 27 2002 was Memorial Day Mayor Blakely gave a welcoming speech at the Memorial Day Services at Live Oak Memorial Park and it was very well received It was the largest crowd yet for the ceremony He thanked Live Oak Memorial Park for putting the ceremony on Specifically he thanked Bill Quinn Post Commander VFW Post 2070 the Ladies Auxiliary for the support putting out flags and assisting in honoring those people who gave their lives so that we could enjoy the peace and freedom that we have

(c) He thanked Teacher Marc Segal from Monrovia High School who gives countless hours to the youth in our community as far as plays and musicals at the High School This past week was the conclusion of Guys and Dolls There were almost 100 students in the production and he expressed kudos to Marc Segal and also to Director of Music and Choreographer Keely Milliken who without her musical talent this would not have been possible All of these great people working in our community make it better and they need to get their just do He asked that congratulations be extended to them by everyone who sees them

3 Councilmember Adams due to the late hour

4 Councilmember Franco reported that

(a) He asked the community to support the Foothill Unity Center's Annual Golden Plate Awards Luncheon June 5 2002 Holiday Inn Chief Joseph Santoro will be honored as the Heart in Hand 2002 recipient He stated that the Unity Center does great work for Monrovia and the surrounding communities

(b) He thanked and congratulated the Monrovia Day Association for the Monrovia Days celebration recently resulting in positive coverage by the local newspapers It also brings visitors to what has become one of the most beautiful cities in San Gabriel Valley

(c) He congratulated City Manager Don Hopper for being the recipient of the Renaissance Award on May 30 2002 from Monrovia Arts Festival Association

5 Councilmember Garcia reported that

(a) He encouraged all the residents and business owners to support the Renaissance in Monrovia which will also honor City Manager Don Hopper as the first recipient of the Monrovia Arts Festival Association's Renaissance Award on May 30 2002 4 00 PM to 7 00 PM 120 East Lemon Avenue

(b) A Grand Opening of the Stake Park will be held on June 29 2002 but City Engineer Doug Benash informed him that it may be opened sooner All interested parties may call Community Services Skaters may actually try out the facility before the day of the Grand Opening

H REPORTS OF COMMISSIONS BOARDS AND COMMITTEES None

I ADMINISTRATIVE REPORTS

1 Purchase Agreements with S Pokrajac (8503-004-025 through 029) Bowden (8523-020-001 through 8523-020-021) and Miller (8501-009-008 8503-003-006, 8503-015-005) and Finding that the Acquisition is a Categorical Exemption from the California Environmental Quality Act Resolution No 2002-48

This matter was taken after Oral Communications above

2 Duarte Road and Magnolia Avenue Traffic Signal Construction, Project #C-2878, Acceptance of Work Approve Change Order No 1 Notice of Completion and Final Payment to L A Signal Inc in the Amount of \$79 798 16

City Engineer Doug Benash reviewed the Staff Report

On September 13 2001 the City Council awarded a contract to L A Signal (Industry CA) in the amount of \$77 986 00 for installation of a signalized intersection at Duarte Road and Magnolia Avenue During construction of the traffic signal unforeseen conditions were encountered and change order No 1 was required to relocate the footing and purchase a longer mass arm in the amount of \$1 812 16 The work was completed May 13 2002 The final project amount was \$79 798 16

Funds for this project were available in the Street Maintenance Fund

It was moved by Councilmember Adams seconded by Councilmember Franco to accept the contract work as completed by L.A. Signal Inc 15100 E Nelson Ave Industry CA 91744 in the amount of \$79 798 16 approve Change Order No 1 direct the City Clerk to file a Notice of Completion with the County of Los Angeles Recorder and authorize the Director of Public Works to approve payment of the retention in the amount of \$7 928 60 thirty-five (35) days after filing of Notice of Completion with the County Recorder

ROLL CALL

Ayes Councilmembers Adams, Franco Garcia Mayor Pro Tem Hammond Mayor Blakely Motion carried 5-0

***3 Los Angeles County Department of Public Works Annual Contract for Monrovia Transit Dial-a-Ride Services in Unincorporated Areas**

This matter was approved by order of the Consent Calendar

The City of Monrovia has been providing transit service through Monrovia Transit to residents of the unincorporated area south of the City since 1994 Each year Staff renegotiates the terms of the contract with the County for the provision of this service to their residents

The City's current agreement is based on an equitable method with overall costs split with the County The County's portion equates to their share of the costs plus a portion of the City's administrative approximately 35% of the overall costs of the system This year's agreement continues to recover from the County approximately 35% of the overall cost of the system The maximum cost to the County for service is \$240 000

Staff recommended the approval of the agreement with Los Angeles County to provide Dial-a-Ride services on Monrovia Transit for the designated County unincorporated area south of the City

***4 Legislative Bulletin**

This matter was approved by order of the Consent Calendar

This report highlighted and summarized pending State legislation that may be important to Monrovia and provides a brief analysis of the potential impacts to the City The recommendations made by staff reflect the City's priorities and programs as well as the direction taken by the League of California Cities

Staff recommended the following
Support AB23100 HR2534 and
Oppose AB1866

***5 County of Los Angeles Community Development Block Grant (CDBG) Program Home Investment Partnerships Programs and Assisted Housing Programs Participating City 2003-2005 Cooperation Agreement**

This matter was approved by order of the Consent Calendar

The City of Monrovia utilizes the services provided by the County of Los Angeles under the Urban Counties program of the Community Development Block Grant program and HOME Investment Partnership programs. These services have been performed for the past 27 years under the terms of similar Participating City Cooperation Agreements. The present agreement is due to expire June 30 2003 unless the City and the County approve a new agreement providing for an extension of the cooperative agreement.

Use of CDBG funds would have no negative impact on the City's general fund. Staff recommended that the City Council approve the extension of the General Services Agreement with the County of Los Angeles and authorize the Mayor or designee to execute the agreement.

J RESOLUTIONS & ORDINANCES

***1 Amendment to Title 10 Chapter 10 36 of the Monrovia Municipal Code Relating to Skate Park Regulations Second Reading and Adoption of Ordinance No 2002-07**

This matter was approved by order of the Consent Calendar

This was the second reading and final adoption of Ordinance No 2002-07 amending Title 10 of the Monrovia Municipal Code relating to Skate Park regulations. Staff continued to recommend approval of this ordinance.

***2 Amendment to Title 17 (Zoning) of the Monrovia Municipal Code Regarding Adding Regulations for the Development of Wind Energy Systems Citywide Second Reading and Adoption of Ordinance No 2002-06**

This matter was approved by order of the Consent Calendar

This was the second reading and final adoption of Ordinance No 2002-06 amending Title 17 of the Monrovia Municipal Code regarding adding regulation for the development of wind energy systems citywide. Staff continued to recommend approval of this ordinance.

***3 Set for Public Hearing on June 11 2002 Amendment of Title 2 title 9 and Title 17 Adding Regulations Regarding Downtown Issues for Outdoor Dining Outdoor Entertainment Outdoor Merchandise Display and Signs Ordinance 2002-08**

This matter was approved by order of the Consent Calendar

At a special Study Session on April 10 2002 the City Council and Planning Commission discussed several unresolved issues regarding downtown businesses specifically outdoor entertainment outdoor display and signs.

On May 15 2002 the Planning Commission approved PC Resolution No 2002-08 recommending Ordinance 2002-08 for approval by the City Council Staff recommended setting June 11 2002 as the date of the Public Hearing

K PAYROLL & VOUCHERS Payroll No 11 in the net amount of \$403 423 59 and Voucher Numbers 102845 through 103153 non-sequentially in the amount of \$754 242 41 were approved by order of the Consent Calendar

L SCHEDULED MEETINGS

A Study Session 6 00 P M to 7 15 P M City Council Chambers 415 South Ivy Avenue to review Department Goals and Objectives will precede the next Regular Meeting of the Monrovia City Council scheduled for Tuesday June 11 2002 7 30 P M City Council Chambers Monrovia California

M ORAL COMMUNICATIONS IF NEEDED None

N CLOSED SESSION Mayor Blakely announced that the City Council would adjourn to Closed Session to conference with Labor Negotiator pursuant to Government Code Section §54957 6 Agency Negotiator Theresa St Peter Group Employee All Employees and would adjourn from Closed Session

O ADJOURN Mayor Blakely adjourned the Meeting at 11 19 P M Closed Session was convened at 11 20 P M and adjourned at 1 00 AM All members of the City Council were in attendance

APPROVED


Lara Larramendi Blakely Mayor

ATTEST


Linda B Proctor CMC City Clerk