

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, JUNE 10, 2003, 7:30 P.M.**

CONVENE: Following a Salute to Service Program at 7 00 P M in City Council Chambers, Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, June 10, 2003 at 7 36 P M in City Council Chambers, 415 South Ivy Avenue, Monrovia, California Staff in attendance were City Manager Donald R Hopper, City Attorney Craig A Steele, and Administrative Secretary Alice D Atkins

INVOCATION: Pastor John Mastrogiovanni led the Invocation

FLAG SALUTE: Mayor Rob Hammond 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):
May 27, 2003**

1. **Conference with Labor Negotiator pursuant to Government Code Section §54957.6. Agency Negotiator: Theresa St. Peter; Group Employee: Police Officers Association.** City Attorney Steele reported that direction was given to Staff, and that no reportable action was taken

PRESENTATIONS None

PROCLAMATIONS: None

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Liaison Dayshia Boykins reported on activities at Monrovia High School Mayor Hammond presented Ms Boykins with a plaque in appreciation of her position as Student Government Representative

A. CONSENT CALENDAR

It was moved by Councilmember Adams, seconded by Councilmember Lutz, to approve the Consent Calendar consisting of Items *B, *E-2, *F-1, *F-2, *I-1, *I-2, *I-3, *J-1, *J-2, and *K.

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

***B. MINUTES:** The Minutes of the Regular Meeting of May 27, 2003, were approved by order of the Consent Calendar

C. ORAL COMMUNICATIONS:

1 Glona Crudgington, Monrovia, stated that she was moved by the compassion and professionalism of the Police Department and Fire Department when they recently responded to a neighboring apartment fire that she called in, and thanked Chief DiGiovanna and all of the other personnel

2 Cyrus Kemp, Monrovia, stated his disappointment in the Council's lack of concern in the democratic process

3 Jasen Lewis, KGEM Executive Director, invited the Council and community to the Studio on Friday, the last day they will be shooting a multi-camera production until they move into the new studio at the former Armory

4 Stephen Grollnek, Monrovia, suggested there be no fee for Garage Sales, that residents simply sign a register at City Hall stating that they are having a Garage Sale, and the City send out a letter regarding the regulations concerning Garage Sales

D. PUBLIC HEARINGS/MEETINGS None

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

CONVENE: Chairman Hammond convened the Regular Meeting of June 10, 2003 of the Monrovia Redevelopment Agency Board of Directors at 7 50 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 Garcia, and Chairman Hammond

A. CONSENT CALENDAR:

It was moved by Vice Chairman Garcia, seconded by Boardmember Adams, to approve the Consent Calendar consisting of Items *B.

ROLL CALL: Ayes: Boardmembers Adams, Kirby, Lutz, Vice Chairman Garcia, and Chairman Hammond
Motion carried: 5-0

***B. MINUTES:** The Minutes of the Regular Meeting of May 27, 2003 were approved by order of the Consent Calendar

MRA REPORTS: None

MRA ADJOURNMENT: Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 7 50 P M and the City Council Meeting continued

RECONVENE MONROVIA CITY COUNCIL MEETING

E BIDS:

1. 2002-2003 Water Main Replacement Program, Project No. C-2924; Award of Contract to Engineered Plumbing in the Amount of \$199,000.00

Councilmember Adams abstained from participating in this matter due to a potential conflict of interest as a portion of the project may affect the water service at his place of business. He exited Council Chambers at 7 51 p m

Dave Fike, Public Works Director, reviewed the Staff Report

The 2002-2003 Water Main Replacement Program includes the construction of approximately 1,540 feet of 8-inch and 6-inch diameter Class 52 ductile iron pipe, replacing 2-inch and 4-inch diameter old, welded steel pipe. The replacement of these water mains is due to age, leaks and under capacity. The project also includes the replacement of 58 galvanized services and a fire hydrant upgrade. The replacements are at the following locations

- 1 Alta Vista Avenue from Bella Vista to Duarte Road
- 2 Sierra Vista Avenue from Grand Avenue to Norumbega Drive
- 3 Alley West of Norumbega Drive, from Sierra Vista to Pearl
- 4 Foothill Boulevard from Mayflower Avenue to Ivy Avenue (services only)

On May 22, 2003, four bids were received and opened by the City Clerk. Bids ranged from \$199,000.00 to \$384,720.00. The apparent low bidder was Engineered Plumbing Inc (5055 Bleecker Street, Baldwin Park, CA 91706) in the amount of \$199,000.00. Staff reviewed the apparent low bidder and found all documents to be in order. Engineered Plumbing Inc satisfactorily completed the 2001-2002 water main replacement project. Funds for the project are available in the Water Fund. Staff recommended awarding a contract to Engineered Plumbing.

It was moved by Councilmember Lutz, seconded by Mayor Pro Tem Garcia, to award a contract to Engineered Plumbing Inc., in the amount of \$199,000.00 for the 2002-2003 Water Main Replacement Program, and reject all other bids.

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

Councilmember Adams returned to Council Chambers at 7:53 p.m.

***2. Motorola Mobile Data Equipment, Award of Bid to Motorola, Incorporated in the Amount of \$62,333.22**

This matter was approved by order of the Consent Calendar.

The Fire Department is currently under contract for emergency dispatching through the Verdugo Fire Communication Center. Under this agreement specific radio and mobile data equipment is required to be used for communications between the dispatch center and Monrovia Fire Department vehicles. Currently, a system wide upgrade of the mobile data system requires the department to purchase new equipment for emergency dispatching.

After research and review of bids from equipment manufacturers, it was determined that Motorola Company was the company that could provide the needed equipment to the Communication Center at a reasonable price. This decision requires the Fire Department to purchase the new mobile data equipment for continued dispatch service.

Staff recommended awarding the bid to Motorola, Incorporated.

F. COMMUNICATIONS AND PETITIONS

***1. Receive and File, Application for ABC Beverage License (Type 20 Off-Sale Beer and Wine) for Vitaganza Health Foods, LLC, Located at 625 South Myrtle Avenue**

This matter was approved by order of the Consent Calendar.

Notice was received from ABC that Johnie Yawn, Vickie Yawn and Susan Daniell have submitted an application for a Type 20 Off-Sale Beer and Wine license. Based on the background investigation on the applicants, Staff found no reason to recommend any other action on this application. There was no fiscal impact and Staff recommended that the City Council receive and file the application.

***2. Denial of Liability Claim; Angela Torres vs. City of Monrovia**

Ms. Torres alleged that on September 15, 2002, she tripped and fell on a public sidewalk due to uneven pavement.

Staff took measurements of the location that showed that the elevation at the time of the incident was approximately ½ inch. This is considered to be a trivial defect. Therefore, the City bore no responsibility in this matter.

Claimant sought an unspecified amount in damages Staff recommended that Council deny this claim

G CITY COUNCILMEMBERS & SUB-COMMITTEES:

1. Mayor Hammond reported that

(a) **Wilderness Preserve Foundation, Reappointment of Directors Dorothy Dudley and Mayor Pro Tem Joe Garcia for a Second, Three-Year Term, and Appointment of Mayor Rob Hammond and Community Services Commissioner Becky Shevlin to Fill the Unexpired One-Year Terms of Lara Larramendi Blakely and Mary Ann Lutz, Respectively.** It was moved by Mayor Hammond, seconded by Councilmember Lutz, and so ordered, to make the appointments as referenced above

(b) He, Councilmember Lutz, and Staff met with representatives of the RMC looking at property that is being considered for a Proposition 40 grant He believed that it was a coup for the City to have the people they had there and thanked Staff for coming in on their day off

(c) He took a trip last Saturday with the Sanitation District on their Ocean Sentinel which goes to where the water is released from a sanitation plan to evaluate how the ocean wildlife is responding to the outflow, and stated that after 30 years, due to significant reductions in DDT, the sea life is much improved He provided a copy of the flyer to the City Clerk for anyone who is interested in going on the tour

(d) He attended the Older American Awards ceremony at the Dorothy Chandler Pavilion, which he attended with Councilmember Lutz and Louise Osbrnk, recipient of the Older American of the Year Award

2 Mayor Pro Tem Garcia reported that

(a) He is concerned as the Liason to the Historic Preservation Committee that the charm and historic quality of these neighborhoods could be destroyed if this pattern of demolition and new construction continues, and requested that Staff do a study of the section of the City below Foothill Boulevard and above Huntington Drive to determine what can be done to encourage saving our older homes, while still allowing for construction of back house, including incentives to restore historic properties, zoning regulations, CUP process, lot sizes and density to see if a combination of any or all of these could help preserve the historic character of the neighborhoods Councilmember Adams interjected that one of the things the City has done to encourage historic preservation is the approval of the Mills Act He further stated that based on a news article he read, those who are awarded a Mills Act Contract that gives a reduction in property taxes, savings that are intended to go into the restoration of the home, are not afforded the same protection from increases in property taxes that is written into Proposition 13 The article reported that some homes under the Mills Act are experiencing increases of 15% annually and Councilmember Adams ask Staff to contact Brent Decker of Tax Assessor's office in an attempt to remedy that City Manager Hopper stated that the kind of study Mayor Pro Tem Garcia is talking about would take considerably more time than coming back at the next meeting or even July, and clarified that Council direction is to have Staff bring back alternatives for zoning and different incentives to allow multiple dwellings on a property while preserving the historic character Councilmember Garcia agreed and directed Staff to take as long as needed to get the right type of study but be cognizant of the fact that the market is hot and because of that there is a lot of potential impact with threatened development

3 Councilmember Adams report that

(a) The Fire Department is working closely with the Forest Department to do a joint project for the Hillside Station He asked Chief DiGiovanna to give an update on that at the next meeting

4 Councilmember Kirby reported that

(a) **Composition of Development and Review Committee.** At the Regular Meeting on May 27, 2003, Councilmember Kirby asked that this item be agendized for discussion City Manager Hopper gave a history of the establishment and intended purposed of the Development and Review Committee (DRC)

1 Martha Welch, Monrovia, spoke in support of a resident being added to the DRC

- 2 Cyrus Kemp, Monrovia, spoke in support of a resident being added to the DRC, or remove the power of granting variances from the committee
- 3 Nancy Zack, Monrovia, spoke in support of a resident being added to the DRC
- 4 Glona Crudginton, Monrovia, spoke in support of a resident being added to the DRC
- 5 Rosemary Harrahill, Monrovia, stated her concerns of there being sufficient noticing of upcoming DRC items and subsequent results of DRC decisions
- 6 John Applebee, Monrovia, spoke in support of a resident being added to the DRC

Discussion continued and Staff was directed to bring back a series of alternatives to consider with pros and cons of each

5. Councilmember Lutz reported that

- (a) She believes the City needs better communication with regard to Garage Sales and asked City Manager Hopper to schedule more dissemination of information through a newspaper article, KGEM notice, website, notice on the water bills
- (b) She announced that the Merchants Association is sponsoring a 4th of July event in conjunction with the Family Festival, including a concert in the park, festivities in Old Town, a Beer Garden, and fireworks on Myrtle Avenue, and invited the community to come out and enjoy the local celebration
- (c) She and Mayor Hammond accompanied Staff and others, along with a small group from the San Gabriel Rivers and Mountains Conservancy, to view some of the property that is being considered for a Proposition 40 grant so that it may be purchased and included in the Wilderness Preserve

H. REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES: None

I. ADMINISTRATIVE REPORTS

***1. Renewal of Options Lease Agreements for Rotary and Recreation Parks for the Year Ending June 30, 2004**

This matter was approved by order of the Consent Calendar

The City of Monrovia established land use lease agreements with Options for use of Rotary Park in 1987 and Recreation Park in 1988. The purpose of the Rotary Park lease agreement is to provide space for a classroom to conduct the Options Surround Care, which provides childcare opportunities to local residents. The purpose of the Recreation Park lease agreement is to provide space for a classroom to conduct Headstart programs that provide early academic and social opportunities for children and parent education programs.

***2 Set for Public Hearing on June 24, 2003, Historic Landmark HL-50 and Mills Act Contract MA-48 for Property Located at 425 East Colorado Boulevard by Owner Marianne Lee, Resolution No. 2003-32**

This matter was approved by order of the Consent Calendar

At its meeting of May 28, 2003, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status and execution of a Mills Act for the property at 425 East Colorado Boulevard. Staff recommended setting June 24, 2003 as the date of the public hearing.

***3 Purchase of a Replacement Color Copy Machine from IKON Office Solutions in the Amount of \$19,625.00.**

This matter was approved by order of the Consent Calendar

The City purchased its existing color copier in October of 1998. It has given the City quality service for 4 ½ years, but Staff is now placing more and more service calls, and the quality of the prints has deteriorated.

The City prints approximately 2,000 pages per month. The departments are charged 40 cents per copy. The rate is very favorable when compared to the 75 cents to \$1.00 that printing companies charge. The City's current machine prints at a rate of 12 pages per minute. Staff has been asking for a faster printer since many jobs now are bigger in size.

The evaluation process found that there are two levels of color copiers— a business quality and a professional quality. Staff believed that the 600dpi resolution was of sufficient quality, and also felt strongly that it wanted a printer faster than the current machine (12 copies per minute).

The Canon copier handles a heavier card stock, which the City can use for flyers, mailers, or other special printing jobs. It also has important reporting features to make it easy for Staff to do the cost allocation accounting.

The Canon is available from IKON, who is a large distributor of Canon and Ricoh copiers. They have a large in-house service force providing maintenance for their customers.

The Department charge-backs for copier use have created a reserve for the replacement of the unit. There would be no impact on the General Fund. Staff recommended the purchase of the Canon 3200 from IKON Office Solutions.

J RESOLUTIONS & ORDINANCES

***1 Amendment to Title 15 of the Monrovia Municipal Code Relating to Expanding the Definition of Excavations, Second Reading and Adoption of Ordinance No. 2003-07**

This matter was approved by order of the Consent Calendar.

This was the second reading and final adoption of Ordinance No. 2003-07 amending Title 15 of the Monrovia Municipal Code relating to expanding the definition of excavations. Staff continued to recommend approval of this ordinance.

***2 Participation in the Workers' Compensation Program of the Independent Cities Risk Management Authority (ICRMA), Resolution No. 2003-36**

This matter was approved by order of the Consent Calendar.

The City has enjoyed the benefits of pooling risk with other member cities, including

- Ability to mitigate the impact of changing insurance markets,
- Risk management and loss control services,
- Claims and litigation management,
- Return of premiums when program costs are lower than projected, and
- Lower cost of excess insurance or reinsurance due to economies of scale.

In June 2002 member cities of ICRMA were hit with the realities of the insurance crisis upon receipt of their workers' compensation renewal quotes for the policy year beginning July 1, 2002. The quotations for all ICRMA member cities were dramatically higher than the previous year, some with rate increases five to six times greater, and all at higher self-insured retentions.

ICRMA members were faced with few options, as little time was available to renew coverage and there were very few commercial insurance markets willing to underwrite municipal risks. As such, ICRMA decided that each member would be afforded the opportunity to negotiate its own placement, an unfortunate occurrence for a group joined for the benefit of each other. The result

was the City purchased insurance with Employers Reinsurance Corporation The City's rate (per \$100 of payroll) increased from 1289 to 4670 and the City's self-insured retention increased from \$325,000 to \$750,000 per occurrence

Because of the negative budgetary consequences of these increases the ICRMA Board approved the exploration of a self-funded excess Workers Compensation Program (WCP) The number of carriers willing to underwrite public agencies continues to decline, especially those offering coverage for Police and Fire exposures The one quote we were able to obtain would require a self-insured retention of \$1 million per claim with a premium of 9448 per \$100 of premium (\$143,708)

Staff reviewed the program provisions, terms of coverage, and financial implications of the WCP and bases its recommendations on

- A desire to participate in a self-funded program similar to the liability program
- Concern over further rate increases to rates due to the worsening conditions of the insurance market and new legislation beginning January 1, 2003 (AB 749)
- Enhanced ability to provide loss control measures
- Increased oversight of our claim administrator

The WCP has been designed similar to the successful liability program offered by ICRMA The premise of the program is that the members will have greater control of their WC costs, loss control efforts, claims management, and the flexibility to enhance the program in anticipation of changes in the insurance market and general economic conditions

The City's workers' compensation premium for the current fiscal year 2002/03 was \$73,484 The premium for the next fiscal year represents an increase of \$15,950 (approximately 20%) However, it will allow the City to lower its self-insured retention exposure by \$250,000 per claim Funds are available to cover the additional premium expense

Staff recommended that the Council approve participation in the ICRMA Workers' Compensation Program, effective July 1, 2003 This is based upon an estimated annual premium of \$89,434 and at a self-funded retention of \$500,000

***K. PAYROLL & VOUCHERS:** Payroll No 12 in the net amount of \$428,116 58, and Voucher Numbers 111140 through 111433 non-sequentially in the amount of \$456,190 34 were approved by order of the Consent Calendar

L SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council is scheduled for Tuesday, June 24, 2003, 7 30 P M , City Council Chambers, 415 South Ivy Avenue, Monrovia, California

Note Beginning Tuesday, July 1, 2003 the Regular Meetings of the Monrovia City Council will be held on the first and third Tuesday of the month

The August 19, 2003 City Council Meeting has been cancelled

M. ORAL COMMUNICATIONS, CONTINUED, IF NEEDED: None

N CLOSED SESSION. Mayor Hammond announced that the City Council would adjourn to Closed Session to

1 Conference with Labor Negotiator pursuant to Government Code Section §54957 6 Agency Negotiator Theresa St Peter, Group Employee All Employees

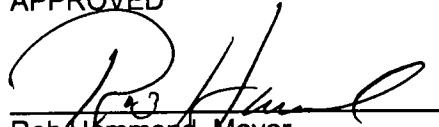
2 Conference with Legal Counsel Pursuant to Government Code Sections §54956 9(a), Carrie Trevizo vs City of Monrovia, Workers' Compensation Claim #00-23049

3 Conference With Legal Counsel - Existing Litigation pursuant to Government Code Section 54956 9(a) Harrahill, et al, v City of Monrovia, LASC Case No BC170089, 2d Dist Court of Appeal Docket No B150951

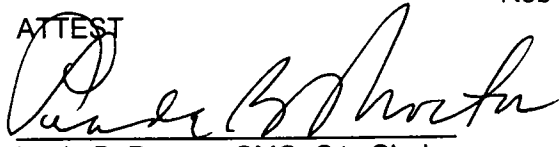
A report of Closed Session will be given at the next Meeting of the City Council

O ADJOURNMENT· The Meeting was adjourned at 9 25 P M Closed Session convened at 9 31 P M and concluded at 10 20 P M

APPROVED


Rob Hammond, Mayor

ATTEST


Linda B Proctor, CMC, City Clerk