

**MINUTES OF THE REGULAR MEETING  
OF THE  
MONROVIA CITY COUNCIL  
HELD TUESDAY OCTOBER 9 2001 7 30 P M**

**CONVENE** Preceding a Joint Special Meeting with Monrovia Unified School District Board of Trustees and Monrovia Chamber of Commerce Board of Directors from 5 55 P M to 6 55 P M at the Monrovia Community Center 119 West Palm Avenue at which all City Councilmembers were in attendance Mayor Lara Larramendi Blakely convened the Regular Meeting of the Monrovia City Council of Tuesday October 9 2001 at 7 33 P M in City Council Chambers 415 South Ivy Avenue Monrovia California

**INVOCATION** Pastor Greg Douglass United Methodist Church led the Invocation

**PLEDGE OF ALLEGIANCE** Mayor Pro Tem Rob Hammond 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** None

**PRESENTATIONS**

**1 Presentation of \$10 000 00 Check by Michael Huang Secretary Kwan Yin Meditation Temple to the City of Monrovia for the Disaster Relief Fund**

Following the September 11 2001 tragedy the Office of the City Clerk established a Disaster Relief Fund to aid the victims and families affected by the Terrorist attacks in an effort to provide residents and businesses an opportunity to give support - people who might be unable to attend one of the many fund raising efforts in surrounding communities Donations are being accepted through October 11 2001 and will be forwarded as one check to the New York State World Trade Center Relief Fund After much research this fund was chosen because it will benefit emergency personnel as well as innocent civilian victims In addition AOL Time Warner is donating the administrative costs and Chase bank will provide the banking at no cost to the Fund resulting in 100% of donations going directly to the victims and their families

Since the City's Disaster Relief Fund was set up nearly \$13 000 00 has been collected from various organizations and many members of the community including students of Monrovia High School Necessites Salon residents and Councilmembers This also includes a very generous donation of \$10 000 00 from Michael Huang on behalf of the Kwan Yin Meditation Temple Mr Huang stated that it was the Temple's pleasure to donate to those young and old who had been affected by the disaster He re-presented the check to Mayor Blakely City Clerk Proctor presented him with a City Clerk Department decorated cup in appreciation of the support of the Disaster Relief Fund program

**2 Recognition of Police and Fire Olympics Winner Police Officer Andy Velebil**

Officer Andrew Velebil won four cycling events at the August 2001 California Police and Fire Olympics hosted by the San Jose Police Department Officer Velebil competed with agencies throughout California He received a Gold Medal for the 17 mile Criterium Race a Gold Medal for the 28.5 mile Road Race a Silver Medal for the 1 000-meter Sprint and a Silver Medal for the 16-mile Individual Time Trial Officer Velebil's award was presented by Police Chief Joseph Santoro Officer Velebil was congratulated by the City Council

### **3 Introduction of Monrovia Police Department Explorers**

In August 2001 the Monrovia Police Department Explorers participated in the CODE-3 Explorer Competition in Pasadena Thirty California law enforcement agencies sponsored their respective explorers in the competition In the Individual competition Explorer Michelle Dunn placed First in the Female Obstacle Course and Explorer Rudy Ramirez placed Fifth in the Male Obstacle Course In the Team competition Mathew Logsdon Derek Pedersen William Strain and Matthew Binford placed Second in the Marijuana Garden Raid and Third in the Barricaded Suspect/Sniper scenario Chief Joseph Santoro introduced the Explorers to the Mayor City Council and community He assisted Mayor Blakely in presenting the awards to them

### **4 Added to the Agenda Introduction of Participants of Student Government Day**

Sondra Lee Management Analyst II introduced the students who participated in Student Government Day Kevin Stephens Rebecca Frederick Tera Forrest Dianna Moraga Becca Watkins and Gabriel Noyes Ms Lee explained that the delegation spent the afternoon at City Hall touring all departments and shadowing Department Directors They also attended the joint meeting of the Monrovia Unified School District Monrovia City Council and Monrovia Chamber of Commerce which included the presentation of a check in the amount of \$105 274 00 to Monrovia Unified School District from the Monrovia Redevelopment Agency from the Pass Through Tax Sharing Agreement

## **PROCLAMATIONS**

### **1 Proclaiming the Month of October 2001 as Domestic Violence Awareness Month**

Mayor Blakely proclaimed the Month of October 2001 as Domestic Violence Awareness Month

YWCA-WINGS believes that domestic violence is an increasing problem in all of our cities They will be sponsoring a Candle Light Vigil/Hop-a-thon on October 23 2001 from 4 00-8 00 PM at Civic Park in Covina to celebrate women who have broken free from the chains of domestic violence and honor those women who have died in domestic violence relationships

YWCA-WINGS believes that domestic violence crosses all socio-economic status race ethnicity age and sexual orientation In the eyes of many domestic violence has reached epidemic proportions YWCA-WINGS believes that until we all realize that domestic violence is a problem in all of our cities and become knowledgeable about this problem it will continue

The Proclamation will be mailed to YWCA-WINGS

### **2 Proclaiming the Week of October 7-14 2001 as Fire Prevention Week**

October 7-14 2001 is Fire Prevention Week The National Fire Prevention Week theme is Cover the Bases Strike Out Fire

This year's Fire Prevention Week theme targets four major fire safety areas - cooking safety heating safety electrical safety and developing a home escape plan The Monrovia Fire Department urges all Monrovians to be safety conscious with their cooking heating and electrical use and to also practice safe exit drills in the home with an established home escape plan Remember that in a fire when you get out stay out and call the fire department from your neighbor's phone

The people of Monrovia are called upon to participate in Fire Prevention activities at home work and school and to heed the message "**COVER THE BASES & STRIKE OUT FIRE**" as the 2001 Fire Prevention Week theme suggests

Battalion Chief David Cruz announced the many activities including a Blood Drive that will be held during the week and accepted the Proclamation

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

## **A CONSENT CALENDAR**

At the request of a resident \*K was removed from the Consent Calendar

It was moved by Councilmember Adams seconded by Councilmember Franco to approve the Consent Calendar consisting of Items \*B \*F-1 \*I-2 and \*J-1

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

\*with the exception of \*B Minutes of August 8 2001

Resident Cyrus Kemp expressed concern that he was not able to see the detail for all of the 299 checks to be approved on this warrant and requested that the City Council not approve the warrant until details were available to him City Manager Donald R Hopper explained that the detail had not yet been scanned and therefore sensitive details could not be redacted He had offered Mr Kemp the opportunity to look at specific information for an item on the warrants but Mr Kemp refused the offer

After discussion it was moved by Mayor Pro Tem Hammond seconded by Councilmember Garcia, to approve Agenda Item K

Councilmember Adams noted that it was important to check the check warrants to make sure there were no social security numbers listed

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

**\*B MINUTES** The Minutes of the Special Meeting of August 8 2001 Regular Meeting of September 11 2001 Regular Adjourned Meeting of September 13 2001 and Regular Meeting of September 25 2001 were approved by order of the Consent Calendar

## **C ORAL COMMUNICATIONS**

At the request of Mayor Blakely City Clerk Linda B Proctor read the guidelines for Oral Communications as follows

At this time citizens who wish to speak on any City business item not on the Agenda should first complete and return a "Speaker Information Form" to the City Clerk before this 45-minute period By State law the City Council may not discuss and vote on items not on the Agenda Speakers will be called on a first come first served basis Time allotted for each speaker is a maximum of 3 minutes Please state your name and address for the record Those not accommodated during this period have an additional opportunity to speak under M ORAL

COMMUNICATIONS Continued if necessary following public City business The City Attorney will track the minutes remaining in the 45-minute period and advise the Mayor prior to the last speaker speaking Speakers were asked to come to the front of the Chambers to sit and wait their time to speak as the City Clerk called their names three at a time She also explained the new light system for the speakers stating that the green light indicated the speaker had two and a half minutes the yellow light cautioned the speaker that he/she had thirty seconds remaining and the red light indicated that the three minutes were expended She further explained that at the end of three minutes thirty seconds a bell would ring

1 Cyrus Kemp Monrovia spoke regarding his opinion that there was a conflict in the elected City Clerk being appointed as administrative City Clerk as it circumvents check and balance

2 Irv Rubin Monrovia resident spoke of his opinion of offensive Public Access programs on KGEM Channel 3

3 Karen Suarez Board Chairman Community Media of Foothills KGEM explained membership on the Board of Directors noting that there were 2 positions available Applications will be taken until October 25 2001 5 00 P M All are invited to attend the Board meetings on the first Thursday of month in City Council Chambers

4 Laura Wiles Monrovia reported that Friday October 12 2001 is Prayer and Praise Time at First Presbyterian Church for the San Gabriel Valley the first of its kind spoke against Planned Parenthood and noted that the Crisis Pregnancy Center plans were still underway

5 Elwanda Seelig Monrovia spoke against Planned Parenthood

6 Jan Quintelier Monrovia spoke against Planned Parenthood

7 Sister Mary Karen Joseph Duarte spoke against Planned Parenthood

8 Barbara Irving Monrovia spoke in favor of services to help downtown merchants who suffer from stress due to the current condition of the country

9 Richard Young 212 W Lemon Monrovia invited the City Council and community to their Haunted House which this year may be a Haunted Block from Magnolia to Primrose Avenues This will be open only on Halloween Night

10 Mary Ann Lutz Monrovia invited all to the Fire Safe Council Fair which will be held at Monrovia Arts Festival this weekend The Red Cross representatives of the roofing sprinkler etc industry will all be there to assist residents in fire proofing their residences

11 Rosemary Harrahill Monrovia congratulated the City on the great banner stating God Bless America which has made an impression on youth of our community and spoke against Planned Parenthood

12 Chuck Keen Monrovia thanked the City for the signs and flags in town and spoke against Planned Parenthood

13 Barry Krugel Los Angeles spoke of his opinion of offensive Public Access programs on KGEM Channel 3

City Manager Hopper stated that in response to questions regarding KGEM Public Access that the KGEM Board of Community Media of the Foothills is a distinct and separate entity of the City that forcing Adelphia to run the programs is not the case that Community of the Foothills operates the KGEM studio and that free speech programming is the right of a producer The Agreement calls for the government channel to run the Council and Commission programs and School Board meetings are run on the educational channel The studio is completely independent of the City and the City has no rights in removing any of the programs and complaints need to be sent to Community Media of the Foothills as the Board needs to know how the residents feel He stated that taking an active role as a member of the Board can affect changes

Mayor Blakely called a recess from 8 54 P M to 9 08 P M

**D PUBLIC MEETINGS/HEARINGS****1 General Plan Amendment GPA2001-03 Resolution No 2001-51 and Zone Change ZC2001-02 to Hillside Wilderness Preserve for the Wright and Dunbar Properties Introduction and First Reading of Ordinance No 2001-16**

Administrative Report I-1 was combined with this matter

**I ADMINISTRATIVE REPORTS****1 Riparian Habitat Land Acquisition Project Application for Land Acquisition Grant Funds for the Wright Property, Resolution No 2001-60**

Robert Kastenbaum Director of Community Development reviewed the Staff Report

On December 12 2000 the City Council approved the acquisition of the Wright property located at 1112 Briarcliff Road The property was subsequently acquired for the sum of \$250 000 The City provided funding from Measure B monies in the amount of \$125 000 (half of the purchase price) and the property owner carried a note of \$125 000 It was the City's intent to structure the purchase in this manner in order to provide an opportunity to seek a grant for the balance due

The Habitat Conservation Fund Grant Program is administered by the California Department of Parks and Recreation Cities counties and districts are eligible to apply The Habitat Conservation Fund Program requires a dollar for dollar match from a non-State source The Habitat Conservation Fund Program will fund a limited number of programs during the 2002/03 Fiscal Year grant cycle The City will seek a grant of \$125 000 00 under the Riparian Habitat Category

**It was moved by Councilmember Adams seconded by Mayor Pro Tem Hammond to adopt Resolution No 2001-60 authorizing Staff to submit a grant application under the Habitat Conservation Fund Program**

**ROLL CALL**

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

Robert Kastenbaum Community Development Director reviewed the Staff Report regarding the Public Hearing matter (see above)

As part of the hillside planning process the Hillside Wilderness Preserve (HWP) and Hillside Recreation (HR) Land Use Designations were created and added to the General Plan and the HWP and HR zone designations were added to the Zoning Ordinance The intent of these designations is for the preservation of open space and are to be applied to vacant hillside property owned and acquired by the City in the future for this purpose

Over the past year the City has acquired almost 52 acres of hillside open space through the purchase of two parcels A General Plan Amendment and Zone Change are proposed to change their designations to Hillside Wilderness Preserve (HWP) The first of the two is the Wright property that is 11.76 acres and located north of the cul-de-sac of Briarcliff The lot is in the Cloverleaf Specific Plan and has a General Plan Designation of 1DU/4 acres (one dwelling unit per four acres)

The other property is the Dunbar property A 40-acre parcel acquired from the Los Angeles County Treasurer and Tax Assessor through a tax default offering This parcel is located west of Canyon Park east of the Woodward property north of Ruby Canyon and south of the

Angeles National Forest The lot is in the Cloverleaf Specific Plan and has a General Plan Designation of one 1DU/20 acres (one dwelling unit per 20 acres)

The Planning Commission recommended approval of the Negative Declaration adopted Resolution 2001-09 recommending approval of General Plan Amendment GPA2001-03 and adopted Resolution 2001-08 recommending approval of Ordinance No 2001-16

**Public Hearing Opened** Mayor Blakely opened the Public Hearing

Those speaking for the matter were

1 Rick Norman spoke in favor of the matter

Opposed None

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

**It was moved by Mayor Pro Tem Hammond seconded by Councilmember Adams to adopt Resolution No 2001-51 approving General Plan Amendment GPA2001-03 and introduce and read by title only Ordinance No 2001-16 relating to Zone Change ZC2001-02**

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

**2 Establishment of a Moratorium on Development of Vacant Infill Hillside Lots Introduction and Adoption of Ordinance No 2001-19 or Adoption of an Interim Urgency Ordinance Requiring a Conditional Use Permit for Development on Vacant Infill Hillside Lots Urgency Ordinance No 2001-19U**

Community Development Director Robert Kastenbaum reviewed the Staff Report

In the last several months Planning Staff has received inquiries on the development potential of several infill hillside lots These remaining hillside lots are the more difficult lots to develop and could have a significant impact on adjacent residential properties These lots are located outside specific plan areas and are in the Residential-Foothill (R-F) and a very limited number in the Residential-Estate (R-E) and Residential-Low (R-L) zones Staff is proposing to amend the Monrovia Municipal Code to address these infill lots and ensure they are developed in harmony with the existing neighborhoods and the environmental issues are adequately addressed

As the Planning Commission currently reviews the best approach to address the more difficult hillside infill lots Staff is suggesting that the City consider either taking a temporary time out (moratorium) or put in place an interim ordinance that requires a conditional use permit for development on these difficult lots A conditional use permit will require a public hearing before the Planning Commission and surrounding residences will be notified of the hearing

**OPTION 1 – MORATORIUM ORDINANCE** The adoption of a moratorium ordinance will temporarily suspend any new development activity on the infill lots until new regulations can be adopted The moratorium would be placed on development of those new single family homes located on vacant hillside lots north of Hillcrest Blvd (excluding lots in specific plan areas) that require a cut or fill of five (5) feet or greater or a retaining wall of more than six (6) feet in order to develop the lot This will avoid grading and development of the lots until any potential negative environmental impacts can be evaluated which could change the character or intensity of the existing neighborhood development pattern

**OPTION 2- INTERIM URGENCY ORDINANCE REQUIRING A CONDITIONAL USE PERMIT**

If the City Council wishes to approve an alternate ordinance that does not suspend development during the period of the moratorium an option would be to adopt an urgency ordinance

The proposed urgency ordinance would require a conditional use permit for all new single family homes located on vacant hillside lots north of Hillcrest Boulevard (excluding lots in specific plan areas) that require a cut or fill of five (5) feet or greater or a retaining wall of more than six (6) feet in order to develop the lot. This approach would allow the processing of new applications to continue with the requirement of a conditional use permit and a Public Hearing before the Planning Commission.

The conditional use permit review shall focus primarily on the unique characteristics of hillside lots including environmental grading geologic and soils drainage line of sight and the overall envelope of the structure. With respect to design review the conditional use permit shall address only those elements currently permitted in Section 2 56 030 of the Monrovia Municipal Code pertaining to Development Review Committee Design Review Powers which include roofing roof overhang and siding materials.

Staff recommended Option 2 which calls for an urgency ordinance to be adopted that requires a conditional use permit for development of new single family homes in the hillside area located north of Hillcrest Boulevard (excluding specific plan areas) that require a cut or fill of five (5) feet or greater or a retaining wall of more than six (6) feet in order to develop the lot.

Discussion ensued. Councilmembers expressed concern regarding applicants who were in the process of the permitting process namely Henry Nunez whose permit for development of property on El Nido was already in progress. Mayor Blakely noted that Council was concerned about those projects that did not require notice to surrounding neighbors whose property would be affected. Mr. Kastenbaum noted that this was the reason the CUP was included in this recommendation. He also noted that it only applies to vacant lots and teardowns and not add-ons when the impact of an add-on is not significant.

City Manager Hopper stated that Staff recognized there were some very unusual shaped lots and this will help them to develop. He explained the difference between the conditional use permit vs variance. He stated that Staff was not trying to be punitive but wanted to find a way to be fair to everyone and that the CUP and variance would be held simultaneously.

**Public Hearing opened** Mayor Blakely opened the Public Hearing.

Those speaking for the matter were

- 1 Rick Norman Monrovia spoke in favor of the matter
- 2 Barbara Foster El Nido stated that she was not notified that the lot was for sale or she would have purchased it and donated to Wilderness Preserve
- 3 Gloria Crudginton Monrovia spoke in favor of the matter

Those opposing the matter were

- 1 Henry Nunez 260 El Nido stated that he was trying to build his home there and was concerned about the new ordinance and how it would affect his permitting process to date. He handed out copies of his application to the City Councilmembers and then reviewed it. He stated that he had complied with everything Staff required. He believed it was not fair to now have to go to the Planning Commission with the need of a CUP instead of the Development Review Committee and that there was a maximum of a 10' cut and retaining wall. He stated that the matter did not seem to be an emergency and felt that his property rights were being diminished by the need for a CUP if the ordinance were adopted. When questioned by Mayor Pro Tem Hammond Mr. Nunez responded that he was willing to notify his neighbors. In response to concerns by Councilmember Franco Mr. Kastenbaum responded that when there is controversy around a development and there was in this case it would go to the Planning

Commission to satisfy neighbors concerns however this property could be excluded from the Urgency Ordinance Mayor Pro Tem Hammond again stated that he was concerned that rules had been changed in the midst of the permit process

2 Glenn Cox Monrovia and property owner spoke against the matter if so many conditions were put on development of a lot that it would be uneconomical to develop a lot

Mr Kastenbaum summarized that Mr Nunez's plans and proposal would be heard by the Planning Commission tomorrow evening with no Conditional Use Permit to be required and that neighbors will be notified to attend and the Planning Commission would review them based on current standards in place

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

Councilmember Adams stated that grading should be applicable to all properties with a cut or fill of five feet or greater whether it is a remodel add-on teardowns or new construction City Manager Hopper noted that unless a controversy existed and if there were no objections from neighbors plans and specifications could be approved at the Development Review Committee

**It was moved by Councilmember Adams seconded by Mayor Pro Tem Hammond to adopt Interim Urgency Ordinance No 2001-19U imposing temporary regulations on hillside lots with the exception of any applications that had been submitted to Planning prior to this meeting**

Assistant City Attorney Ruben Duran read as follows

**AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA IMPOSING A TEMPORARY MORATORIUM ON THE APPROVAL OF THE DEVELOPMENT OF SINGLE FAMILY DWELLINGS REQUIRING FIVE FEET OR MORE OF CUT AND FILL UNLESS A CUP IS APPROVED WITHIN ALL SINGLE FAMILY ZONES**

Assistant City Attorney Duran noted that this newly amended Ordinance was subject to all other changes that were discussed including that the provision of cut or fill of five feet or greater would be for all properties not just certain properties as first suggested and that the revised Ordinance would include all items

**ROLL CALL**

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

Mayor Blakely called for a Recess from 10 59 A M to 11 08 A M

Mayor Blakely moved the following Agenda Item out of order

## **G REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES**

**3 Councilmember Adams** reported that

(a) Update on Samson the Bear He requested that Parks Division Manager Dan Iwata present an update on Samson the Bear Mr Iwata introduced Craig Schaid Jennifer Ranger and Pam Fitzpatrick stating that they were members of the Committee to raise funds for a Samson the Bear—Samson the Hot Tub Bear as he was known remembrance Mr Iwata explained that Samson frequented the Potters hot tub in the hillside Due to be shot by Fish and Game Samson was saved through the Community's efforts resulting in the Governor issuing a stay of execution He was taken to the Orange County Zoo where he recently died Many many donations were made from school children residents and contractors to provide a habitat for him at the Zoo

This committee has a goal of raising \$6 000 00 The carving of Samson will be in Canyon Park There will also be a video to tell Samson s story and it will be featured in the Nature Center for students There will be a special dedication of the carving Pam Fitzpatrick reported that Samson will be Monrovia s mascot She displayed the stuffed bear with a scarf which was created by Craig Schaid with the City logo that will be given to those who donate \$50 00 or more A pewter coin with Samson s likeness has been designed by Parks employee Ed Belknap Jennifer Ranger will work on the video with Dan Iwata While \$50 00 or more donation will include a bear and the coin a \$10 00 donation will include the coin There will be 10 different sites to donate

As an aside Mayor Blakely congratulated Pam Fitzpatrick on her recent election as President of Boys and Girls Club  
The City Council thanked Dan Iwata and the committee for its work to date

#### **D PUBLIC MEETINGS/HEARINGS (Continued)**

### **3 General Plan Amendment GPA 2001-04 for Incorporation of Sign Regulations for Nonconforming Commercial Properties in PD-2 Requested by Budincich Chiropractic Clinic Inc Resolution No 2001-52**

Alice Griselle Planning Division Manager reviewed the Staff Report

Several months ago Budincich Chiropractic Clinic installed a sign in the front setback of their business at 631 East Foothill Boulevard Although the building had been used as a chiropractic office for many years there was no signage The business is in Planned Development Area 2 which was included in the Land Use Element in the 1980 s to protect the residential character of East Foothill Boulevard from Canyon to Mountain These guidelines do not allow new signage for the existing office buildings

In order to accommodate the needs of the business owners in the nonconforming office buildings and the Zook Mortuary while still protecting the surrounding residential properties the Planning Commission is recommending sign standards for new signs for existing nonconforming commercial buildings New signs for existing nonconforming commercial buildings shall be permitted one wall-mounted sign or one awning sign and one monument sign subject to the specifications proposed to be added to the PD-Area 2 guidelines The existing sign ordinance permits all nonconforming signs (previously approved) to continue provided no additions or enlargements are made This would result in no impact to existing nonconforming signs that were previously permitted

The Commission felt that these proposed standards would allow reasonable commercial signage for the established commercial businesses and protect the historic neighborhood from any negative impact The Planning Commission adopted Resolution 2001-10 recommending approval of the General Plan Amendment to the City Council

**Public Hearing Opened and Closed** Mayor Blakely opened and closed the Public Hearing as there was no one who wished to speak for or against the matter

It was moved by Councilmember Garcia seconded by Mayor Pro Tem Hammond to adopt Resolution No 2001-52 approving General Plan Amendment GPA2001-04

#### **ROLL CALL**

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

**4 To be Opened and Tabled Request Withdrawn Recommendation of Denial of Request by the Planning Commission General Plan Amendment GPA 2001-05 to Amend Title 17 of the Monrovia Municipal Code Relating to Signs to Allow Freeway Freestanding Signs for Multi-Story Buildings Requested by World Vision International Introduction and First Reading of Ordinance No 2001-18**

World Vision originally requested to withdraw this application but has now requested that the matter be tabled until a later unknown date

**Public Hearing Opened and Closed** Mayor Blakely opened and closed the Public Hearing as there was no one who wished to speak for or against the matter

**It was moved by Councilmember Franco seconded by Mayor Pro Tem Hammond to table the matter**

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

**5 To be Opened and Continued to October 23 2001 Altrio Open Video System (OVS) Agreement Resolution No 2001-58**

A Study Session was held prior to the September 25 2001 City Council Meeting and Staff recommended setting the date of October 9 2001 as the date of the Public Hearing to receive public input on this agreement

Due to time constraints the Study Session of September 25 2001 was continued Staff recommended that the Public Hearing be opened and continued to the City Council Meeting on October 23 2001

**Public Hearing Opened and Closed** Mayor Blakely opened and closed the Public Hearing as there was no one who wished to speak for or against the matter

**It was moved by Councilmember Adams seconded by Mayor Pro Tem Hammond to continue the Public Hearing to October 23 2001**

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

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

**CONVENE** Chairman Lara Larramendi Blakely convened the Regular Meeting of October 9 2001 of the Monrovia Redevelopment Agency Board of Directors at 11 29 P M in City Council Chambers without adjourning the City Council Meeting

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

**A CONSENT CALENDAR \*B**

**It was moved by Boardmember Garcia seconded by Vice-Chairman Hammond to approve the Consent Calendar consisting of Item \*B**

**ROLL CALL**

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

**\*B MINUTES** The Minutes of the Regular Meeting of September 11 2001 Regular Adjourned Meeting of September 13 2001 and Regular Meeting of September 25 2001 were approved by order of the Consent Calendar

**MRA REPORTS** None

**ADJOURN** Chairman Blakely adjourned the Monrovia Redevelopment Agency Meeting at 11 30 P M and the City Council Meeting continued

**RECONVENE MONROVIA CITY COUNCIL MEETING**

**E BIDS** None

**F COMMUNICATIONS AND PETITIONS**

**\*1 Denial of Liability Claim Richard Ortega vs City of Monrovia**

This matter was approved by order of the Consent Calendar

Mr Ortega claimed that on April 30 2001 a limb from a City tree fell and damaged his concrete wall

City Staff responded to Mr Ortega s residence on April 30<sup>th</sup> and found the fallen limb resting on a plywood extension of the wall There was no direct contact between the limb and the concrete wall Staff determined that the tree limb did not cause any damage to the concrete wall

The tree was inspected and maintained in accordance with the City s established schedule and showed no visible sign of disease or decay Therefore the City bears no responsibility in this matter

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

**H REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES**

**1 Mayor Blakely reported that**

(a) She hoped everyone would give blood on Friday 9 00 A M to 3 00 P M at Fire Station No 1

(b) **Appointment of Selection Committees to Fill Vacancies on the Planning Historic Preservation and Community Services Commissions**

Mayor Blakely appointed the respective Council Liaison Commission Chair and Department Manager to each of the Selection Committees City Manager Hopper noted that applications had been received and that letters had been sent out to all residents who had applied in the past but had not been selected They have been invited to apply for any Commission of their choice A newspaper article will also advertise the vacancies

(c) Wildlife Conservation Board Update Pulled

(d) It was fun to have celebrated her wedding anniversary with the City Council this evening

**2 Mayor Pro Tem Hammond reported that**

(a) **Update of SB802 Regarding Letter of Opposition to the Governor Relating to the Legislative Redistricting of Monrovia**

Mayor Pro Tem Hammond reported that the letter in opposition of SB802 which had been ordered by the majority of the City Council had not been sent in a timely manner as was stated in the motion to be sent the next day after the Council Meeting of September 25 2001 as it was on the Governor's desk then to be signed on Thursday or Friday. He stated that there was a lack of direction in the Municipal Code Book on what happens when a majority of the Council votes for or against an issue and the matter is not taken care of in an orderly fashion. He suggested that Staff prepare a policy for the next Council Meeting clarifying that if the Mayor is unable or unwilling to sign a letter then the Mayor Pro Tem is next in line. If the Mayor Pro Tem is unable or unwilling to sign a letter then the next senior Councilmember will do so and so forth down the line of seniority. Mayor Blakely stated that she did not receive a draft of the letter until 5 00 P M on Wednesday afternoon and e-mailed a letter to Staff at midnight on Wednesday following an event that she had scheduled to attend. She stated that she had made changes discussed with Staff the letter and made additional changes at 7 30 A M the next morning. The letter was mailed and faxed on Thursday.

Mayor Pro Tem Hammond suggested that a second policy should be written which would afford each Councilmember an opportunity to review any correspondence before it was sent.

Councilmember Adams stated that his motion was specific to send the letter out the next day and if a majority of the Council votes to conduct City business there must be a clear understanding that this should be done. A plan needed to be put into place to make sure Council's direction was carried through.

In regard to Mayor Pro Tem Hammond's suggestion affording each member an opportunity to review a document Assistant City Attorney Duran stated that he would caution the Council that the Brown Act could come into play.

After further discussion City Manager Hopper stated that a policy would be written by Staff and presented at the next City Council Meeting.

**3 Councilmember Adams reported that**

**(a) Update on Samson the Bear**

This matter was taken out of order (see above)

**4 Councilmember Franco reported that**

(a) This weekend Saturday October 13 and Sunday October 14 was the Monrovia Arts Festival. He urged that everyone make every effort to attend.

(b) The Blood Drive was scheduled for Friday at the Fire Station and that Miller Brewing Company sent out notices to employees. He expected a good turn out from them. He hoped that Monrovia would beat out El Monte.

(c) On October 11 2001 the San Gabriel Valley Partnership Business Conference was presenting workshops at the Fairplex Sheraton and that he would be a speaker on the panel for Energy Crisis. He stated that there were a number of workshops and that it would be a good opportunity for people to find out more about the businesses in San Gabriel Valley.

**5 Councilmember Garcia reported that**

(a) An Octoberfest would be hosted by the Monrovia Historical Museum October 20 2001 4 30 P M to 8 30 P M \$15 00 a person. He reviewed the menu. For reservations call 385-2266.

**H REPORTS OF COMMISSIONS BOARDS AND COMMITTEES** None

**I ADMINISTRATIVE REPORTS**

Taken with Public Hearing D-1 (see above)

**1 Riparian Habitat Land Acquisition Project Application for Land Acquisition Grant Funds for the Wright Property, Resolution No 2001-60**

**\*2 Corporate Yard Metal Roof Extension Project Acceptance of Completed Work Notice of Completion Approval of Final Payment to B & B Construction in the Amount of \$6 850 00**

This matter was approved by order of the Consent Calendar

On June 12 2001 the City Council awarded a contract to B & B Construction in the amount of \$68 000 for the construction of a new canopy roof system between the equipment maintenance and main buildings extension of the existing canopy at the fueling facility and repairs to the existing canopy and one change order in the amount of \$500 00 to increase fuel area concrete curb around the fueling bay

Staff recommended that the City Council accept the contract work as completed by B & B Construction in the amount of \$68 500 00 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 in the amount of \$6 850 00 thirty-five (35) days after filing of Notice of Completion with the County Recorder

**J ORDINANCES AND RESOLUTIONS**

**\*1 Authorizing the City of Irwindale as the Lead Agency for the Reclamation Program for the Peck Road Gravel Pit Resolution No 2001-61**

This matter was approved by order of the Consent Calendar

The Peck Road Gravel Pit is located in the southernmost portion of the City southeast of the corner of Live Oak Avenue and Peck Road and is situated across the City boundaries of Monrovia and Irwindale In 1997 the City's Surface Mining and Reclamation Ordinance as mandated by the State was adopted by the City and approved by the State

Due to conflicts with the State the City of Irwindale did not adopt their Surface Mining and Reclamation Ordinance by the State's deadline Therefore Monrovia was named the lead agency even though the majority of the gravel pit is within Irwindale The City of Irwindale has now met the State's requirements and is proposing to adopt a new reclamation plan covering both the Monrovia and Irwindale sites However since Irwindale is not the lead agency they cannot submit the new plan Instead Irwindale would need to submit their plan to the State through the City of Monrovia The City of Monrovia would essentially serve as a "middleman" and incur Staff time and possible consultant costs In order for Irwindale to proceed with approving this new document independent of the City of Monrovia they must obtain lead agency status from Monrovia via a resolution adopted by the City Council which accepts Irwindale as the lead agent responsible for approving the amended reclamation plan

The loss of "lead agent" status will have no negative implications for the City The Plan must still be approved by the State and must insure that the plan is sufficient to meet the requirements of State and local codes including Monrovia's surface mining ordinance The City does not give up any land use regulatory power over the activities of the portion of the gravel pit that is located within Monrovia's corporate boundary

Staff recommended approval of the Resolution approving the transfer of lead agent status for the Reclamation Plan to the City of Irwindale

**K PAYROLL & VOUCHERS** Payroll No 20 in the net amount of \$399 855 26 and Voucher Numbers 97774 through 98073 non-sequentially in the amount of \$897 929 71 were approved apart from the Consent Calendar (see above)

**L SCHEDULED MEETINGS**

A Special Joint Public Meeting of the Monrovia City Council and the Monrovia Planning Commission to discuss the Blue Line Extension is scheduled for Monday October 15 2001 5 30 P M Dinner 5 00 P M Meeting Monrovia Community Center 119 West Palm Avenue Monrovia California

The next Regular Meeting of the Monrovia City Council is scheduled for Tuesday October 23 2001 7 30 P M City Council Chambers 415 South Ivy Avenue Monrovia California

An All-Commission/Board Special Dinner Meeting with the Monrovia City Council is scheduled for Wednesday October 24 2001 Dinner at 5 45 P M Meeting at 7 30 P M Monrovia Historical Museum 742 East Lemon Avenue Monrovia California

**M ORAL COMMUNICATIONS IF NEEDED** None

**N CLOSED SESSION** Moved to the Wednesday October 10 2001 Scheduled Closed Session to discuss Real Property Negotiations Pursuant to Government Code §54956 8 Wilderness Preserve Acquisition Project Properties Sachan (8501-007-003) Leonard (8501-009-002) Miller (8501-009-008 8503-003-006 8503-015-005 8501-009-003 8501-009-008) Woodward (8501-010-001 8501-010-002 8501-010-003 8501-010-004) Oldson (8501-011-006 8501-010-007) Kissenger (8501-012-006) Emigh (8501-012-010) Sartwell (8501-012-011) Bank of Ca Trustee Sally Cord (8501-012-012 8501-012-013 8501-012-014) Robinson (8503-001-029 8503-002 008) Butcher (8503-004-021) Pokrajac (8503-004-030) Bowden (8523-020-001 thru 8523-020-021) S Pokrajac (8503-004-025) Agency Negotiators Donald R Hopper and Michael G Colantuono Under Negotiation Price and Terms of Payment Negotiating Parties All Properties listed above and City of Monrovia

**O ADJOURN** At 12 08 A M Mayor Blakely adjourned the Meeting a Closed Session on Wednesday October 10 2001 12 Noon to Conference with Labor Negotiator Theresa St Peter Un-represented Employee Michael G Colantuono City Attorney Government Code §54957 6 City Manager's Conference Room 415 South Ivy Avenue Monrovia California in memory of Charlotte Zelka sister of Betty Sandford Mayor Blakely read a synopsis of Mrs Zelka's talented life

APPROVED

  
Lara Larramendi Blakely Mayor

ATTEST

  
Linda B Proctor CMC City Clerk