

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, OCTOBER 17, 2006 7:30 P.M.**

CONVENE: Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, October 17, 2006 at 7:36 P.M. in City Council Chambers, 415 South Ivy Avenue, Monrovia, California in honor of Monrovia's latest newborns Jeremy Nathaniel Torres, son of Nicole Kinder and Hugo Torres, born March 27, 2006, and Julia Grace Tripp, daughter of Kelly and Tyler Tripp, born August 28, 2006. Staff in attendance was City Manager Scott Ochoa, City Attorney Craig A. Steele and City Clerk Linda B. Proctor.

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

INVOCATION: Dr. John Mastrogiovanni, Pastor, presented the Invocation.

PLEDGE OF ALLEGIANCE: Councilmember Garcia led the Flag Salute.

PRESENTATIONS/PROCLAMATIONS:

ADDED TO THE AGENDA:

Recognition of Congressman David Dreier: Mayor Hammond introduced Congressman Dreier and presented a plaque to him for his assistance in moving forward the long-sought improvement of handicap access at Monrovia's branch Post Office which should be completed in January 2007.

PR-1 Recognition of Winners for the 2006 Halloween Home Happenings Decorating Contest: Community Services Commission Chairman Becky Shevlin introduced and assisted the Mayor and City Council in recognizing the winners of the 2006 Halloween Home Happenings Decorating Contest. On October 16, 2006, Community Services Commissioners, community members and Youth Commissioners participated in the judging of the Halloween Home Happenings Decorating Contest in the following categories: Fall Festival Award, Creep Show Award, Tombstone Award, Casper Award, Most Spooky, Most Creative, Theme Award, Great Pumpkin Award and Best of Halloween.

PR-2 Introduction of Newly Hired Public Works Management Trainee, Environmental Services, Jason Varner: Operations Division Manager Daniel Iwata introduced newly hired Public Works Environmental Services Management Trainee Jason Varner to the Mayor, City Council and the community.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Liaison Rachel Jamieson reported on activities at Monrovia High School.

CONSENT CALENDAR: It was moved by Councilmember Adams, seconded by Councilmember Garcia, to approve the Consent Calendar. Mayor Hammond and Mayor Pro Tem Lutz abstained on Item CC-5 as they were not in attendance during the discussion of and vote on the item. There were no objections: The Consent Calendar consisted of the following Agenda items:

CC-1 Unadopted Minutes of the October 3, 2006 Regular Meeting

CC-2 Payroll No. 20 in the Amount of \$556,674.90 and Voucher Nos. 139508 through 139779 in the Amount of \$1,832,088.97

CC-3 Application for ABC Beverage License (Type 20 – Off-Sale Beer and Wine, Person-to-Person Transfer) for New Country Store at 458 East Duarte Road: Notice was received from ABC that Maeng Chung and Tai Chung submitted an application for a Type 20 – Off-Sale Beer and Wine. 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.

CC-4 Application for ABC Beverage License (Type 41 – On-Sale Beer and Wine, Person-to-Person Transfer) for Hon Sushi Restaurant at 144 West Foothill Boulevard, Receive and File: Notice was received from ABC that Cheon Man Jeon and Ok Soon Jang submitted an application for a Type 41 – On-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.

CC-5 Final Tract Map No. 063269; Re-Subdivision of Property Located at 131, 137, 141 and 145 West Colorado Boulevard by PCCP Monrovia, LLC (Colorado Commons): On March 1, 2005, the Monrovia Redevelopment Agency approved a Disposition and Development Agreement (DDA) with Colorado Commons, PCCP Monrovia, LLC, for the sale and redevelopment of the subject property. The site would be developed with 68 dwelling units with 7 units being sold to households with moderate income. The developer was replacing the public parking spaces that were located on Lots 9 and 10 with a multi-story, 326 space parking structure on the 2.11 acre site.

Tentative Tract Map No. 63269 was for the subdivision of property into 6 lots. Five lots would compose the residential, live/work and commercial units with the remaining lot for the parking structure. The tentative subdivision map was approved by the Planning Commission at its meeting of September 14, 2005 and was approved by the City Council on September 20, 2005. The Final Tract Map was in order and on file with the City Clerk, Community Development Department Planning Division, and the Department of Public Works. The project would improve property values and increase the tax base.

CC-6 Agree to Purchase Price of Tax Defaulted Property, Santa Anita Wash, APN 8507-018-015, Agreement Between the Los Angeles Board of Supervisors and the Los Angeles County Flood Control District (Purchaser) and Private Property Owner, Resolution No. 2006-72: The County of Los Angeles Department of Public Works, on behalf of the Los Angeles County Flood Control District, was acquiring tax-defaulted property within the City of Monrovia from a private individual for flood control purposes for the Santa Anita Wash. Pursuant to the provisions of Section 3775 of the Revenue and Taxation Code, the selling price of the tax-defaulted property was subject to the approval of the Monrovia City Council.

The property was Assessor Parcel Number 8507-018-015 and was a triangular lot of 3,050 square feet located in the Santa Anita Wash. The purchase price for the lot was \$3,964.00 and, based on information supplied by the County, was the amount of back taxes and fees since 1991. The site was physically in the wash and zoned Public/Quasi Public, and had no other viable use except for flood control purposes. Staff recommended that the City Council agree, pursuant to Revenue & Taxation Code Section 3775, to the purchase price for the tax defaulted property described as Santa Anita Wash – Assessor's Parcel No. 8507-018-015 at \$3,964.00 and authorize the Mayor to execute the agreement.

CC-7 Denial of Liability Claim – Joaquin Salmeron vs. City of Monrovia: Mr. Salmeron alleged that on July 2, 2006, a City tree limb fell on his vehicle causing damage. The tree

showed no sign of visible disease or decay and had been regularly inspected and maintained. Therefore, the City bore no responsibility in this matter. Staff recommended that Council deny this claim.

PUBLIC INPUT

1. Pattie Tellez, Executive Director, and Chris Shevlin, Make a Difference Day Chairman, Monrovia Volunteer Center
2. Walt Shelley, Monrovia, KGEM Board of Directors
3. Steve Baker, City Treasurer, Monrovia
4. Lorraine Devine, Monrovia

PUBLIC HEARINGS/MEETINGS

The following items were reviewed as one item by Community Development Director Alice Griselle:

PH-1 Historic Landmark HL-97/Mills Act Contract MA-92 for the Property Located at 212 East Colorado Boulevard by Enrique and Theresa Carajal, Property owners, Resolution No. 2006-53: This one-and-one-half story Craftsman residence built in 1911 was capped by a cross-gabled roof and had wide clapboard siding. Roof elements included a steeply-pitched side gable, exposed rafter tails, carved triangular knee braces, and notched bargeboards. The porch spans most of the primary elevation and was supported by simple battered piers elevated on red brick piers with concrete caps.

At its meeting of September 27, 2006, the Historic Preservation Commission determined that the house met Criteria Number 1 (Notable builder/architect), and Criteria Number 4 (Architecture) for designation and voted unanimously to recommend approval of Historic Landmark status and execution of a Mills Act Contract.

PH-2 Historic Landmark HL-98/Mills Act Contract MA-93 for the Property Located at 735 West Hillcrest Boulevard by Joseph and Lyla Caiello, Property Owners, Resolution No. 2006-54: This single-story home was built in 1928 by John Bartle, President of First National Bank of Monrovia, for his son (Gerald) and daughter-in-law. John served over forty years in banking in Monrovia and his son, Gerald, followed his father in the banking profession. Gerald was involved in the community as member of the Presbyterian Church, Kiwanis Club, Tennis Club, and Chamber of Commerce. Gerald also held supervisory positions with the Lockheed Aircraft Company.

The home was Spanish architecture with original plaster exterior. There was a courtyard entry and arched window on the front elevation. The red Spanish tiled roof was accented with decorative, exposed rafter tails.

At its meeting of September 27, 2006, the Historic Preservation Commission determined that the house met Criteria Number 1 (persons significant in local history) and Criteria Number 4 (Architecture) for designation and voted unanimously to recommend approval of Historic Landmark status and execution of a Mills Act Contract.

PH-3 Historic Landmark HL-99/Mills Act Contract MA-94 for the Property Located at 187 North Madison Avenue by Robert and Katherine Collins, Property Owners, Resolution No. 2006-55: This house was at the southwest corner of Madison Avenue and Hillcrest Boulevard and was a prime example of Spanish Colonial Revival architecture. The house was two stories with a stucco finish with very little ornamentation. According to Tax Assessor records, the house was built in 1925. Dr. James Bowers, a prominent local dentist and his wife Elizabeth "Bess" Bowers moved into the house in 1934. The Bowers were active in local civic

affairs. Dr. Bowers served on the Monrovia School Board as well as on the board of the Chamber of Commerce.

The Historic Preservation Commission determined that the property met three criteria for landmark designation: Criteria 1 (significant person(s)), Criteria 4 (architecture) and Criteria 5 (location). At its meeting of September 27, 2006 the Historic Preservation Commission voted to approve recommendation of Historic Landmark designation and execution of a Mills Act Contract for the subject property.

PH-4 Historic Landmark HL-100 for the Property Located at 200 East Lime Avenue by the City of Monrovia, Applicant, Resolution No. 2006-56: In the early 1990's, the Historic Preservation Advisory Committee was created by the City Council to help draft a Historic Preservation Ordinance which was adopted in 1995. One of the major provisions of the Ordinance was the creation of a Historic Preservation Commission. This year marked the 10-year anniversary of the designation of the City of Monrovia's first historic landmarks and the landmarking of our 100th historic building.

The building at 200 East Lime was built in 1906 and was classic example of the American Foursquare. The house had a pyramidal roof with boxed eaves, diamond-patterned upper lights on the window and Tuscan posts on the porch. The house was originally built for Gilbert and Elizabeth Tillapaugh in 1906; however, its original location was 129 South Primrose. In 1951, it was acquired by the Monrovia Chapter of the American Red Cross. With the redevelopment of the Linwood area, the house was moved to its present location in 1978. The house was purchased by the City in 1999 and served as the City Hall Annex.

The Historic Preservation Commission determined that the property met three of the required criteria: Criteria 1 (significant person/organization), Criteria 4 (architecture), and Criteria 5 (location). At its meeting of September 28, 2006, the Historic Preservation Commission reviewed the application and voted to recommend approval to the City Council.

PH-5 Historic Landmark HL-101/Mills Act Contract MA-95 for Property Located at 338 North Myrtle Avenue (aka 340 North Myrtle Avenue) by James and Heather Burkhart, Property Owners, Resolution No 2006-57: This one-story 1924 English Revival bungalow had stucco exterior, shallow eaves and narrow vents near the gable peaks. A partial-width front entrance porch, with arched entryway, was located on the south end of the primary (west) elevation. An exterior stucco chimney (rebuilt in 1993) was located on the south side and opened to a Batchelder tile fireplace. There was also a side porch off the dining room on the south side of the house.

At its meeting of September 27, 2006, the Historic Preservation Commission determined that the house met Criteria Number 4 (Architecture) for designation and voted unanimously to recommend approval of Historic Landmark status and execution of a Mills Act Contract.

PUBLIC HEARINGS OPENED AND CLOSED: Mayor Hammond opened and closed the Public Hearing for all five properties as there was no one who wished to speak for or against the matter.

Mayor Hammond thanked Councilmember Garcia for his important part in this program. Councilmember Garcia reviewed the movement almost 12 years ago to create some type of structure to allow for preservation of the housing stock in Monrovia. While he was grateful for the acknowledgement by the Mayor, he stated he couldn't have done it without a lot of efforts from volunteers, some of which were in the audience, and who were involved from the onset, bird dogging it to see it through. He thanked the Monrovia Historic Preservation Group and president John Zuk for keeping this type of activism strong in the community. He hoped that it would spur others to preserve and enjoy the housing stock, and thanked the City Council for its

(b) He reminded all that Old Town was open for business, and that the merchants were giving out trick-or-treats to the children who were attending the Halloween Happenings at Library Park at 3:00 P.M. on October 31, 2006. He asked that everyone support the Downtown merchants during the renovations.

(c) He recognized Tamala Kelly and Mary Ann Lutz for the Girl Power conference held recently at the Community Center, as well as those who made sure the sixty plus young women in attendance received beneficial information as they faced growing older.

(d) At the request of Mayor Hammond, City Manager Ochoa reported that Phase 1 was completed on time, and that Phase II was going faster than expected. He stated that all demolitions in the 500 and 600 blocks of south Myrtle were completed; that the crews were working during the nights; and that it was possible that they would be three days ahead of schedule in the downtown proper.

RCC-2 Mayor Pro-Tem Lutz reported that:

(a) The Youth in Government Committee had scheduled its installation of officers for Monday, October 23, 2006, 6:00 P.M. in Council Chambers.

(b) City Clerk Linda Proctor had been recognized by Business Life Magazine as one of the Women Achievers 2006: Making a Difference. City Clerk Proctor was presented with a plaque from the City Council in acknowledgement of the recognition.

RCC-3 Councilmember Tom Adams had no report at this time.

RCC-4 Councilmember Garcia reported that:

(a) **Presentation of Bear-proof trash containers:** Due to residents in the hillside areas asking assistance in deterring hungry bears from foraging through their trash, he had requested that Public Works research what other cities and states were using. Staff displayed an Otto BearSaver trash can and presented a short clip regarding a Grizzly bear trying to open a similar trash container. Staff explained the features and reported that they hoped to have it available in Monrovia by January 2007. Councilmember Garcia stated that Monrovia was 3rd in the state for bear activity. He suggested that during the outreach to residents for the container, that a flyer be placed in the water bill.

RCC-5 Councilmember Kirby was excused.

REPORTS OF STAFF MEMBERS: There were none.

ADMINISTRATIVE REPORTS

AR-1 Five-Year Capital Facilities Improvement Projects

Finance Director Mark Alvarado reviewed the Staff Report.

During a City Council Study Session held on September 5, 2006, Staff presented to the City Council a facilities improvement list for the next few years. The total cost of the improvements was approximately \$3,700,000.00. The City currently had approximately \$2,000,000.00 in reserves designated for facilities projects.

The facilities improvement list had now been revised to show all projects needing to be completed in a four-year span. Based on the available funds, all the projects identified in fiscal years 2006-07 and 2007-08 could be completed without any other financial assistance. Staff would come back to the City Council at the beginning of the 2008-09 fiscal year with a financial update of the facilities improvement reserve fund. If the State and local economy stayed strong, an improved financial situation might allow the City Council to approve the facilities improvement projects listed in fiscal years 2008-09 and 2009-10 without either extending the completion timeline or securing short term financing.

After discussion, it was moved by Councilmember Adams, seconded by Mayor Pro Tem Lutz, to adopt the facilities improvement projects list and appropriate the necessary funds to complete all projects listed in fiscal years 2006-07 and 2007-08, including placing the museum roof on the first tier of the projects.

John Zuk, President, MOHPG, presented a check to the City in the amount of \$1,000.00, a second in the same amount, directed for the preservation and care of the museum. Gloria Crudginton also spoke on behalf of MOHPG.

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

AR-2 Calling and Giving Notice of the March 6, 2007 General Municipal Election, Resolution No. 2006-69; Providing Regulations for Candidates, Resolution No. 2006-70; and Requesting Specified Services from the Board of Supervisors of Los Angeles County, Resolution No. 2006-71

City Clerk Linda B. Proctor reviewed the Staff Report.

Every two years, the City Council sets the schedule for the upcoming general municipal election by officially taking a few preliminary steps required by the State Election Code by the adoption of resolutions which would set into place the policy on Candidate's Statements, the use of County services, and the calling of the Election.

Changes in years' past elections included the need to print the ballot in a third language for one precinct due to the increase of over 3% of Chinese voters in the southwest portion of Monrovia. The Candidate's Statement, if a candidate chose to submit one, would require a deposit in the amount of \$1,000.00 for the 200-word statement in all three languages in the sample ballot pamphlet. Overall, the third language requirement could cost approximately \$3,500.00 more than past years' elections.

Since the election fell on a Regular City Council meeting date, March 6, 2007, Staff recommended that the meeting be rescheduled to March 13, 2007, with the second meeting of the month to be held on its regular date of March 20, 2007. The canvass of the election would be presented for adoption at that time; newly elected candidates would be sworn in; and the Mayor Pro Tem would be elected.

Staff recommended adoption of the resolutions relating to the General Municipal Election, and the rescheduling of the March 6, 2007 City Council meeting.

After discussion, it was moved by Councilmember Adams, seconded by Mayor Pro Tem Lutz, to adopt Resolutions Nos. 2006-69, 2006-70 and 2006-71, and cancel the March 6, 2007 City Council meeting.

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

AR-3 Award of Contract to Dimensions Unlimited, Inc. in the amount of \$16,800.00 for the Preparation of a Hazardous Materials Area Plan

Battalion Chief Scott Haberle reviewed the Staff Report.

Fire Department Staff wrote and submitted a grant request to the State of California for \$21,000.00 for an 80/20 grant that would cover the cost of the contract firm to develop and implement a Hazardous Materials Area Plan in the amount of \$16,800.0, and City Staff time at \$4,200.00. The grant was approved on September 20, 2006.

After research of possible firms to develop this Plan for the City, Staff determined that Dimensions, Inc., who had developed the Hazard Mitigation Plan in 2005 for the City, was the best possible firm available to develop this type of document.

It was moved by Councilmember Garcia, seconded by Mayor Pro Tem Lutz, to award the contract to Dimensions Unlimited, Inc., in the amount of \$16,800.00 for the preparation of a Hazardous Materials Area Plan. There were no objections.

AR-4 Agreement with Fairbank, Mauslin, Maullin & Associates in an Amount not to Exceed \$22,800.00 to Conduct Opinion Research and Develop the Language for a Possible March 6, 2007 Library Bond Ballot Measure

Deputy City Manager Tito Haes reviewed the Staff Report.

On January 17, 2006, the City Council directed Staff to hire Fairbank, Mauslin, Maullin, & Associates to conduct opinion research and develop language for a Library Bond Ballot Measure. The survey was conducted the week of January 29 through February 2, 2006. However, with the numerous statewide bond measures on the November 7, 2006 election, a new telephone survey should be conducted to gauge whether those measures had affected Monrovia voters' support of a Library Bond Measure.

Staff recommended the telephone survey to be similar with the earlier survey in terms of scope and size. Fairbank, Maslin, Maullin, & Associates would provide the questionnaire design, sample preparation, telephone interviewing, data analysis and cross tabulation, and presentation of survey results.

The cost to conduct a statistically valid phone survey was \$22,850.00. These funds would come from the Library Building Fund.

It was moved by Councilmember Garcia, seconded by Mayor Pro Tem Lutz, to authorize the City Manager to enter into an agreement with Fairbank, Maslin, Maullin & Associates for an amount not to exceed \$22,850.00.

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

SCHEDULED MEETINGS: The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, November 7, 2006. 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Closed Session to discuss Labor Negotiations, 6:00 P.M., City Council Chambers.

PUBLIC INPUT, CONTINUED, IF NEEDED: There was no further public input.

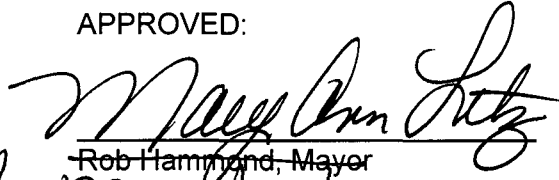
ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED: There were no items pulled from the Consent Calendar.

ADJOURNMENT TO CLOSED SESSION: None

RECONVENE AND REPORT OF CLOSED SESSION: None

ADJOURNMENT: The Meeting was adjourned by Mayor Hammond at 9:11 P.M. in memory of memory of Jennie Lui, mother of Deputy Fire Marshall Alice Robin.

APPROVED:


Rob Hammond, Mayor

ATTEST:



Linda B. Proctor, MMC, City Clerk

Mary Ann Lutz
Mayor Pro Tem