

**MINUTES OF THE REGULAR MEETING OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, AUGUST 2, 2011, 7:30 P.M.**

CONVENE: Mayor Mary Ann Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, August 2, 2011, at 7:33 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Closed Session, 7:02 p.m., at which all Councilmembers were present to discuss CS-1 Conference with Labor Negotiator Pursuant to Government Code §54957.6; Agency Negotiator: Theresa St. Peter; Group Employees: All Groups; in honor of Matthew Gabriel Barragan, born December 13, 2010, to Roann and Gabriel Barragan; Ava Amalia Post, Born July 2, 2011, to Robert and Angela Post; Mattie Elizabeth Kingston, Born June 22, 2011, to Angelique and Matthew Kingston. In attendance were City Manager Scott Ochoa, City Attorney Craig A. Steele, and City Clerk Alice D. Atkins.

INVOCATION: Police Chaplain Terrence Brown led the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Becky A. Shevlin led the Pledge of Allegiance.

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

REPORT OF CLOSED SESSION: City Attorney Craig A. Steele stated that there was no reportable action.

PRESENTATIONS/PROCLAMATIONS: None.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: To resume in September.

ORDER OF BUSINESS: City Manager Scott Ochoa stated that there were no changes to the order of business.

CONSENT CALENDAR: It was moved by Councilmember Adams, seconded by Mayor Pro Tem Garcia, to approve the consent calendar. The motion carried unanimously. The Consent Calendar consisted of the following Agenda items:

CC-1 Unadopted Minutes of the July 19, 2011, Regular Meeting of the Monrovia City Council: The City Council approved the Minutes as presented.

CC-2 Payroll No. 15 in the Amount of \$581,330.43 and Voucher Nos. 172594 through 172852 in the Amount of \$1,606,645.31: The City Council approved the Payroll and Vouchers as presented.

CC-3 Voluntary Alternative Redevelopment Continuation Program Pursuant to AB X1 27, Adoption of Ordinance No. 2011-06: The City Council adopted Ordinance No. 2011-06; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, TO COMPLY WITH PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH

CC-4 Destruction of Certain Departmental Records Pursuant to City-wide Records Retention Schedule, Resolution No. 2011-45: The City Council adopted Resolution No. 2011-45.

CC-5 Set for Hearing on September 6, 2011; Historic Landmark HL-127/Mills Act Contract MA-121 for the Property located at 311 East Palm Avenue by Property Owners John and Jennifer Rice: The City Council set September 6, 2011 as the date for the Public Hearing.

CC-6 Production of "Monrovia Today" Newsletter by Denram Graphics & Printing in the Amount of \$23,827.92 for Fiscal Year 2011-2012: The City Council awarded a bid to Denram Graphics & Printing in the amount of \$23,827.92 for the production of "Monrovia Today" for Fiscal Year 2011-2012.

CC-7 Application for ABC Beverage License (Type 47 – On-Sale General Eating Place) for Sena on Myrtle, 409 South Myrtle Avenue: The City Council received and filed the report.

CC-8 Application for ABC Beverage License (Type 04 – Distilled Manufacturer and Type 06 – Still) for Modern Spirits LLC, 168 West Pomona Avenue: The City Council received and filed the report.

CC-9 Application for ABC Beverage License (Type 47 – On-Sale General Eating Place) for Max's Mexican Cuisine, 1101 East Huntington Drive: The City Council received and filed the report.

CC-10 Application for ABC Beverage License (Type 41 – On-Sale Beer and Wine) for Zen Buffet Sushi Seafood, 945 West Huntington Drive: The City Council received and filed the report.

CC-11 Street Resurfacing, Project No. C-3013, ARRA Project No. ESPL-5069(009); Acceptance of Work, Approval of Change Orders, Filing Notice of Completion and Release of Retention in the Amount of \$154,921.69 to EC Construction Company for a Total Contract Amount of \$1,549,216.82: The City Council accepted the work as complete for the 2010-2011 Street Resurfacing Project No. C-3013, approved the change orders, directed the City Clerk to file a Notice of Completion, and authorized the release of retention in the amount of \$154,921.69 to EC Construction Company 35 days after such filing.

CC-12 Denial of Liability Claim filed by Linda Richardson: The City Council denied claim filed by Linda Richardson.

PUBLIC INPUT

1. Gwendolyn Jones, Monrovia

PUBLIC HEARINGS / MEETINGS: None.

CONVENE MONROVIA REDEVELOPMENT AGENCY MEETING WITHOUT ADJOURNING CITY COUNCIL MEETING

MRA CONVENE: Chairman Mary Ann Lutz convened the Meeting of August 2, 2011, of the Monrovia Redevelopment Agency Board of Directors at 7:49 p.m. in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting.

MRA ROLL CALL: Those in attendance were Boardmembers Tom Adams, Becky A. Shevlin, Vice-Chairman Joe Garcia and Chairman Mary Ann Lutz. Clarence R. Shaw was excused.

MRA CONSENT CALENDAR: It was moved by Vice Chairman Garcia, seconded by Councilmember Adams, to approve the Consent Calendar. The motion carried unanimously. The Consent Calendar consisted of the following Agenda item:

MRA CC-1 Unadopted Minutes of the July 19, 2011, Regular Meeting of the Monrovia Redevelopment Agency: The Agency Board approved the Minutes as presented.

MRA PUBLIC HEARINGS/MEETINGS: None.

MRA ADMINISTRATIVE REPORTS: None.

MRA ADJOURNMENT: Chairman Lutz adjourned the Meeting at 7:50 P.M.

RECONVENE MONROVIA CITY COUNCIL MEETING

REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

RCC-1 Mayor Lutz reported on:

- (a) Citizens Commission on Redistricting map finalization
- (b) September 11 Remembrance Ceremony at Monrovia Fire Department

RCC-2 Mayor Pro Tem Garcia reported on:

- (a) Upcoming League of California Cities, Los Angeles Division Annual Installation Dinner

RCC-3 Councilmember Adams had no report.

RCC-4 Councilmember Shaw was excused.

RCC-5 Councilmember Shevlin reported on:

(a) Upcoming events in the City

ADMINISTRATIVE REPORTS:

AR-1 Final Tract Map No. 71330 for Re-subdivision of Properties Located at 1116 and 1122 South Magnolia Avenue and 239 West Cypress Avenue, Bowden Development, Applicant

City Attorney Steele explained that due to potential conflicts of interest affecting a majority of the Councilmembers, and because there was no other body of the City that could make the decision, in accordance with the Rule of Legally Required Participation, the affected Councilmembers would draw straws prepared by the City Attorney in order to determine who would participate. It was also noted that Councilmember Shaw's extended absence had no effect on the process, as with his presence there would continue to be a majority who needed to abstain from voting on the matter, and postponing the item until his return would prejudice the applicant and violate the time limits of the City's Sub-division Ordinance.

Councilmember Adams, having drawn the shortest straw, abstained from voting on the matter and exited Council Chambers at 8:04 p.m.

Ron Bow, Director of Public Works, reviewed the Staff Report.

It was moved by Mayor Pro Tem Garcia, seconded by Councilmember Shevlin, to approve Final Tract Map No. 71330. The motion carried unanimously.

Councilmember Adams returned to Council Chambers at 8:06 p.m.

AR-2 Business Solid Waste and Recycling Program Update

Heather Maloney, Senior Management Analyst, reviewed the Staff Report.

The Mayor and Councilmembers asked questions related to noticing and rate of participation in the survey, anticipated costs for businesses, lost tonnage, low stakeholder turnout at informational meetings and reaction of those who did attend, short term diversion goals, small quantity generators, and revenue from recycling offsetting costs for haulers.

Ms. Maloney explained that haulers would be asked for proposals in order to determine costs, the program would be adjustable throughout various phases, the enforcement program would include monitoring to identify participation and to investigate claims of dumping from Monrovia, that stakeholders looked forward to the prospect of more diversion options and programs, and that haulers were eager to learn what the program would entail and looked forward to submitting proposals.

Public Input

1. Greg Nordbak, Government Affairs Management of Republic Services

Discussion ensued regarding the following options:

Option A: Current System - This option would continue the existing permit program; the current system achieves approximately 35.6 percent waste diversion.

Option B: AB 32's compliance (only businesses generating 4+ cubic yards) - As the State's Mandatory Commercial Recycling regulations are currently written, this option would apply to those businesses, public entities, and multi-family complexes generating 4 or more cubic yards of waste and recyclables per week.

Option C: AB 32 compliance (all businesses) - This option would apply to all businesses and would meet an overall business diversion rate of 50 percent.

Option D: AB 32 compliance and Environmental Accords Achievement (all businesses) – This option would apply to all businesses and would set the goal to achieve a waste diversion rate of 75 percent by the year 2015.

Following discussion, **it was moved by Mayor Pro Tem Garcia, seconded by Councilmember Shevlin, to direct Staff to come back with a hybrid of Option B and Option C, and to also incorporate cost comparatives in Option D.** The motion carried unanimously.

SCHEDULED MEETINGS

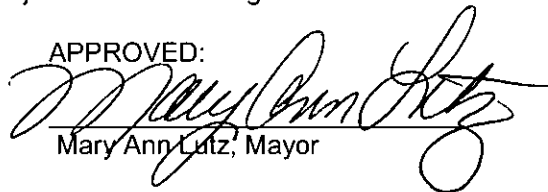
The next Regular Meeting of the Monrovia City Council is scheduled for Tuesday, September 6, 2011, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California. The August 16, 2011, Regular Meeting had been cancelled.

PUBLIC INPUT, CONTINUED, IF NEEDED: None.

ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED: None.

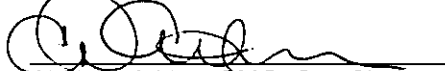
ADJOURNMENT: At 9:45 p.m. Mayor Lutz adjourned the Meeting.

APPROVED:



Mary Ann Lutz, Mayor

ATTEST:



Alice D. Atkins, CMC, City Clerk