

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY JANUARY 14 2003 7 30 P M**

CONVENE Mayor Lara Larramendi Blakely convened the Regular Meeting of the Monrovia City Council of Tuesday January 14 2003 at 7 31 P M in City Council Chambers 415 South Ivy Avenue Monrovia California

FLAG SALUTE Councilmember Joe Garcia led the Flag Salute

INVOCATION Police Chaplain Frederick Schoeler led the invocation

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

REPORT OF CLOSED SESSION(S) None

PRESENTATIONS

Mayor Blakely changed the order of the Agenda as follows

6 Recognition of Retiring Commissioners Dana Hendrix and Kathy Olds

Alice Griselle Director of Community Services and April Soash Director of Community Development recognized Dana Hendrix who is retiring from the Planning Commission and Kathy Olds who retired from the Community Services Commission and assisted the Mayor and City Council in presenting them with plaques

1 Introduction and Swearing-In of Newly Appointed Fire Chief Sam DiGiovanna

City Clerk Linda B Proctor swore in the newly appointed Fire Chief Sam DiGiovanna City Manager Donald R Hopper gave a brief overview of Chief DiGiovanna's 24 year history with the City of Monrovia and introduced him as the new Fire Chief to the Mayor City Council and community

2 Introduction of Newly Hired Finance Department Accounting Operations Supervisor Buffy Bullis

Mark Alvarado Director of Administration introduced Buffy Bullis newly hired Finance Department Accounting Operations Supervisor to the Mayor City Council and community

3 Recognition by the Monrovia Old Town Advisory Board (MOTAB) of the Parade Award Winners of the 2002 Old Town Holiday Parade

The winners of the Annual Old Town Holiday Parade were introduced to the Mayor City Council and community by Susan Motander and Lisa Magno

Awards were given in several categories including best band float and performance ensemble In addition special certificates of recognition were presented to Susan Motander and Lisa Magno for their work in organizing the parade

4 Donation of \$1 500 00 to the Monrovia Youth Commission from the Monrovia Old Town Advisory Board (MOTAB) for Old Town Holiday Decorations

The Youth Commissioners who volunteered their time to refurbish and redecorate the wreaths that adorned the light standards in Old Town during the recent holiday season were recognized and presented with a check in the amount of \$1500 00 from the Old Town Advisory Board to be applied toward the Commission's future projects and programs. Jeff Kugel, Project Manager, and Ted Goldbeck, Chairman of the Monrovia Old Town Advisory Board, presented the check.

5 Old Town Trolleys Program Commencement

Alice Griselle, Director of Community Development, and Craig Jimenez, Senior Planner, gave a brief presentation on the Old Town Trolley and its routes, which began service on December 17, 2002. City Manager Hopper thanked all Staff members for the good work.

6 Recognition of Retiring Commissioners Dana Hendrix and Kathy Olds

Alice Griselle, Director of Community Services, and April Soash, Director of Community Development, assisted Mayor Blakely in recognizing Dana Hendrix, who was retiring from the Planning Commission, and Kathy Olds, who is retiring from the Community Services Commission, and assist the Mayor and City Council in presenting them with plaques.

PROCLAMATIONS None

STUDENT GOVERNMENT REPRESENTATIVE REPORT Student Liaison Dayshia reported on activities at Monrovia High School.

Mayor Blakely, at the request of Mayor Pro Tem Hammond, changed the order of the Agenda as follows:

2 Mayor Pro Tem Hammond reported that

(a) He and City Manager Hopper had attended a meeting in Long Beach with the editorial staff of the Long Beach Free Press with other cities to discuss the damages that could be caused to cities in case the Vehicle License Fees (VLF) were all removed from us. A tremendous amount of city funds come from VLF funds and if the City of Monrovia itself could lose \$1.8 million dollars over the next year and a half according to the Governor's proposed plan for budget cuts, the City's budget would then be out of budget by \$1.8 million dollars, which would cause the City to find cuts or raise revenue for this deficit. City Manager Hopper stated that for the past two years the residents of the State of California have watched in utter disbelief as the State budget has gone from a record surplus to now a record deficit. Calculating where the State was almost 2 years ago, there was almost a \$20 billion dollar surplus, and today the Governor continues to announce that there is a \$34 to \$35 billion dollar deficit—almost a \$50 billion turn around in the course of 24 months. The problem is that the cities will have to balance the budget for the State, which is wholly unfair. This City has balanced its revenues by bringing in jobs, retail businesses, and industry that develops revenue so that in the event that any one sector in the economy were to go flat in a single year, the rest of it would continue to buoy the City to provide much needed services that our residents have come to enjoy and expect with a high quality of living. And now to watch the State with such a drastic turn around, and then decide that the only way to solve its problem is to transfer much of it to cities and counties. A 10.5% decrease across the board by the State, according to the offices of Assemblyman Mountjoy and Senator Margett, would balance its budget right on the heels of a 23% increase in spending over the last two years. During the heights of all the windfalls that the State had seen, cities did not share in that. Since 1992, it has cost the citizens of Monrovia \$9 million dollars, which were transferred in redevelopment funds from our City to the State of California to fund school districts. In 1998, when the State was flush with cash, the State cut VLF, an unheard of action. It was reduced by 2/3 for everyone. All cities were constitutionally protected from losing these funds, and the State agreed that they would backfill these funds out of its General Fund. The trigger mechanism was in place in the event of a short fall by the State that the fee would be reinstated. The Governor is now proposing to completely eliminate those funds as of the 1st of February, 2003. It means to this City a loss of \$700,000.00 to the end of this year, and a total of \$1.4 million for next year.

City Manager Hopper gave examples of what the cuts would actually mean for Monrovia as follows Closing the Community Center and stop all youth programs in the City or close the Library and fire 5 police officers or fire 25 police officers or fire 30 firefighters almost the entire fire department or a 7% to 8% cost across the board in all services for the citizens of the City He further stated that this was not at the City's doing and a strong message must be sent to the Governor and the legislators that we wholly disagree and will not allow the State's budgetary problems to be solved at the cost of all the services just described or at the cost of across the board cuts It is a 10.5% cut for the State The State needs to cut its budget to solve the problem Because of all of the years of creating a recession-proof economy other cities are far worse off than Monrovia It is absolutely devastating to some If redevelopment is stalled by loss of funds by the State you may as well choke off the economic engine that has driven this City for the past 20 years Of the 20 top revenue generating businesses in the City today 17 of them were a direct result of the redevelopment agency Ten years from now we will be back where we were in the 1970s saying "What happened?" People need to get angry The press needs to be our voice and say that this is not acceptable He further stated that at the next City Council Meeting Staff would bring back scenarios for cuts for the end of this year and for the following year Mayor Blakely and Mayor Pro Tem Hammond reviewed the efforts which had been made by other organizations and agencies to protest the taking by the State of local agencies funds to budget the State's budgets Mayor Pro Tem Hammond urged citizens to write to their legislators and newspapers in protest

A CONSENT CALENDAR

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

ROLL CALL

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

***B MINUTES** The Minutes of the Regular Meeting of December 10 2002 were approved by order of the Consent Calendar

C ORAL COMMUNICATIONS

- 1 Gordon Dyer Monrovia expressed his displeasure of a police officer's behavior towards him regarding an inquiry by him about a disturbance in his neighborhood late one recent evening
- 2 Cyrus Kemp Monrovia expressed his opinion as to where cuts could be made in the City's budget
- 3 Nancy Zack Monrovia expressed her opinion on the protection of the hillside wilderness area
- 4 Rosemary Harrahill Monrovia thanked the City Council for allowing Unity Center to use the old Planned Parenthood building for the storage of food clothing and toys for distribution in December She recognized the purchase of the Shell Station on the Agenda

D PUBLIC MEETINGS/HEARINGS

- 1 **Proposed 29th Year (Fiscal Year 2003-2004) Community Development Block Grant (CDBG) Programs Allocation Resolution No 2003-01**

Dan McConnell Housing Coordinator reviewed the Staff Report

He stated that the purpose of this report was to acknowledge the estimated FY 2003-2004 Community Development Block Grant (CDBG) allocation and consider the use of these funds The City of Monrovia is scheduled to receive an estimated FY 2003-2004 CDBG allocation of \$525 000 00 Based on the information provided by the County there may be a slight increase in the City's annual Community Development Block Grant budget in comparison to our adopted two-

year budget Staff recommended a continuance of the basic programs funded in previous years understanding that some changes may be necessary based on the final allocation amount These programs and budget allocations can be further modified or amended when the City Council reviews the FY 2003-2004 budget The following projects and estimated budgets represent the proposed FY 2003-2004 CDBG program

- 1 Administration - \$52 500 00
- 2 Residential Rehabilitation Project - \$183 750 00
- 3 ADA Access Ramp Project - \$10 000 00
- 4 Sewer Lateral Replacement Program - \$5 000 00
- 5 Code Enforcement - \$190 000 00
- 6 Neighborhood Cleanup - \$5 000 00
- 7 Neighborhood Recreation Program - \$66 750 00
- 8 Teen Recreation Program - \$12 000 00

He stated that these CDBG Programs were crucial to the City's overall neighborhood improvement strategy This Block Grant budget represented the programming of the estimated annual allocation of \$525 000 00 and the use of CDBG funds had no negative impact on the City's general fund

Staff recommended approval of the CDBG programs as outlined Mayor Blakely requested the number of ramps in the City to be completed which Public Works Director David Fike will provide for her Councilmember Adams asked that items dumped in alleyways be included in pick ups by waste haulers City Manager Hopper suggested putting a message in the utility bills to remind residents of the special two day a year pick up opportunities for large items

PUBLIC HEARING OPENED Mayor Blakely opened the Public Hearing

1 Karen Suarez Monrovia requested but was denied as the property was County properties to remove the trash in the wash Executive Director Hopper asked that residents do their best in keeping areas cleaned as they used the trails even though the properties were in the County easements

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 2003-01

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

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

CONVENE Chairman Lara Larramendi Blakely convened the Regular Meeting of January 14 2003 of the Monrovia Redevelopment Agency Board of Directors at 9 14 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 Joe Garcia Vice-Chairman Hammond and Chairman Lara Larramendi Blakely Boardmember Victor M Franco was excused

A CONSENT CALENDAR

It was moved by Boardmember Garcia seconded by Boardmember Adams to approve the Consent Calendar consisting of Item *B

ROLL CALL **Ayes** **Boardmembers Adams Garcia Vice-Chairman
Hammond and Chairman Blakely**
Excused Boardmember Franco
Motion carried 4-0

***B MINUTES** The Minutes of the Meetings of December 10 2002 were approved by order of the Consent Calendar

MRA REPORTS

1 Acquisition of Property Located at 101 West Huntington Drive Shell Oil Station

Kevin O'Brien Senior Project Manager reviewed the Staff Report

Because of its strategic location the Myrtle Avenue and Huntington Drive intersection is key to the Agency's redevelopment efforts. The northeast, northwest, and southeast corners have been substantially improved through redevelopment activity. The redevelopment of the remaining southwest corner has long been a high priority of the Agency's. The site has long been engaged in gasoline sales. Because of the high cost of buying the land and relocating the operator, previous cost estimates indicated that land acquisition for a redevelopment project would be prohibitively expensive. Last year, however, Shell Oil indicated that it intended to voluntarily close the station. With the relocation obligation eliminated, staff began to review the site, as well as adjoining sites, to determine whether a redevelopment project was feasible. It was determined that the best development for the corner site would be a project comprised of Shell, the former Planned Parenthood facility, and the Winston Tire outlet. The Agency has acquired the Planned Parenthood site and is negotiating with the owners of Winston Tire.

For the past several months, Staff has negotiated with the owners of the Shell facility, both to determine an appropriate sales price, as well as how to ensure that the site is delivered to the Agency free of toxics. The site was appraised in January 2002 for \$574,775. As 12 months have passed since the property was appraised, and the real estate market has been in an up cycle, the parties have agreed upon a final price of \$614,388, which is approximately 7% above the appraised value. Given the strong real estate market, Staff believes this price accurately represents the fair market value for the site. To address the toxics prior to close of escrow, Shell will demolish the improvements, remove the underground storage tanks, and test the site for the presence of soil contamination. Shell will be required to submit a site closure report to Los Angeles County Department of Public Works, who has primary oversight responsibility to review tank removals and site remediation. Shell will be responsible to obtain a site closure letter from the County. In addition, the Agency will have the right to conduct its own tests to ensure no toxics remain on the site. While taking title to service station property is never completely risk-free, Staff believed the purchase agreement contains adequate safeguards to ensure that Shell is responsible for all environmental concerns.

It was moved by Vice-Chairman Hammond, seconded by Boardmember Adams, to approve the purchase of 101 West Huntington Drive, and authorize the Executive Director to execute the required documentation.

ROLL CALL **Ayes** **Boardmembers Adams Garcia Vice-Chairman Hammond and
Chairman Blakely**
Excused Boardmember Franco
Motion carried 4-0

MRA ADJOURNMENT Chairman Blakely adjourned the Monrovia Redevelopment Agency Meeting at 9:22 P.M. and the City Council Meeting continued.

RECONVENE MONROVIA CITY COUNCIL MEETING

E BIDS

(b) Meagan's Law Compliance Update – Police Chief Roger Johnson reported regarding offenders who were not registered. He reported that the news articles were in error in that it was reported that there were 54 sexual offenders in Monrovia. He explained that the Police Department has a High Risk Offender's Officer whose responsibility is to track and monitor high risk offenders which are parolees and sexual offenders. The Officer does interview the individuals who provide a home for the offenders. A Parole Agent actually works out the Monrovia Police Station who visits the parolees to make sure they are abiding by their parole specifications. The actual number of sexual offenders in Monrovia is 25, not 54. He explained the procedures for updating the system, noting that some of the offenders are deceased, some are in Mexico, some in jail, etc. He stated that it was very important to protect our youth by working with the other agencies consistently.

2 Mayor Pro Tem Hammond reported that

(b) He thanked Captain John Shafer, U.S. United States Army, for visiting the classroom at Plymouth Elementary School. The class had chosen him to write to under the Pen Pal Program. He was in Afghanistan until October 2002 and was able to come home for Christmas to his family. Even though the school was on school break as a year-round school, the teacher arranged for the students to return to meet Captain Shafer and put a notice on the school's marquee inviting others. Mr. Hammond commended the school district for implementing the program and reported that the letters go out every month.

(b) He also congratulated Mimi Mency, Joanne Montgomery, Brian Whelan, and Scott Montgomery who were to be honored at the upcoming Chamber of Commerce annual Installation and Awards dinner (see G-5(b) below).

3 Councilmember Adams reported that

(a) He thanked the men and women of the Police, Fire, and Public Works Departments for all they do for the residents of Monrovia, and especially for working throughout the holidays while the rest of the residents are in their homes. He wished all a happy New Year.

4 Councilmember Franco was excused

5 Councilmember Garcia reported that

(a) He congratulated Mimi Mency for receiving the Iris Award, Joanne Montgomery and Brian Whelan for the Dick Lord Award and the Monroe Award, respectively, and Scott Montgomery, incoming President, and to be installed at the January 17, 2003 Chamber of Commerce annual Installation and Awards Dinner.

(b) He announced the upcoming Boys & Girls Club of the Foothills Annual Dinner and Auction For the Love of Youth, February 8, 2003, Monrovia Historic Museum, \$50.00 a person.

(c) He wished all a happy New Year.

Mayor Blakely called for a five minute break from 10:06 P.M. to 10:14 P.M.

H REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES None

I ADMINISTRATIVE REPORTS

1 Update to the City's Investment Policy Resolution No. 2003-02

Mark Alvarado, Administrative Services Director, reviewed the Staff Report.

He reported that the City reviews the investment policy every year. Staff analyzes the State Government code, past fiscal practices, and current investment trends in updating the policy. State law requires that the City Council be provided with an investment policy update no less than annually at a public meeting. This report satisfies this new requirement for the 2003 calendar year.

The City of Monrovia's investment policy meets all the requirements of Government Code Section 53600 (the code that identifies how public funds are managed). A critical element of the policy is the specification of the following objectives, in order of importance:

subsequent to an exhaustive RFP process involving several qualified firms the City awarded Athens the Old Town exclusive waste collection franchise. In operating this franchise Athens has been tasked with providing exclusive waste collection service to a demanding and diverse group of businesses and at extremely competitive market rates. During this four-year relationship Athens has never been in default of their contractual obligations.

Multi-family Recycling Program

In order to remedy the default and as a condition of the transfer of the Exclusive Franchise Agreement Athens would send 50% of all multi-family waste to the Los Angeles County Sanitation Districts Commerce Refuse-To-Energy Facility. This will give the City full diversion credit for this portion of the waste stream. Essentially this would increase the multi-family recycling rate from the current 2.6% to 50%. In addition this program is supported by City staff as an important component in boosting the City's overall diversion rate by 4% and thus surpassing the State's 50% mandate.

Terms of Transfer

As part of the Third Amendment Athens has asked the City to grant the first of the three 4-year contract extension options contained in the Exclusive Franchise Agreement. This would extend the term of the Exclusive Franchise Agreement date from January 27, 2007 to January 31, 2011.

As required in the Exclusive Franchise Agreement in consideration for the reasonable grant of transfer of this exclusive residential franchise USA Waste must pay the City a transfer fee of \$250,000.00. USA Waste will deposit this fee with the City no later than Monday, January 13, 2003.

Finally the Third Amendment stipulates that if the City Council approves the transfer that the above mentioned transfer fee as it applies to any future transfer would be reduced by \$25,000.00 per year for the eight years remaining on the Exclusive Franchise Agreement (the original term plus the four year extension). At the end of this eight year term the transfer fee will be \$50,000.00 or the cost of the City's due diligence whichever is greater. A copy of the Third Amendment is on file with the office of the City Clerk.

Athens Services would be assuming the terms and conditions of the existing Exclusive Franchise Agreement. Thus the only fiscal impact to the City is the collection of the \$250,000.00 transfer fee.

By their performance under the Old Town exclusive franchise Athens has proven that it can provide quality service despite thin profit margins. Thus the Exclusive Franchise Agreement's "lowest rates in the San Gabriel Valley" clause should not represent an unworkable obstacle to them. And by their pioneering efforts in waste diversion and recycling Athens has demonstrated a substantial commitment to helping cities achieve the goals of AB 939. Finally the considerable experience and corporate relationship the City has developed with Athens Services since the passage of AB 939 heralds a very positive and productive partnership under the terms and conditions of the Exclusive Franchise Agreement.

Staff recommended the adoption of Resolution No. 2003-03.

Mayor Blakely requested that inserts in the letters going out to residents informing them about the change in haulers include recycling regulations. New decals will cover the former hauler's logo. She requested that Athens give a short report on what it has been done in another community that has been successful in the multi-family recycling program. Dennis Chiappetta, Athens Services responded that it was truly a challenge. He explained the various ways that this recycling has been done in other cities and stated that a solution will be worked on for items left in alleyways. Mr. Ochoa explained the process of the transfer fee of \$250,000.00 and reiterated that the agreement still stipulated that Monrovia would continue to have the lowest rate in the San Gabriel Valley.

After further discussion it was moved by Mayor Pro Tem Hammond seconded by Councilmember Adams to approve Resolution No 2003-03 adopting the Third Amendment to the Exclusive Residential Solid Waste Franchise Agreement and direct the City Manager to execute the Third Amendment

ROLL CALL

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

3 Amendment of Monrovia Municipal Code First Reading of an Ordinance Adopting by Reference and Amending the 2001 California Building Code Electrical Code Mechanical Code and Plumbing Code the 2001 California Code for Building Conservation the 2000 Edition of the Uniform Solar Energy Code and the 1997 Editions of the Uniform Administrative Code and Uniform Building Security Code Ordinance No 2003-01 and First Reading of an Ordinance Adopting by Reference and Amending the 2001 California Fire Code Ordinance No 2003-02 and Setting Public Hearings for February 11 2003 with Respect Thereto

Robert Castellano Building Division Manager reviewed the Staff Report

Section 18941.5 of the California Health and Safety Code requires that buildings constructed within California comply with the State amended versions of specific model codes which are essentially the model codes published by the International Conference of Building Officials and/or the International Association of Plumbing and Mechanical Officials (Uniform Building Code Uniform Building Code Standards Uniform Plumbing Code and Uniform Mechanical Code) National Fire Protection Association (National Electrical Code) and the Uniform Fire Code. Collectively these amended model codes comprise the State Building Code. Section 18941.5 also requires that the City adopt the Uniform Housing Code published by the International Conference of Building Officials.

In addition to adopting the primary construction codes Ordinance No 2003-01 also will adopt by reference the latest editions of certain supplemental codes including the California Code for Building Conservation Uniform Administrative Code and the Uniform Security Code all published by the International Conference of Building Officials and the Uniform Solar Energy Code published by the International Association of Plumbing and Mechanical Officials.

It is important that the City adopt the latest editions of the California Building Codes in order to preserve all local amendments. Should the City Council decide not to adopt the proposed ordinance the State building standards become applicable in the City and the City's special regulations would not be enforceable.

In summary the City is currently using the 1997 codes and this proposed revision will update the codes to the latest 2001 editions.

It was moved by Councilmember Adams seconded by Mayor Pro Tem Hammond to introduce by title only waive full reading of Ordinance No 2003-01 pertaining to Uniform Building Security Code and Ordinance No 2003-02 pertaining to the California Fire Code and set for Public Hearing on February 11 2003. As there were no objections City Attorney Craig A. Steele read as follows

AN ORDINANCE OF THE CITY OF MONROVIA ADOPTING BY REFERENCE PART 2 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS COMPRISING THE 2001 CALIFORNIA BUILDING CODE PART 3 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS COMPRISING THE 2001 CALIFORNIA ELECTRICAL CODE PART 4 OF

She reported that adoption of this resolution would establish the classifications of Assistant City Manager/Assistant Executive Director of Redevelopment and Redevelopment and Housing Division Manager with corresponding salary ranges

These recommended changes were reviewed by a Classification Consultant who concurred that this is an efficient cost effective approach to allow the City to accomplish the mission of the City Council as it relates to redevelopment projects and activities. The cost to make these recommended changes are covered through the elimination of Glenn Cox's position and actually result in an ongoing savings of approximately \$35,000.00. Therefore, no additional funding is required.

Staff recommended that the City Council adopt Resolution No. 2003-05

It was moved by Councilmember Garcia, seconded by Councilmember Adams, to adopt Resolution No. 2003-05 Amendment of Personnel Rules and Regulations Appendices C and H to Provide For Establishment and Amendment of Classification for Certain Managers and Mid-Managers.

ROLL CALL
Ayes: Councilmembers Adams, Franco, Garcia, Mayor Pro Tem Hammond, Mayor Blakely
Excused: Councilmember Franco
Motion carried 4-0

***2 Extending by One Year the Terms of Office of City Commissioners and Board Members and Confirming the Appointment of Individuals to City Boards and Commissions for One Year Effective January 2, 2003 Resolution No. 2003-07**

This matter was approved by order of the Consent Calendar.

At its December 10, 2002 meeting, the City Council expressed its intent to expand the pool of applicants for service on the City's Boards and Commissions. The Council directed staff to undertake a study and possible revision of the recruitment and application process. To continue the efficient operation of City Boards and Commissions in the interim, the City Council determined to appoint a list of individuals to one (1) year terms. To avoid the possible impacts of numerous terms expiring at the end of 2003, the City Council further decided to extend by one (1) year the other existing terms of office. Staff was directed to prepare the formal action necessary to take those actions.

Although the official terms of office are prescribed in the Municipal Code, members of City Boards and Commissions always serve at the pleasure of the City Council and their terms are subject to limitation or extension at the Council's discretion.

Staff recommended that the City Council adopt Resolution No. 2003-07 to formalize the one-year appointments noted therein and the extensions of other terms of office.

***3 Continuation of Salary and Benefits for Employees Engaged in Active Military Resolution No. 2003-04**

This matter was approved by order of the Consent Calendar.

Adoption of the Resolution provided for continued salary and benefits for employees called to active duty to defend the United States of America against terrorist efforts as the result of the events of September 11, 2001.

The Federal Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) does not require employers to pay employees while they are absent for military duty. The Military and Veterans (M & V) Code requires public employers to compensate employees called to active military duty at their regular rate of pay for the first thirty (30) days of military leave, provided they

have been employed for at least one year. The Code allows an employer to provide pay beyond the thirty (30) day requirement pursuant to a resolution adopted by the agency.

Since the September 11, 2001 terrorist attacks in New York City, Washington D.C., and Pennsylvania, the President of the United States, George W. Bush, has called up various military units to active duty to combat terrorism. Should any City employee be called to active duty, the salary paid for such service is less than their regular City salary. In addition, the military benefits for the employee's dependents are provided for under the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS). However, CHAMPUS benefits restrict dependents to use certain physicians and provides limited reimbursement for care.

The attached Resolution will provide City of Monrovia employees called to active military duty with supplemental compensation so that the employee will receive the equivalent of his/her base City salary for a maximum period of twelve (12) months. The supplemental compensation shall be the difference between the employee's military pay and the base pay for his/her City position. During this period, the City will continue to offer health and related insurance benefits (cafeteria plan contribution) on the same basis as if the employee were actively employed.

The affected City Department will absorb all costs associated with providing continued salary and benefits for an affected employee. Therefore, no additional funding is required. Staff recommended adoption of Resolution No. 2003-04.

***4 Amendment to the Official Zoning Map in Title 17 to Change the Land Use and Zoning Designations to Hillside Wilderness Preserve (HWP) for Property Recently Acquired by the City for Permanent Open Space Zone Change ZC2002-01. Second Reading and Adoption of Ordinance No. 2002-12.**

This matter was approved by order of the Consent Calendar.

This was the second reading and final adoption of Ordinance No. 2002-12 amending the official Zoning Map in Title 17 in regards to the land use and zoning designations. Staff continued to recommend approval of this ordinance.

***5 Amendment of Title 19 of the Monrovia Municipal Code Relating to the 2002-2007 Engineering and Traffic Survey for City Street Speed Limits. Second Reading and Adoption of Ordinance No. 2002-15.**

This matter was approved by order of the Consent Calendar.

This was the second reading and final adoption of Ordinance No. 2002-15 amending Title 10 of the Monrovia Municipal Code relating to the 2002-2007 Engineering and Traffic Survey for city street speed limits. Staff continued to recommend adoption of the ordinance.

K PAYROLL & VOUCHERS Payroll No. 26 in the net amount of \$520,129.66 and Voucher Numbers 107484 through 107808 nonsequentially in the amount of \$645,393.81 and Voucher Numbers 107809 through 108128 nonsequentially in the amount of \$917,939.57 was approved by order of the Consent Calendar.

It was moved by Councilmember Adams, seconded by Councilmember Garcia, to approve the Payroll & Vouchers.

Cyrus Kemp, Monrovia, expressed his concern on the method of signing checks for payment by the City, referring to an Administrative Policy of the City that stated that checks needed to have one original signature. He expressed concern about the procedure. He asked for further explanation of expense reports of City Councilmembers and expressed his belief that the City Treasurer should be monitoring expense requests.

Harrison Taylor, Monrovia, stated that he and Mr. Kemp were just in the beginning of their investigations regarding expense reports. He requested that he and Mr. Kemp be able to keep a closer eye on what was being spent and asked for the Council's help.

old and was a significant surprise to cities all over the state. It was originally incorrectly reported to include all city officials. The League Legal Office is working with the Attorney General's office. An advice memo will be sent from his firm as soon as the information is substantiated. There is no authority on "reasonable expenses" and "actual and the necessary expenses" interpretation comes from the dictionary. The League's opinion is that what is "actual and necessary" may vary community by community.

ROLL CALL

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

L SCHEDULED MEETINGS Following a Study Session in the Police Department Community Room 140 East Lime Avenue 6 00 P M to 7 15 P M to discuss the 2002-2003 Mid-Year Budget the next Regular Meeting of the Monrovia City Council is scheduled for Tuesday January 28 7 30 P M City Council Chambers 415 South Ivy Avenue Monrovia California

Also scheduled are Special Meetings on January 22 2003 7 30 A M the Annual Breakfast Meeting with Supervisor Michael Antonovich and on January 23 2003 3 30 P M Legislative Meeting with Assemblyman Carol Liu both at Monrovia Police Community Room Mayor Blakely will not be in attendance at the January 22 2003 Meeting and Councilmember Garcia will not be in attendance at the January 23 2003 Meeting

M ORAL COMMUNICATIONS CONTINUED IF NEEDED None


N CLOSED SESSION At 11 15 P M Mayor Blakely adjourned to Closed Session to discuss Conference with Legal Counsel Existing Litigation Pursuant to Government Code §54956 9(a) Bench vs City of Monrovia Case No 00-0011A and Conference with Legal Counsel Anticipated Litigation Pursuant to Government Code Section §54956 9(b) Number of Potential Cases 1 She stated that the City Council would not be returning to Council Chambers and that the report from Closed Session would be made at the next City Council Meeting. Closed Session was adjourned at 11 55 P M

O ADJOURNMENT Mayor Blakely adjourned the Meeting in memory of Russell Cross Patricia Blumenthal and Andrew Barnes

APPROVED


 /s/ Rob Hammond Mayor Pro Tem
 Rob Hammond Mayor Pro Tem

ATTEST


 Linda B Proctor CMC City Clerk