

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY OCTOBER 8 2002 7 30 P M**

CONVENE Mayor Lara Larramendi Blakely convened the Regular Meeting of the Monrovia City Council of Tuesday October 8 2002 at 7 28 P M in City Council Chambers 415 South Ivy Avenue Monrovia California

FLAG SALUTE Councilmember Joe Garcia led the Flag Salute

INVOCATION Dr Sandra Heeb Pastor Arcadia Presbyterian Church led the Invocation

ROLL CALL In attendance were Councilmembers Adams Franco Garcia Mayor Pro Tem Hammond and Mayor Blakely

REPORT OF CLOSED SESSION(S) None

PRESENTATIONS

1 Recognition of First Annual Old Town Food Wine and Jazz Festival Organizers
Travis Ensling Jill Bigelow Bob Monk Pam Fitzpatrick John Veenstra David Gayman
Jeff Kugel and Dick Singer

City Manager Donald R Hopper introduced and recognized the organizers of the first annual Old Town Food Wine and Jazz Festival Travis Ensling Café Mundial (unable to attend) Jill Bigelow Caffé Citron Bob Monk Director Boys & Girls Club (unable to attend) Pam Fitzpatrick The Dollmakers John Veenstra Volunteer David Gayman Family Festival Manager Jeff Kugel Interim Downtown Manager Dick Singer Public Information Officer Scott Ochoa Assistant City Manager (unable to attend) to the Mayor City Council and community

The Mayor and City Council presented plaques to the organizers in appreciation of their excellent efforts for the most successful event

2 Recognition of the Neighborhood Pride Program by the California Association of Code Enforcement Award of Plaque Year 2002 Recipient

Bill Skiles Neighborhood Preservation Division Manager presented the plaque to Mayor Blakely and City Council

He reported that on September 5 2002 the California Association of Code Enforcement (CACE) recognized the City of Monrovia for the Neighborhood Pride Program Award as an outstanding example of neighborhood improvement/code enforcement program The CACE is comprised of over 700 members representing approximately 250 agencies

The award was presented by CACE officials to Alice Griselle Director of Community Development Bill Skiles Neighborhood Preservation Manager and Acting Sr Code Enforcement Officer John Hernandez at a CACE luncheon held at the Sutton Place Hotel in Newport Beach The Neighborhood Pride Award Program recognizes the owners of well-maintained properties in Monrovia

PROCLAMATIONS**1 Proclaiming the Month of October 2002 as End Domestic Violence Month**

Monrovia Police Chief Roger Johnson along with Ann Durgerian of the Soroptomists Club accepted the Proclamation from the City Council proclaiming the month of October 2002 as End Domestic Violence Month Chief Johnson provided information regarding domestic violence prevention assistance for victims of domestic violence and Monrovia Police Department's response to domestic violence

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

A CONSENT CALENDAR

It was moved by Councilmember Franco seconded by Mayor Pro Tem Hammond to approve the Consent Calendar consisting of Items *B *F-1 and *K

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

*with the exception of *B

***B MINUTES** The Minutes of the Regular Meeting of September 24 2002 were approved by order of the Consent Calendar

C ORAL COMMUNICATIONS

- 1 Cyrus Kemp Monrovia requested a report from the City Council regarding its recent trip to Washington D C
- 2 Richard McKee La Verne California First Amendment Coalition expressed his opinion that the Wilderness Preserve Steering Committee had no authority to discuss real estate negotiations in Closed Session
- 3 Dr Vincent Hylka Arcadia Foothills Wildlife Conservancy (FWC) expressed gratitude to the Woodward's and Steve Harris
- 4 Tamara Compean Sierra Madre thanked Steve Miller and the FWC for assistance to Sierra Madre in the preservation of the foothills in that city
- 5 Efren Compean Sierra Madre also expressed thanks to FWC and Steve Miller for assistance to Sierra Madre
- 6 Robert Patkos Monrovia FWC Director encouraged the City Council to keep Steve Miller on the Wilderness Preservation Steering Committee
- 7 John Nobrega Jr Monrovia stated that he had changed his mind and did not wish to comment
- 8 Gloria Crudgington Monrovia took exception to comments made in the newspaper by the Mayor regarding hillside funding
- 9 Karen Suarez Monrovia KGEM Board Chairman spoke regarding the October 18 2002 Telethon to raise funds for a new studio at the old Armory Building The event was scheduled from 1 00 PM to 9 00 PM at the Monrovia Unified School District 325 E Huntington Drive
- 10 Mark Dickson Monrovia spoke in support of the FWC

City Attorney Craig A Steele at Mayor Blakely's request and in response to Mr McKee's statements stated that he and City Staff believed the Wilderness Preserve Steering Committee appointed by the City Council for the purpose of helping to prioritize the expenditure of public funds on the acquisition of wilderness property met in Closed Session

for discussion of price and terms of payment for potential acquisition by the City All meetings were properly agendized All Closed Sessions were described in the Agendas posted He further stated that he believed those meetings were properly held and that this had not been an effort to deprive the public of information to which it is entitled All transactions were approved by the City Council in Open Session with documentation out for the public to view He concluded that he believed the City had complied with the Brown Act and would continue to do so

In response to Mr Kemp Mayor Blakely stated that she had met with several Congressional delegates and Transportation Committee members who were key in the re-organization of the transportation issues that concerned our City and region She stated that she had met with Congressman David Dreier Congressman Xavier Becerra Congressman Lucille Roybal-Allard Congressman Napolitano Congressman Mike Honda Senator Boxer's staffers Laurie Saroff and Sara Barth Congressman Hilda Solis Congressman Juanita McDonald Congressman Adam Schiff State Agency Transportation Secretary Maria Contreras-Sweet and California State Senator Debra Ortiz She also met Congressional members regarding housing issues in the City of Monrovia

D PUBLIC MEETINGS/HEARINGS None

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

CONVENE Mayor Lara Larramendi Blakely convened the Regular Meeting of October 8 2002 of the Monrovia Redevelopment Agency Board of Directors at 8 16 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 Victor M Franco Joe Garcia Vice-Chairman Rob Hammond and Chairman Lara Larramendi Blakely

A CONSENT CALENDAR

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

ROLL CALL Ayes Boardmembers Adams Franco Garcia Vice-Chairman Hammond
Abstain Chairman Blakely
Motion carried 4-0

***B MINUTES** The Minutes of the Regular Meetings of September 24 2002 were approved by order of the Consent Calendar

MRA REPORTS None

MRA ADJOURNMENT Chairman Blakely adjourned the Monrovia Redevelopment Agency Meeting at 8 16 P M and the City Council Meeting continued

RECONVENE MONROVIA CITY COUNCIL MEETING

E BIDS

1 Swim Center Deck Repair Project Award of Contract to Trademark Concrete Systems Incorporated in the Amount of \$18 300 00

(d) Applications for the Judicial Fellowship Judicial Program for 2003-04 for 10 college graduates interested in the California Judicial System were now available

2 Mayor Pro Tem Hammond reported that

(a) He again explained the Monrovia Reads Program and the receipt of grant monies for a van He reported that the Monrovia Reads Program's Second Annual Fundraiser was scheduled for Thursday October 10 2002 a Spaghetti Western 6 00 PM at the Museum Those interested in participation should call him or Joanne Spring for tickets or to volunteer to read He noted that three readers were needed for afternoon kindergarten classes The Hoffman family will donate matching funds up to \$5 000 00 against the evening's receipts

(b) Overview of High-Risk Offenders Program He reported that SB1376 was authored by Senator Margett and a step in the right direction He commended Senators Margett and McPherson who voted to pass this legislation to prohibit felony sex-offenders from living near schools day care centers or playgrounds He read a portion of the bill regarding the purpose of the bill He reported that the bill died in committee because Senators Burton Polanco Sher and Vasconcellos decided to abstain or not vote on the matter

3 Councilmember Adams reported that

(a) Overview of High-Risk Offenders Program Chief Johnson gave an overview of Monrovia's high-risk offenders program The Police Department has a high-risk offenders officer to enforce the program He asked that a letter be sent to Senator Margett to reintroduce this legislation as well as sending letters to those who did not support the bill Mayor Pro Tem Hammond encouraged those viewing the Meeting to write or call their representatives-- local or federal

(b) He appreciated those who received plaques this evening and asked that those who organized the Car Show in the downtown area last week end to be recognized at the next City Council Meeting

4 Councilmember Franco reported that

(a) The KGEM Telethon as reported about at the last City Council Meeting is scheduled for October 19 2002 with a great line-up up of talent on eight hours of live television

(b) The First-Time Home Buyers Housing Seminar is scheduled for October 20 2002 at Immaculate Conception Church after each mass as reported previously

(c) Make A Difference Day is scheduled for October 26 2002 A short orientation will be held at 8 00 A M at Library Park He stated that volunteers were still needed and that the list of projects was extensive

(d) The Housing Fair that he has been pushing for sometime is scheduled for November 16 2002 at the Community Center 9 00 A M to 1 00 P M

(e) He explained and asked residents to respond to the Housing Survey for Community Development Block Grant (CDBG) Program funds The survey was also available on the City's Internet site

(f) In response to his inquiry regarding teen vandals in Monrovia Chief Roger Johnson reported that the cost of the damages incurred was \$4 000 00 and that the Juvenile Court Commissioner would determine if the purported vandals were guilty of the acts In terms of restitution the Commissioner would then determine how the damages would be paid for of which the parents are ultimately liable for

5 Councilmember Garcia reported that

(a) He attended the League of California Cities Annual Conference in Long Beach Discussion included was the 2003 work plan and support for Proposition 46 the housing bond coming up in the November election He has drafted a copy for Staff of the brainstorming ideas

(b) **Report from City Attorney Relating to a Complaint by the Wilderness Preserve Steering Committee Regarding Member Conduct and Possible Action on Options Presented Therein**

Councilmember Garcia stated that he had asked the City Attorney to investigate a complaint from the Wilderness Preserve Steering Committee last month and report back to the City Council

City Attorney Steele reported that he obtained a tape of the meeting had a transcript of the tape done by his staff and interviewed members of the WPCF and Staff who were in attendance at the July 16 2002 meeting He reported that the Brown Act does not allow it to be dealt with confidentially as some people had inquired about He stated that a copy of the transcript and tape was provided to Mr Miller at the time the items were prepared two weeks ago and a copy of the memo to him prior to the City Council He concluded that there was not much in dispute as to what happened He reviewed that portion of the July 16 meeting that was under investigation in which Mr Miller referred to Mayor Blakely as the Cuban mayor and the dictatorship or dictatorial style Mr Miller indicated to him that he regretted the Cuban reference but not the dictatorship and that the confrontational disruptive style was the style he needed to employ to get points across Options were outlined in report-- adopting a censure resolution directing WPSC in adopting censure adopting norms for expectations for conducting public business for all commissions boards and committees or take no action at all He stated that he had prepared a resolution of censure as directed by Councilmember Garcia and that copies of the report were on the public counter and had been given to Mr Miller at the beginning of the Meeting as well as to the City Councilmembers City Clerk Proctor read into the record Mr Miller's e-mail directed to the City Council as follows To Monrovia City Council regarding October 2 2002 Memo from City Attorney Craig Steele on the subject of incident of the July 16 2002 WPSC meeting For the record the Memo referenced above includes numerous untruths and misquotes by those interviewed by Mr Steele as well as by the author himself In addition the memo the transcript and the audio tape I was provided do not include nor reflect key comments that took place at the 7/16 WPSC meeting If you would like details please feel free to contact me Respectively Steve Miller "

1 Richard McKee First Amendment Coalition stated he was opposed based on First Amendment reasons that there was no Code of Conduct for committee members and that he was opposed to the resolution of censure as it was not agendized

2 Cyrus Kemp stated he was opposed to the resolution of censure

3 Rick Norman Monrovia stated he was opposed to and asked for postponement of adoption of resolution

Cleve Crudgington Monrovia Co-Chairman WPSC opposed resolution and if anything at all would like to see Mr Miller replace himself with someone else from the Foothills Wildlife Conservancy If Mr Miller wanted to continue on the WPSC that would also be alright

City Attorney Steele stated that as to the cost of the investigation there were no additional billing fees as the law firm is on retainer that the resolution was merely a draft and that there was no urgency in taking action on the matter

Further discussion ensued including a recommendation of a Code of Conduct that was not agreed to by the majority of the Council Councilmember Garcia stated that for the record he had not recommended a resolution of censure and that it had only come up as an option

It was moved by Mayor Blakely seconded by Councilmember Franco to take a no action vote on this matter

ROLL CALL

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

H REPORTS OF COMMISSIONS BOARDS AND COMMITTEES None

I ADMINISTRATIVE REPORTS

1 Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday March 4 2003 for the Election of Certain Officers Resolution No 2002-82 Use of County Services Resolution No 2002-83 Regulations for Candidates Resolution No 2002-84 and Setting March 18 2003 for a Special Meeting to Declare the Results of Such Election and Swear-in the Newly Elected Officers

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 First the City Council officially calls for the election and sets the date and time that the polls are open The terms of office to be filled are acknowledged along with information regarding the Nomination (filing) period fees candidates statements contract for election services with Los Angeles County and swearing in of the newly elected officials All of these actions are done by resolution

The Staff Report and attached Resolutions set the date for the General Municipal Election for Tuesday March 4 2003 As determined by the Elections Code the filing period for candidates is November 12 2002 through December 6 2002 Nominations Papers may be taken out during regular working hours 7 00 a m to 6 00 P M Monday through Thursday Candidates need to make an appointment with the City Clerk's office to receive a half-hour orientation and a Candidate's Handbook On the final day Friday December 6 City Clerk office hours will be 9 00 A M to 12 00 Noon There will be at least nine precincts with at least four election officers at each precinct The City will again participate in the Student Poll Worker program with an effort to staff each precinct with a student for the entire day

Each candidate is required to submit the filing fee of \$25 00 a deposit in the amount of \$500 00 for all costs of the 200-word candidate's statement if one is desired and a refundable \$100 00 deposit for the removal of campaign literature and/or signs Refunds will be made accordingly if the actual costs are less than the deposit The candidate's statement will be in English and Spanish and submitted electronically to the City Clerk

By law the canvass is to be completed and reported to the City Council by the third Friday following the election Consequently a special meeting needed to be scheduled for Tuesday March 18 2003 A recent change in the law sets the time for the election of the Mayor Pro Tem to the next regularly scheduled Council Meeting following the declaration of the results (canvass) of the election

Staff estimated total cost of the election to be \$54 131 00 and had included it as part of the two-year budget Staff recommended adoption of the Resolutions relating to the General Municipal Election and scheduling a Special Meeting for March 18 2003

It was moved by Mayor Pro Tem Hammond seconded by Mayor Blakely to adopt Resolutions No 2002-82 2002-83 and 2002-84 relating to the March 4 2003 General Municipal Election, and set March 18 2003 as a Special Meeting to accept the canvass of votes and swear-in the newly elected officers

ROLL CALL

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

J RESOLUTIONS & ORDINANCES None

***K PAYROLL & VOUCHERS** Payroll No 20 in the net amount of \$484 143 23 and Voucher Numbers 105831 through 106164 non-sequentially in the amount of \$729 270 45 were approved by order of the Consent Calendar

L SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council is scheduled for Tuesday October 22 2002 7 30 P M Council Chambers 415 South Ivy Avenue Monrovia California

M ORAL COMMUNICATIONS IF NEEDED None

N CLOSED SESSION None

O ADJOURN Mayor Blakely adjourned the Meeting at 9 51 P M

APPROVED



Lara Larramendi Blakely Mayor

ATTEST



Linda B Proctor CMC City Clerk