

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, MAY 16, 2006, 7:30 P.M.**

CONVENE: Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, May 16, 2006 at 7:35 P.M. in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, (preceded by a Closed Session, at which all City Councilmembers were in attendance, to conference with Labor Negotiator pursuant to Government Code §54957.6. Agency Negotiator: Theresa St. Peter; Group Employees: Monrovia Firefighters' Association, Monrovia Police Officers' Association, Monrovia Municipal Employees' Association, Hourly, and Managers, Mid-Managers, and Elected and Appointed Employees, from 6:03 P.M. to 7:05 P.M.). Staff in attendance was City Manager Scott Ochoa, City Attorney Craig A. Steele and Deputy City Clerk Alice D. Atkins.

INVOCATION: Councilmember Kirby presented the Invocation.

PLEDGE OF ALLEGIANCE: Mayor Hammond led the Flag Salute.

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

PRESENTATIONS:

None

PROCLAMATIONS:

None

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Liaison Krystina Mastrogiovanni was excused.

A. CONSENT CALENDAR:

It was moved by Councilmember Garcia, seconded by Mayor Pro Tem Lutz, to approve the Consent Calendar consisting of Items *B, *E-1, *F-1, *F-2, *I-4, *I-5, and *J.

ROLL CALL: Ayes: Councilmembers *Adams, Garcia, Kirby, Mayor Pro Tem Lutz, Mayor Hammond
Motion carried: 5-0

It was moved by Councilmember Garcia, seconded by Mayor Pro Tem Lutz, to amend the vote to indicate that Councilmember Adams abstained from voting on *I-5. Although he believed there was no potential conflict of interest, he did not want any appearance of impropriety.

***B. UNADOPTED MINUTES:** The unadopted Minutes of the Regular Meeting of May 2, 2006 were adopted by order of the Consent Calendar.

C. ORAL COMMUNICATIONS:

Those speaking:

1. Alex Perenishko, Monrovia Police Officers Association
2. Stephanie Blumenthal, Monrovia
3. Alfredo Mejia, Monrovia Chamber of Commerce
4. Michelle Bradley-Orozco, Monrovia
5. Clare Chesley, Monrovia School Board President
6. Cyrus Kemp, Monrovia

Councilmember Adams and Kirby took exception to remarks made by one of the speakers.

D. PUBLIC HEARINGS/MEETINGS: There were no Public Hearings/Meetings.

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

CONVENE: Chairman Rob Hammond convened the Regular Meeting of May 16, 2006 of the Monrovia Redevelopment Agency Board of Directors at 8:04 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, Dan Kirby, Vice-Chairman Mary Ann Lutz, and Chairman Rob Hammond.

A. CONSENT CALENDAR:

It was moved by Boardmember Adams, seconded by Boardmember Kirby, to adopt the Consent Calendar consisting of Agenda Item *B. There were no objections.

***B. UNADOPTED MINUTES:** The unadopted Minutes of the Regular Meeting of the Monrovia Redevelopment Agency of May 2, 2006 were approved by order of the Consent Calendar.

MRA REPORTS: There were none.

MRA ADJOURNMENT: Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 8:04 P.M.

RECONVENE MONROVIA CITY COUNCIL MEETING

**CONVENE MONROVIA FINANCING AUTHORITY MEETING
WITHOUT ADJOURNING CITY COUNCIL MEETING**

CONVENE: President Rob Hammond convened the Special Meeting of May 16, 2006 of the Monrovia Financing Authority Board of Directors at 8:04 P.M. in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting.

ROLL CALL: Those in attendance were Commissioners Adams, Garcia, Kirby, Vice-President Lutz, and President Hammond

A. CONSENT CALENDAR: **It was moved by Commissioner Adams, seconded by Commissioner Garcia, to approve *MFA-1.** There were no objections.

***B. UNADOPTED MINUTES:** The unadopted Minutes of the Special Meeting of the Monrovia Financing Authority of May 2, 2006 were approved by order of the Consent Calendar.

MFA REPORTS

None

MFA ADJOURNMENT: President Hammond adjourned the Monrovia Financing Authority Meeting at 8:04 P.M.

RECONVENE MONROVIA CITY COUNCIL MEETING**E. BIDS:*****1. Purchase of Four Paratransit Vehicles from A-Z Bus Sales, Incorporated, in the Amount of \$239,632.53**

Craig Jimenez, Principal Planner, reviewed the Staff Report.

As part of the City's vehicle replacement program, Staff proposed to replace four vehicles for Monrovia Transit Dial-a-Ride. The four vehicles to be replaced were purchased in 1998; each of these vehicles had between 165,000 and 199,000 miles.

The City released a Request for Proposals (RFP) for the purchase of four vehicles. Bid specifications were sent to five companies. The three responses were Creative Bus Sales in the amount of \$59,524.95, A-Z Bus Sales in the amount of \$59,908.13 and Bus West in the amount of \$66,051.92

Staff recommended that the City accept the proposal from A-Z Bus Sales, Inc. Although the per-vehicle price was \$383.18 higher than the Creative proposal, the vehicles more closely met the requirements of the RFP with the greater importance put on the 12" tread depth of the steps which staff felt was essential for safe boarding of the vehicles. The larger gauge of the framing and additional insulation were also contributing factors.

The total cost of the four vehicles was \$239,632.53. As part of the City's agreement with Los Angeles County for provision of dial-a-ride services to residents in the unincorporated area south of Monrovia, the County would reimburse the City for 35% of the vehicle replacement cost; this was equal to \$83,871.39. The difference (\$155,760.84) would be paid for with funds from the vehicle replacement fund using Proposition A Local Return Funds.

After discussion, it was moved by Councilmember Adams, seconded by Mayor Pro Tem Lutz, to approve the purchase of four paratransit vehicles from A-Z Bus, Inc. in the amount of \$239,632.53, reject all other bids, and direct Staff to bring back a policy for advertising on the buses at a subsequent meeting.

F. COMMUNICATIONS AND PETITIONS:***1. Application for ABC Beverage License (Type 21–Off-Sale General) for AL'S Liquor Corp, 412 West Duarte Road, Receive and File**

This matter was approved by order of the Consent Calendar.

Notice was received from ABC that Younan Safwan, Dahouk Maida and Emil Maida submitted an application for a Type 21 – Off-Sale General 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 City Council Receive and file the application.

***2. Application for ABC Beverage License (Type 42-On-Sale Beer and Wine) for California Wine & Cheese, LLC., 115 West Foothill Boulevard, Receive and File**

This matter was approved by order of the Consent Calendar.

Notice was received from ABC that Thomas Dugan and Janet Dugan submitted an application for a Type 42 – 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.

G. REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES:

1. **Mayor Hammond** reported that:

(a) **Colorado Commons Groundbreaking Report:** Mayor Hammond asked KGEM to run a short video of the Colorado Commons Groundbreaking event and thanked former City Manager Don Hopper, Glen Cox, former Mayor Lara Larramendi, and all those involved in the mixed-use project from its conception many years prior.

(b) He announced that there would be a Memorial Day Service organized by the Allied Veteran Council beginning at 10:00 A.M. on Monday, May 29, 2006 at Live Oak Cemetery. He thanked Lorraine Mohan for her hard work in organizing the event.

(c) World War II veteran Frank Morimoto passed away the prior week and the family asked that in his memory contributions be made to the "Go For Broke 442nd Memorial Fund". Morimoto Served in the 442nd, an all Japanese Regiment and the most highly decorated in the history of the United States.

(d) He thanked the Monrovia Historic Preservation Group for the Annual Mother's Day Old Homes Tour and gave kudos to the entire board for the phenomenal job they did putting together the event.

2. **Mayor Pro Tem Lutz** reported that:

(a) She attended the Monrovia School Board meeting on May 10, 2006 where the Board voted to send a resolution in opposition to AB 2987 to Assemblymembers Nunez and Levine, as well as the local representatives.

(b) She reminded everyone that the Monrovia Day Celebration, commemorating the City's 120th birthday, was scheduled for Saturday, May 20, 2006, and reviewed the planned activities.

3. **Councilmember Adams** reported that:

(a) The third week in May each year was National Public Works Week, that this year's theme was "The Heart in Every Community," and that information would be on display in the main lobby of City Hall.

(b) The Eight Annual Don Montgomery Memorial Golf Tournament would be held on Friday, May 19th, at the Azusa Greens, benefiting the YMCA and Mary B. Thorne Club at Monrovia High School.

4. **Councilmember Garcia** reported that:

(a) **Review of Fire Department Brush Clearance Program:** He asked Battalion Chief Derek Young to review the Brush Clearance Program and the Brush Chipper and Hauling Program. Battalion Chief Young announced the theme of this year's brush clearance program was "Clear it or Fear it" and with the aid of a video presentation impressed upon the residents the importance of brush clearance and the programs available to assist with that task.

(b) On Wednesday, May 17, 2006, he would be in Sacramento attending the Legislative Action Days sponsored by the League of California Cities and highlighted some of the speakers and their topics.

5. **Councilmember Kirby** reported that:

(a) He asked City Manager Ochoa give an overview of how a crashed, illegally purchased rare Ferrari in Malibu was tied to the San Gabriel Valley Transit Authority, a tiny transit agency in Monrovia, and clarify its relationship to the City.

(b) On behalf of the San Gabriel Valley Mosquito & Vector Control District, he reminded residents to check for and disburse standing water on their properties to reduce mosquito breeding grounds.

I. ADMINISTRATIVE REPORTS

1. Increase of Rate Offset for the Discount Bus Pass Program

Craig Jimenez, Principal Planner, reviewed the Staff Report.

Since 1991, local governments had received AB2766 funds to implement programs that reduced air pollution from motor vehicles with an emphasis on projects that had a measurable impact on vehicle emissions. The City's Discount Bus Pass Program was one of the current programs supported with Air Quality Funds.

The City provided discounted monthly Metro EZ transit passes and Foothill Transit monthly passes which were available to Monrovia residents at the Community Center. Beginning July 1, 2006, Foothill Transit would be increasing the price of their monthly bus passes. He compared the current and proposed bus pass prices.

The subsidy increase would raise the total expenditure of the Discount Bus Pass Program approximately \$600, bringing the total cost of the Program to \$13,000. The program was funded with AB2766 revenues. This fund had sufficient revenues to cover the expanded program in the future. Staff recommended the increase of the subsidy.

Councilmember Kirby informed Staff that he was fairly certain the Foothill Transit Board of Directors had voted the previous week to postpone the increase. Consequently, Mayor Hammond directed Staff to confirm the rates and bring the matter back at a subsequent meeting. The matter was continued.

2. Amendment of Title 10, Chapter 10.04, Section 10.04.050, of the Monrovia Municipal Code Relating to Speed Limits; Introduction and First Reading of Ordinance No. 2006-08

Public Works Director David Fike reviewed the Staff Report.

On January 14, 2002 the City Council accepted the finding of the "Traffic Survey" and adopted Ordinance No. 2002-15 setting the speed limits in the Municipal Code. It had been brought to Staff's attention that Canyon Boulevard, from Scenic Drive to Hillcrest Boulevard, and Canyon Boulevard, from Hillcrest Boulevard to Foothill Boulevard were not included in Ordinance No. 2002-15.

The adoption of Ordinance No. 2006-08 would amend the Municipal Code to include the Canyon Boulevard segments for the posted speed limit of 25 mph. There was no fiscal impact and the Traffic Safety Committee recommended the City Council amend the Municipal Code adding the Canyon Boulevard segments.

It was moved by Councilmember Garcia, seconded by Mayor Pro Tem Mary Ann Lutz, to introduce, waive further reading and read by title only Ordinance No. 2006-08.

City Attorney Steele read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA AMENDING TITLE 10, CHAPTER 10.04, SECTION 10.04.050, OF THE MONROVIA MUNICIPAL CODE RELATING TO SPEED LIMITS

3. City Manager's Performance Bonus Pursuant to Employment Agreement

City Attorney Craig Steele reviewed the Staff Report.

In Closed Session on Tuesday, May 2, 2006 the City Council met and completed the City Manager's annual performance evaluation. Pursuant to the terms of his contract, the City Council had the discretion to reward Mr. Ochoa with a performance bonus of up to 5% of his annual salary. The Brown Act required that compensation decisions such as this one be made in open session, and the City Council requested that this item be placed on the Council's agenda for discussion and possible action.

Mayor Hammond reviewed the accomplishments and directives achieved by City Manager Ochoa during the evaluation period.

It was moved by Mayor Hammond, seconded by Councilmember Adams, to direct the Director of Human Resources and Risk Management to process the full five percent bonus as part of the next available payroll cycle.

***4. Legislative Bulletin**

This matter was approved by order of the Consent Calendar.

This report highlighted and summarized pending State legislation that might be important to Monrovia and provided a brief analysis of the potential impacts to the City. The recommendations made by Staff reflected the City's priorities and programs, as well as the direction taken by the League of California Cities as follows:

Oppose: HR5252 - Communications Opportunity, Promotion, and Enhancement (COPE) Act
Federal Telecommunications Bill, U.S. Senate - Communications, Consumer's Choice, and
Broadband Development Act of 2006, SB1507, AB2987, AB1990, SB1177, SB1210, AB2922,
SCA20, ACA22, SB1206

Support: ACA30, AB1387, SB1407, AB3042, AB2158, AB2483, AB2468, SB1798

Watch: AB2015

***5. Set for Public Hearing on June 6, 2006; Tentative Tract Map 066713/Conditional Use Permit CUP2006-13 to Construct an Eight-unit, Two-Story, Detached Planned Unit Development at 333 Genoa Street by Bowden Development, Inc., Developer**

This matter was approved by order of the Consent Calendar.

The applicant requested approval of a Tentative Tract Map to develop an eight-unit, two-story detached Planned Unit Development at 333 Genoa Street. The property was in the RH (Residential High Density) Zone. The proposal met all of the development standards in the Zoning Ordinance. There were no variances requested.

On May 10, 2006, the Planning Commission held a Public Hearing to review the application and forwarded a recommendation of approval of the project to the City Council.

Staff recommended setting June 6, 2006 as the date of the Public Hearing.

***J. PAYROLL & VOUCHERS:** Payroll No. 9 in the net amount of \$517,370.10, and Voucher Numbers 136705 through 136954 nonsequentially in the amount of \$699,768.39 were approved by order of the Consent Calendar.

K. SCHEDULED MEETINGS

Mayor Hammond announced that the next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, June 6, 2006, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Study Session, 6:00 P.M., City Council Chambers, to discuss the 2006-07 Fiscal Year Budget.

L. ORAL COMMUNICATIONS, CONTINUED, IF NEEDED: None

M. REPORT OF CLOSED SESSION: Conference with Labor Negotiator pursuant to Government Code Section §54957.6 Agency Negotiator: Theresa St. Peter; Group Employees: Monrovia Firefighters' Association, Monrovia Police Officers' Association, Monrovia Municipal Employees Association, Hourly, and Managers, Mid-Managers, and Elected and Appointed Employees


Mayor Hammond reported that no reportable action was taken in Closed Session.

N. ADJOURNMENT TO CLOSED SESSION: At 9:16 P.M., Mayor Hammond adjourned the Meeting in memory of John Edward Luna, Brother of Administrative Services' Administrative Secretary Sylvia Carrillo, Frank Morimoto, Lou Petrie, Joella Crensha, mother of Chamber of Commerce employee Darlene Rios, and former Public Works Employee Ben Harrington to Closed Session to discuss Public Employee Performance Evaluation, Government Code §54957, City Manager, and announced that the City Council would convene in these Chambers to announce any action taken in Closed Session.

O. RECONVENE AND REPORT OF CLOSED SESSION: At 10:10 P.M., Mayor Hammond convened the City Council Meeting. City Attorney Steele reported that no reportable action was taken in Closed Session.

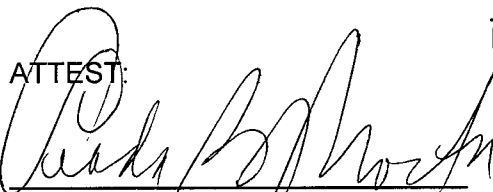
P. ADJOURNMENT: Mayor Hammond adjourned the Meeting at 10:10 P.M.

APPROVED:



Rob Hammond, Mayor

ATTEST:



Linda B. Proctor, MMC, City Clerk