

**MINUTES OF THE REGULAR MEETING  
OF THE  
MONROVIA CITY COUNCIL  
HELD TUESDAY, MAY 18, 2004, 7 30 P M**

**CONVENE** Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, May 18, 2004 at 7 38 P M in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Budget Study Session, 6 09 P M , in City Council Chambers Staff in attendance was City Manager Scott Ochoa, City Attorney Craig A Steele, and City Clerk Linda B Proctor

**INVOCATION** City Clerk Linda B Proctor led the Invocation

**PLEDGE OF ALLEGIANCE** Councilmember Dan Kirby led the Flag Salute

**ROLL CALL** In attendance were Councilmembers Kirby, Lutz, Mayor Pro Tem Garcia, and Mayor Hammond Councilmember Adams was excused

**REPORT OF CLOSED SESSION(S)** None

**PRESENTATIONS**

**1 Neighborhood Pride Program Award Winners, Single Family/Owner Occupied Category for Property Located at 450 Monrovista Avenue, Owners Jose and Luz Diaz, and Multi-Family Rental Category for Property Located at 401 East Foothill Boulevard (Harding Court), Owners Brad Palfrey and Norm Haley**

Neighborhood Preservation Supervisor Bill Skiles assisted the City Council in recognizing the Neighborhood Pride Program award winners and introducing them to the community

The property owners were recognized for maintaining outstanding properties The program has two categories of properties - single family, owner-occupied, and multi-family rental This quarter's recipients in the single-family owner-occupied property were Jose and Luz Diaz, and multi-family rental property owners, Brad Palfrey and Norm Haley

**2 Recognition of Monrovia Day Association for the 2004 Monrovia Birthday Celebration, and the SoapBox classic Sponsors**

The Mayor and City Council recognized President Donna Baker and the Monrovia Day Association for the 2004 Monrovia Day Celebration Ms Baker introduced and thanked the Board of Directors of the Association, and the various Chairs of the 118<sup>th</sup> Birthday Celebration Event Chamber of Commerce Executive Director Karin Crehan introduced and presented plaques to the top four sponsors of the 2004 SoapBox Classic, and thanked the Chairs and sponsors for their part in the Jamboree Mayor Hammond thanked especially City Councilmember Lutz for her presence all day in the Announcer's Booth

**PROCLAMATIONS**

**1 Proclaiming the Month of May, 2004 as "Elder Abuse Awareness Month"**

Mayor Hammond proclaimed the month of May 2004 as "Elder Abuse Awareness Month " Known to human service professionals as the 'invisible' population, elderly abuse can manifest physically, emotionally and financially and often goes unreported To bring attention to this problem the month of May, 2004 was proclaimed "Elder Abuse Awareness Month "

Lisa Magno accepted the proclamation from the Mayor

**STUDENT GOVERNMENT REPRESENTATIVE REPORT** Student Liaison Susu Ji reported on activities at Monrovia High School

**A CONSENT CALENDAR**

It was moved by Mayor Pro Tem Garcia, seconded by Councilmember Kirby, to approve the Consent Calendar consisting of Items \*B, \*F-1, \*I-5, \*I-6, \*I-7, and \*J

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

**\*B MINUTES** The Minutes of the Regular Meeting of May 4, 2004, were approved by order of the Consent Calendar

**C ORAL COMMUNICATIONS**

- 1 Martha Welsh, Monrovia, expressed her displeasure regarding the recent telephone survey
- 2 Clare Chesley, Monrovia, invited all to attend the Memorial Day Services in Monrovia
- 3 Nancy Zack, Monrovia, expressed her displeasure on the recent community survey
- 4 Stephen Grollnek, Monrovia, expressed his displeasure on the community survey He thanked the people who put on the parade stating that he did not like the change to Sunday
- 5 Cyrus Kemp, Monrovia, expressed his displeasure regarding the community survey
- 6 Rosemary Harrahill, Monrovia, expressed her displeasure of dogs not on a leash, and requested information on how to resolve the matter She was referred to Police Chief Roger Johnson, in attendance
- 7 Chuck Keene, Monrovia, reported that the Memorial Day Remembrance would be held in Arcadia Park, Saturday May 29, 23004, 10 00 A M to 3 00 P M

**D PUBLIC HEARINGS/MEETINGS**

**1 Vesting Tract Map No 60806/Conditional Use Permit CUP2004-10, 853-855 West Olive Avenue, Tom Courtney, Applicant**

Steve Sizemore, Planning Division Manager, reviewed the Staff Report

The applicant, Tom Courtney, requested approval of a Vesting Tentative Tract Map and Conditional Use Permit to allow the construction of a 6 unit, detached, 2-story Planned Unit Development The subject site consisted of two rectangular lots located on the northerly side of West Olive Avenue The site had an RM/RH (Residential Medium/Residential High) Zone designation as did the surrounding properties The properties were located in a transitional neighborhood that featured a mix of single family, apartment and condominium land uses The six dwelling units were evenly dispersed throughout the site with three units on each side of a central driveway

On January 14, 2004, the Planning Commission held a Public Hearing to review the proposed project The applicant and the applicant's architect spoke in favor of the project The neighbor to the west also spoke in favor of the development At the close of the Public Hearing, the Planning Commission requested that the units have different Olive Avenue elevations As a result, a condition was added that required the developer to redesign the development to provide architectural variation among the units The developer worked on a number of designs to provide for two elevation types The revisions had been completed and the project was now ready for City Council consideration

The Planning Commission unanimously approved forwarding a recommendation of approval to the City Council

Mr Sizemore reported that only one letter was received and it was in opposition to the project The letter was from Jeanne Marcoux, 856 West Colorado Boulevard He stated that Staff would meet with Ms Marcoux and determine what could be done to alleviate her concerns

**PUBLIC HEARING OPENED AND CLOSED** Mayor Hammond opened and closed the Public Hearing as there was no one who wished to speak for or against the matter

**It was moved by Mayor Pro Tem Garcia, seconded by City Councilmember Lutz, to approve Vesting Tentative Tract Map No 60806/Conditional Use Permit CUP2004-01 at 853-855 West Olive Avenue subject to the recommendations in the Staff Report**

Councilmember Kirby expressed his concern for Ms Marcoux's and asked that Staff work with her

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

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

**CONVENE** Chairman Rob Hammond convened the Regular Meeting of May 18, 2004 of the Monrovia Redevelopment Agency Board of Directors at 8 57 P M in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting

**ROLL CALL** Those in attendance were Boardmembers Dan Kirby, Mary Ann Lutz, Vice-Chairman Joe Garcia, and Chairman Rob Hammond Boardmember Tom Adams was excused

**A CONSENT CALENDAR**

**It was moved by Vice Chairman Garcia, seconded by Boardmember Lutz, to approve the Consent Calendar consisting of Item \*B** There were no objections

**\*B MINUTES** The Minutes of the Regular Meeting of May 4, 2004, were approved by order of the Consent Calendar

**MRA REPORTS** None

**MRA ADJOURNMENT** Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 8 57 P M and the City Council Meeting continued

**RECONVENE MONROVIA CITY COUNCIL MEETING**

**E BIDS**

**1 2003-2004 Street Resurfacing Program, Foothill Boulevard, Project No C-2925, Award of Bid to Gentry Brothers, Inc in the Amount of \$659,050 00**

Doug Benash, City Engineer, reviewed the Staff Report

Foothill Boulevard was classified as a secondary street with a speed limit of 35 miles per hour Staff estimated the concrete pavement between Mayflower and Shamrock Avenues was constructed in the early 1920's The pavement condition had been degraded due to traffic loading and utility cuts Public Works staff applied for and received Federal funding for this project The scope of work included removal and reconstruction of broken concrete panels, grinding of the uneven edges and ridges, joint sealing, reconstruction of traffic signal loops and re-striping

On May 4, 2004, eight (8) bids were received and opened by the City Clerk ranging from \$659,050 00 to \$1,154,820 00



**2 Mayor Pro Tem Garcia reported that**

(a) **Local Legislative Action Days** Last Wednesday he and City Manager Ochoa participated in Legislative Action Days in Sacramento sponsored by the League of California Cities As the voting delegate, he voted to support the League's alternative to its initiative that will remain on the November ballot He explained the points of the negotiations between the Governor and the League Board of Directors

**3 Councilmember Adams was excused****4 Councilmember Kirby reported that**

(a) People and Wildlife Program, "On the Edge," sponsored by the Foothills Wildlife Conservancy, will be presented at Clifton Auditorium on Tuesday, May 25, 2004, 7 00 P M He explained the purpose of the program

**5 Councilmember Lutz reported that**

(a) Monrovia Arts Festival Association will hold its annual Black Tie Event on Saturday, May 22, 2004, at the Aztec Hotel The Renaissance Award will be presented to Joanne Spring

**H REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES None****I ADMINISTRATIVE REPORTS****1 Oral Report by Fire Chief Sam DiGiovanna, Wildland Fire Mitigation Plan**

Fire Chief Sam DiGiovanna presented an overview of the Wildland Fire Mitigation Plan with the aid of a power point presentation

**2 Renewal of Agreement with Community Media of the Foothills for Public Access, Governmental and Educational Cable Television Production and Cablecasting for Fiscal Year 2004-2005**

Dick Singer, Public Information Officer, reviewed the Staff Report

An existing contract between the City and Community Media of the Foothills (CMF) was extended for one year in May 2003 and would expire June 30 of this year The contract called for CMF to provide Public, Educational and Government (PEG) Access for the City, and provided CMF with funding allocated by the City Council and designated for public access in the City's cable franchise agreements with both the Adelphia and Altrio cable systems This one-year extension made no changes in the existing agreement

**It was moved by Councilmember Lutz, seconded by Mayor Pro Tem Garcia, to approve a one-year extension of the current contract with Community Media of the Foothills from July 1, 2004 to June 30, 2005 and authorize the Mayor and City Clerk to execute the agreement** There were no objections

**3 First Amendment to City Manager's Employment Agreement Regarding the Secured Housing Assistance Loan, Resolution No 2004-17**

City Attorney Craig Steele reviewed the Staff Report

During contract negotiations with the City Manager, the City Council expressed its willingness to discuss providing housing assistance to the City Manager if such assistance would make it possible for the City Manager to relocate his primary residence to the City At the City Council Meeting on April 18 2004, there was discussion regarding the feasibility of offering a first mortgage This alternative would put the City in a first position on the security of the property The other option discussed was a second mortgage loan, in an amount not to exceed \$275,000 00 The City would be in a second position on the security of the property



**\*6 Renewal of Shared Electrical Use Contract Agreement with Caltrans for Traffic Signals**

This matter was approved by order of the Consent Calendar

On October 13, 1971 the City Council entered into an agreement with the California State Department of Transportation for the shared operation, maintenance and repair of the eight traffic signal systems installed adjacent to the 210-freeway. The system locations are at the access ramps at Huntington Drive, Myrtle Avenue, and Mountain Avenue, also at California Avenue where there were no access ramps. The Department of Transportation was reviewing and revising its Electrical Facility Cost Sharing Agreements. City Staff and the City Attorney reviewed its document and found it to be compatible with the existing agreement.

These operational, maintenance, and repair costs were not fixed and would vary due to accident damage that occurred to the equipment, i.e., the annual costs incurred for fiscal year 2002-2003 were \$7,300.00.

**\*7 Fire Road Maintenance Agreement with the Consolidated Fire Protection District of Los Angeles**

This matter was approved by order of the Consent Calendar ,

Over the past 20 years or more the Lower Clamshell Truck Trail Fire Road had been graded and cleared of brush on an annual basis by the Los Angeles County Fire Department Heavy Equipment Operator and Hand-Crews. This work was done free of charge because of the joint aid responsibilities and mutual need for access across Monrovia's foothills. The Los Angeles County Fire Department discontinued providing this free service because the City did not have a Council approved Maintenance Agreement, which they now require.

The Consolidated Fire Protection District of Los Angeles County was more than willing to reconvene with this vital process of grading and clearing the Lower Clamshell Truck Trail Fire Road of brush and rock slides on an annual basis as long as the City had a Council approved Maintenance Agreement. This Fire Road Maintenance Agreement has been reviewed and redrafted several times by both the County Council and our City Attorney. The final copy of the proposed agreement for services was on file with the Office of the City Clerk and attached for your reference.

In essence, the final copy of the proposed agreement for services spelled out the agreed area for services and the type of maintenance work to be done. This work would be done free of charge unless Staff ordered special or additional non-maintenance roadwork to be done, and for that, the agreement has Labor and Equipment Rates. Another major component to this agreement was the Indemnification by the City of Monrovia and the Indemnification by the County District.

**\*J PAYROLL & VOUCHERS**

Payroll No. 10 in the net amount of \$441,742.33, and Voucher Numbers 118334 through 118644 non-sequentially in the amount of \$571,150.56 were approved by order of the Consent Calendar.

**K SCHEDULED MEETINGS**

The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, June 1, 2004, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Budget Study Session, 6:00 P.M., City Council Chambers.

**L ORAL COMMUNICATIONS, CONTINUED, IF NEEDED None**

**M CLOSED SESSION** At 10:00 P.M., Mayor Hammond reported that the City Council would hold a Closed Session to discuss the following matters, adjourn from Closed Session, and report at the next regularly scheduled City Council Meeting.

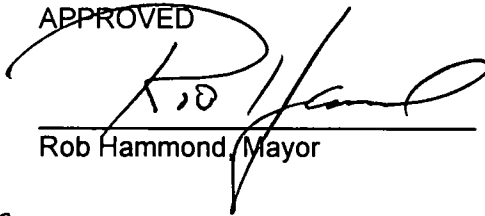
1 Conference with Labor Negotiator pursuant to Government Code Section §54957.6 Agency Negotiator Theresa St Peter, Group Employees Monrovia Firefighters' Association, Monrovia Police Officers' Association, Monrovia Municipal Employees' Association, and Managers, Mid-Managers and Elected and Appointed Employees

2 Conference with Legal Counsel, Government Code §54956.9(a), Worker's Compensation Claim, James Lopez, Case No 02-27820

3 Conference with Legal Counsel, Pending Litigation, Government Code §54956.9(a), City of Monrovia vs Andrew L Youngquist Construction, et al , Los Angeles Superior Court Case No BC 304843

**N ADJOURNMENT** At 10:02 P M , Mayor Hammond adjourned the City Council Meeting in memory of Albert Arthur Geiger Closed Session convened at 10:10 P M and adjourned at 11:05 P M

APPROVED



Rob Hammond, Mayor

ATTEST



Linda B Proctor, CMC, City Clerk