

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, NOVEMBER 12, 2002, 7:30 P.M.**

CONVENE: Mayor Lara Larramendi Blakely convened the Regular Meeting of the Monrovia City Council of Tuesday, November 12, 2002 at 7 30 P M , in City Council Chambers, 415 South Ivy Avenue, Monrovia, California

FLAG SALUTE: Councilmember Tom Adams led the Flag Salute

INVOCATION: Dr John Mastrogiovanni, Jesus is Lord Christian Center, led the invocation

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

REPORT OF CLOSED SESSION (S): None

PRESENTATIONS:

1. **Introduction of Newly Hired Police Department Personnel; Monica Ridley, Communications Operator, Frederick Schoeler, Police Chaplain, and Police Officers Todd McAvoy and Angelo Sinisi**

Police Chief Roger Johnson introduced and gave a brief history of newly hired Police Department personnel, Monica Ridley, Frederick Schoeler (unable to attend), Todd McAvoy and Angelo Sinisi, to the Mayor, City Council and community Mayor Blakely welcomed them to the Monrovia family.

2. **Introduction of Newly Promoted Police Department Personnel; Captain Donald Lacher, Lieutenant James Hunt, Sergeant Jamie Alfaro and Sergeant Thomas Wright**

Police Chief Roger Johnson introduced newly promoted Police Department personnel, Captain Donald Lacher, Lieutenant James Hunt, Sergeant Jamie Alfaro and Sergeant Thomas Wright, to the Mayor, City Council and community Mayor Blakely congratulated each on their promotion

3. **Recognition of the Sponsors of the 2002 Halloween Event "A Halloween Haunt"**

Kerri Zessau, Recreation Supervisor, introduced the main sponsors of this year's Halloween event "A Halloween Haunt" that took place at Library Park on October 31 2002 to the Mayor, City Council and community This year's main sponsors were The Bates Company, Oil Stop Drive Thru Oil Change, Lathrop and Dorothy Hoffman, Memory Lane Coffee and Foothill Transit.

PROCLAMATIONS

1. **Proclaiming November 15, 2002 as "America Recycles Day"**

Mayor Blakely proclaimed November 15, 2002 as "America Recycles Day" Each year, Americans generate nearly 230 million tons of solid waste-- that is more than 4 6 pounds per person per day While the nation has reached an overall recycling rate of nearly 28 percent, much more can be done, especially in closing the loop and purchasing products made with recycled content

In celebration of "America Recycles Day" the City will host a fifth grade art contest to focus attention on the need to recycle as much household and business waste as possible. The Proclamation was received by Tamara Evans, who explained the program for the 3rd, 4th, and 5th graders recycling program. The winners will be recognized at the November 26, 2002 City Council Meeting.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Liaison substitute Alex Laushkin reported on activities at Monrovia High School.

A CONSENT CALENDAR

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

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

*B. **MINUTES:** The Minutes of the Regular Meeting of October 8, 2002 were approved by order of the Consent Calendar.

C. ORAL COMMUNICATIONS.

1 Karen Suarez, Chairman, Community Media of the Foothills, thanked everyone for a very successful KGEM telethon held October 19, 2002, which raised over \$15,000.00 for the new studio. She invited interested persons to the upcoming Committee meeting.

2 Rosemary Harrahill, Monrovia, expressed her opinion regarding Mayor Blakely's remarks at the November 11, 2002 Veteran's Day Memorial.

3 Lisa Magno, Monrovia, announced that the Monrovia Providers Group, Inc., would hold a seminar at the Community Center, 9:00 AM to 2:00 PM, on Thursday, October 10, 2002 entitled "Putting the Gold Back Into the Golden Years."

In response to Ms. Harrahill's comments, Mayor Blakely responded that she was merely welcoming attendees to the Memorial as she was asked and was given approximately 10 seconds to do so, and that Mayor Gail Marshall, City of Arcadia, was the keynote speaker.

D. PUBLIC MEETINGS/HEARINGS:

1. **Amendment to the Land Use Element of the General Plan and 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; General Plan Amendment GPA2002-03, Adoption of Resolution No. 2002-73; and Zone Change ZC2002-01, Introduction and First Reading of Ordinance No. 2002-12**

Alice Griselle, Director of Community Development, reviewed the Staff Report.

The application of the Hillside Wilderness Preserve designation to the newly acquired properties follows the mandate approved in Measures A and B by limiting the allowable uses on properties acquired by the City for open space to "passive recreational" uses as specified in Measure A.

The City recently acquired 232 acres for open space. These properties are comprised of the Miller property (166 acres), S Pokrajac property (5 acres), and the Bowden property (61 acres).

The proposed General Plan amendment and zone change would change the residential land use and zoning designations on these properties to Hillside Wilderness Preserve (HWP) Both the General Plan Amendment and zone change require City Council approval General Plan amendments are approved by City Council Resolution No 2002-73 and zone changes are adopted by Ordinance 2002-12 A letter from Tom Seuss disputing the environmental determination was attached to the Staff Report A letter from Pat Rostker in favor of the project was presented

The Planning Commission held a Public Hearing on October 9, 2002 to review the request Following the Public Hearing, the Planning Commission unanimously adopted Resolution No 2002-17 and 2002-18 recommending approval to the City Council of the General Plan Amendment and Zone Change

Public Hearing Opened and Closed: Mayor Blakely opened and closed the Public Hearing as there was no one who wished to speak for or against the matter

It was moved by Councilmember Adams, seconded by Councilmember Franco, to adopt Resolution No. 2002-73 approving General Plan Amendment GPA2002-03 and introduce, waive further reading, and read by title only Ordinance No. 2002-12.

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

As there were no objections, City Attorney Craig A Steele read as follows

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, AMENDING TITLE 17 (ZONING), SECTION 17.04.040, THE OFFICIAL ZONING MAP, OF THE MONROVIA MUNICIPAL CODE.

2. Tract Map No. TTM54022/ Conditional Use Permit CUP2002-20 to Construct a 4-Unit, 2-Story Planned Unit Development in the RM3500/PUD (Residential Medium Density) Zone for Property Located at 416 East Olive Avenue, by Edgar Bourne, Developer

Alice Griselle, Director of Community Development, reviewed the Staff Report

At its meeting of October 9, 2002, the Planning Commission held a Public Hearing to review a proposal for a Tentative Tract Map and a Conditional Use Permit to construct a four-(4) unit, detached, two story Planned Unit Development in the RM3500/PUD (Residential Medium Density) Zone There was no testimony in opposition to the project. After the public hearing, the Commission voted to recommend approval of the project to the City Council

The proposed site plan consists of a four-(4) unit detached, two-story planned unit development The proposal meets all the development standards of the Zoning Ordinance including, parking, setbacks, building separation, recreation space, and fencing

In keeping with the character of the neighborhood, the applicant is proposing a modern Craftsman architecture The front unit facing Olive Avenue provides a front porch and front facing door The overall site layout provides adequate building separation and open space The dwellings are well designed with craftsman architecture with adequate roof and facade modulation, and architectural detailing The existing structure on the site has six rental units and a non-conforming parking situation Consequently, the density of the site is not increasing and the parking is being substantially upgraded. The development of the site with

single-family detached homes allows the project to better blend with the existing neighborhood

The Planning Commission recommended approval of the proposed project to the City Council

Public Hearing Opened: Mayor Blakely opened the Public Hearing

Those in favor

Gail Littlejohn, representing Developer Bourne She confirmed that local preservationists would be allowed to salvage the windows and other appropriate elements from the existing units

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 Garcia, to approve Tentative Tract Map No. 54022 and Conditional Use Permit CUP2002-20 subject to the Planning conditions on Data Sheet No. 1, Fire conditions on Data Sheet No. 2 and Public Works conditions on Data Sheet No. 3.

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

CONVENE MONROVIA REDEVELOPMENT AGENCY MEETING WITHOUT ADJOURNING CITY COUNCIL MEETING

CONVENE: Chairman Lara Larramendi Blakely convened the Regular Meeting of November 12, 2002 of the Monrovia Redevelopment Agency Board of Directors at 8 15 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, Garcia, Vice-Chairman Hammond, and Chairman Lara Larramendi Blakely

A. CONSENT CALENDAR: *B

***B. MINUTES:** The Minutes of the Meeting of October 8, 2002, were approved by order of the Consent Calendar

MRA REPORTS:

1. Sponsorship of a Six-Month Pilot Valet Parking Program in Old Town

Kevin O'Brien, Sr Project Manager, reviewed the Staff Report

Mr O'Brien stated that as has been discussed on many occasions, there is no single solution to addressing the parking needs in Old Town, but rather the answer is a variety of programs that are timed to meet the growing need Valet parking is one piece of the puzzle Based on requests, particularly from the downtown restaurants, this seemed to be a concept whose time had come

Because of the logistical issues involved in getting a program off the ground, it may be too difficult a task for one single business establishment to accomplish on their own As the entity charged with having the primary responsibility for developing new parking resources, the City and Agency were best suited to develop a program and demonstrate its viability Consequently, the Agency proposes to establish and operate a six-month pilot program At

the program's conclusion, its operation and funding would be turned over to those establishments that benefit from valet services. In the beginning, Staff anticipates that the program will run at a slight deficit. The Agency's subsidy would not exceed \$15,000.00.

Under the program, valet services would be offered from a single station, located on East Lemon Avenue, just east of Myrtle Avenue, with parking at Homer's Auto Repair lot, which will hold between 30 and 40 cars. It would be operational on Friday and Saturday evenings, between 5:00 PM and 11:00 PM. The cost per vehicle would be \$4.00, and all merchants and restaurants could participate in a voluntary validation program.

Discussion ensued. Traffic flow, alternate valet stations using existing red zones, and parking lot areas were discussed. City Manager Hopper explained that the valet companies met with were well established and experienced and had suggested the proposal, and that it would evolve as it progressed. Mr. O'Brien noted that by using Homer's lot, it is all new parking and no existing parking areas would be sacrificed. City Manager Hopper stated that the alternatives recommended would be taken back to the Traffic Safety Committee and the Development Review Committee as good suggestions.

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Hammond, to approve the sponsorship of a six-month pilot Valet Parking Program in Old Town with an update in three months.

**ROLL CALL: Ayes: Boardmembers Adams, Franco, Garcia, Vice-Chairman Hammond, and Chairman Blakely
Motion carried: 5-0**

MRA ADJOURNMENT: Chairman Blakely adjourned the Monrovia Redevelopment Agency Meeting at 8:33 P.M. and the City Council Meeting continued.

RECONVENE MONROVIA CITY COUNCIL MEETING

E. BIDS:

1. 2002-2003 Community Development Block Grant (CDBG) Sidewalk and Americans with Disabilities Act (ADA) Ramp Project; Award of Contracts to F.S. Construction in the Total Amount of \$78,115.00, and Reject all Other Bids

Doug Benash, City Engineer, reviewed the Staff Report.

The CDBG Funds are used for removal of handicap barriers and to provide a safer route for pedestrians and school children by the replacement of deteriorated sidewalks and handicap ramps.

The City received nine bids ranging from \$33,915.00 to \$68,865.

The two projects will be funded through the Community Development Block Grant Program by allocations in the amount of \$30,003.00 for the Sidewalk Project (C-2907) and \$45,000.00 for the ADA Access Ramp Project, (C-2910). The Street Maintenance Fund will fund the balance of the sidewalk project in the amount of \$3,912.00.

It was moved by Councilmember Adams, seconded by Councilmember Franco, to award contracts to FS Construction (13634 Berg Street, Sylmar, CA 91342) in the amount of \$33,915.00 for the Sidewalk Project (C-2907), and in the amount of \$44,200.00 for the ADA Access Ramp Project (C-2910) totaling \$78,115.00; and reject all other bids.

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

F COMMUNICATIONS AND PETITIONS:

***1. Denial of Liability Claim; Phillip Swanson v. City of Monrovia**

This matter was approved by order of the Consent Calendar

Mr Swanson claims that on September 1, 2002, a City tree branch fell on his parked vehicle causing damage

Public Works Department records indicate that the tree was assessed and maintained in accordance with the City's established schedule The tree showed no visible sign of disease or decay Therefore, the City bears no responsibility in this matter

Claimant sought \$8,341.93 in damages Staff recommended denial of this claim

G. REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES:

1. Mayor Blakely reported that

(a) The Office of Governor Gray Davis and California State University, Sacramento (CSUS) will sponsor the 2003 State of California Executive Fellowship program giving eighteen college graduates interested in state government and politics is now available Information may be obtained through the City Clerk's Office

(b) She, as President of the San Gabriel Valley Council of Government, and other officers and John Fasana, Corridors Representative through the Metropolitan Transit Authority, met yesterday with the Editorial Board of the Pasadena Star News regarding regional issues, primarily the Gold Line, Phase I and Phase II She gave an update of the progress of the Gold Line and explained the many other issues discussed with the Star News

(c) She met with Louis Celaya, Public Works Department, last week who is the lead for the City on the stormwater and runoff, and environmental issues, and went to a meeting at the Metropolitan Water District Authority, hosted mostly by the Building Industry Association, to discuss the stormwater regulations and how cities and new development can meet the standards, including the environmental impact and the cost of meeting the standards

(d)

2. Mayor Pro Tem Hammond reported that:

(a) He would like more information out to residents regarding Household Hazardous Waste and the City's new successful Curbside Pick-up Program by a big article in Monrovia Today

(b) For the Baker to Vegas Relay Cup Challenge, a strictly 20 person Monrovia team has been organized this year, chaired by Officer Rick Manfredi, for the 120 mile run He stated that many volunteers are needed and asked that interested persons contact the Police Department at the Friday night Family Festival at their booth Donations of their time and/or money are needed They are also selling \$10.00 chances for a Harley Davidson Fat Boy Over 10,000 people are in attendance at the awards ceremony from the United States and Canada, as it is a phenomenal event

3. Councilmember Adams reported that

(a) The Wilderness Preserve Clean-Up Project Work Party would be held on Saturday, November 23, 2002, 9:00 AM until finished, at the Caretakers House which will be used as a Summer Fire Station Prospective volunteers may call him at 930-9317, or Gloria Crudgington at 357-2413 Flyers, which included a map, are available at City Hall

4. Councilmember Franco reported that:

(a) Monrovia Make A Difference Day, was held last October 26, 2002 and was a great success. He encouraged residents to look at the new trees that were planted on Madison Avenue by Monrovia High School. He stated that windows, paint, fences, garage doors, and cleaning yards were among the many projects.

(b) The Monrovia Housing Opportunities and Home Buyers Fair, an event planned at his request, is scheduled for this Saturday, November 16, 2002, 9:00 AM to 1:00 PM, at the Community Center. Monrovia is teaming up with the Montebello Housing Development Corporation and Arcadia Association of Realtors to provide housing, ownership and home improvement opportunities to the public. There will be vendor booths and service related booths. There will be breakout meetings for each of the programs. There will be credit counselors, lenders, and realtors, to make it as easy as possible for one to find a mortgage rate to fit all budgets. A PSA was then shown which has been airing on KGEM. He thanked everyone for their efforts in the project.

5. Councilmember Garcia reported that:

(a) He attended that Aztec Hotel Dedication Ceremony last Tuesday which was very well attended. The California Historic Preservationist Officer and California and National Route 66 Association representatives were also there. He thanked everyone who was involved in getting this dedication through. The hotel is now on the National Register of Historic Places. He dispelled all rumors that the Aztec Hotel was going to be demolished for redevelopment.

(b) He attended the Los Angeles Division League of California Cities meeting where an overview of the year was given. He was nominated again to sit on the 2003 Housing Community and Economic Policy Committee.

H. REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES: None**I. ADMINISTRATIVE REPORTS****1. Amendment of Title 10 of the Monrovia Municipal Code Relating to the 2002-2007 Engineering and Traffic Survey for City Street Speed Limits, Introduction and First Reading of Ordinance No. 2002-15**

Dave Fike, Director of Public Works, reviewed the Staff Report.

The Monrovia Municipal Code, Section 10.04.010 requires an Engineering and Traffic Survey every five years for the City Council to determine speed limits on certain streets other than the basic prima facie speed limit of 25 mph. The survey consisted of the same 24 street segments as the previous 5 years. This year's survey also added Grand Avenue—Hillcrest Boulevard to Greystone Avenue, and May Avenue—Hillcrest Boulevard to Foothill Boulevard. Speed reduction is recommended for the following street segments:

Canyon Boulevard, Scenic Drive to Hillcrest: Reduce from 30 mph to 25 mph

Canyon Boulevard, Hillcrest Boulevard to Foothill Boulevard: Reduce from 30 mph to 25 mph

Huntington Drive, Mountain Avenue to East City Limits: Reduce from 40 mph to 35 mph

If the Engineering and Traffic Survey for Speed Limits Study is not approved, there will be a loss in revenues to the City as speeding citations given to speeders in the City of Monrovia will be overturned in court. Also, for those streets where permitted speeds are recommended to be reduced, the City will be unable to set the permitted speeds commensurate with safe driving conditions.

It was moved by Councilmember Adams, seconded by Councilmember Franco, to introduce, waive further reading, and read by title only Ordinance No. 2002-15. As there were no objections, City Attorney Steele read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, AMENDING CHAPTR 10.04 OF THE MONROVIA MUNICIPAL RELATED TO SPEED LIMITS.

***2 Set for Public Hearing on November 26, 2002; Historic Landmark HL-46/Mills Act Contract MA-44 for Property located at 356 North Myrtle Avenue by Owners Bill and Gail Hartley; Resolution No. 2002-96**

This matter was approved by order of the Consent Calendar

At its meeting of October 30, 2002, the Historic Preservation Commission recommended approval of Historic Landmark designation and execution of a Mills Act Contract with the property owners for the property located at 356 North Myrtle Avenue

Staff recommended setting November 26, 2002 as the date of the Public Hearing

***3. Set for Public Hearing on November 26, 2002, Historic Landmark HL-47/Mills Act Contract MA-45 for Property located at 360 North Myrtle Avenue by Owners Eric and Jill Perez; Resolution No. 2002-97**

At its meeting of October 30, 2002, the Historic Preservation Commission recommended approval of Historic Landmark designation and execution of a Mills Act Contract with the property owners for the property located at 360 North Myrtle Avenue

Staff recommended setting November 26, 2002 as the date of the Public Hearing

***4. Authorization to Participate as Amicus Curiae with the League of California Cities in Support of the City of Morgan Hill in San Jose Christian College v. City of Morgan Hill (Ninth Circuit Court of Appeals Case No. 02-15693)**

This matter was approved by order of the Consent Calendar

City Attorney Craig A Steele recommended that the City of Monrovia participate as *amicus curiae* with the League of California Cities in support of the City of Morgan Hill in **San Jose Christian College v. City of Morgan Hill** (Ninth Circuit Court of Appeals Case No 02-15693) This case involves the important question of the scope and applicability of the Federal Religious Land Use and Institutionalized Persons Act ("RLUIPA") to local zoning decisions Various interest groups have argued that under RLUIPA, cities have little, if any authority to apply normal land use and zoning constraints to proposed uses of property by religious institutions This case would uphold cities' right to apply traditional, non-discriminatory zoning authority to religious land uses

***5 Authorization to Participate as Amicus Curiae with the League of California Cities in Support of the City of Sacramento in Barden v. City of Sacramento, 292F.3d 1073 (9th Circuit 2002)**

This matter was approved by order of the Consent Calendar

City Attorney Craig A Steele recommended that the City of Monrovia participate as *amicus curiae* with the League of California Cities in support of the City of Sacramento in **Barden v. City of Sacramento**, 292 F 3d 1073 (9th Circuit 2002) The City of Sacramento is seeking review of this case by the United States Supreme Court This case involves the important question of the scope and applicability of the American with Disabilities Act ("ADA") to city sidewalks If allowed to stand, the 9th Circuit's decision in this case could require all cities to

make all existing sidewalks "accessible" to individuals with disabilities at potentially enormous cost

J. RESOLUTIONS & ORDINANCES: None

***K. PAYROLL & VOUCHERS:** Payroll Nos 22 and 23 in the net amount of \$484,143 23 and \$432,064 60 respectively and Voucher Numbers 106479 through 106913 non-sequentially in the amount of \$1,867,471 12 were approved by order of the Consent Calendar

L. SCHEDULED MEETINGS

A Special Joint Meeting of the Monrovia City Council and the Monrovia Ministerial Association is scheduled for Wednesday, November 20, 2002, 8 30 A.M., Mimi's Café, 500 West Huntington Drive, Monrovia, California

The next Regular Meeting of the Monrovia City Council is scheduled for Tuesday, November 26, 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 9:12 P M in memory of Ruth Gardner and Molly (Mrs Gilbert L.) Biggle.

APPROVED

Lara Larramendi Blakely, Mayor

ATTEST

Linda B Proctor, CMC, City Clerk