

**MINUTES OF THE REGULAR MEETING  
OF THE  
MONROVIA CITY COUNCIL  
HELD TUESDAY, JUNE 20, 2006, 7:30 P.M.**

**CONVENE:** Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, June 20, 2006 at 7:32 P.M. in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, (preceded by the Salute to Service Program at 7:06 P.M., City Council Chambers, at which all City Councilmembers, with the exception of Councilmember Kirby, were in attendance). Staff in attendance was City Manager Scott Ochoa, Acting City Attorney William Rudell and Deputy City Clerk Alice Atkins.

**INVOCATION:** Pastor Richard Sullender presented the Invocation.

**PLEDGE OF ALLEGIANCE:** Councilmember Joe Garcia led the Flag Salute.

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

**PRESENTATIONS:**

**1. Recognition of Monrovia Day Association for the 2006 Monrovia Birthday Celebration**

The Mayor and City Council recognized the Monrovia Day Association for its presentation of the 2006 Monrovia Day Parade and the Monrovia Birthday Bash. President Donna Baker accepted the Certificate of Appreciation and acknowledged the many committee members and volunteers who worked on the event. Monrovia Chamber of Commerce Executive Karin Crehan presented plaques from the Chamber to the major sponsors.

**2. Introduction of Newly Hired Police Officers C.J. Wilkins and Vartan Tamamian, and Police Department Information Services Technician Jeff Warmuth**

Police Lieutenant James Hunt introduced newly hired Police Officers C. J. Wilkins and Vartan Tamamian, and Police Department Information Services Technician Jeff Warmuth to the Mayor, City Council and the community.

**3. Recognition of Agent Patty Newton and Retiring Police Canine Zas**

Police Chief Roger Johnson presented the Police Canine Team of Agent Patty Newton and Zas with a commendation for their service to the community. Zas retired after eight years of service.

**STUDENT GOVERNMENT REPRESENTATIVE REPORT:** To resume in September

**PROCLAMATIONS:** There were none.

**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-5, \*I-6, \*I-7, \*I-8, \*I-9, \*I-10, and \*J. There were no objections.

**\*B. UNADOPTED MINUTES:** The unadopted Minutes of the Regular Meeting of June 6, 2006 were adopted by order of the Consent Calendar.

**C. ORAL COMMUNICATIONS:**

Those speaking:

1. Christine Owens, Focus One Credit Union, representing Monrovia Chamber of Commerce
2. Stephen Grollnek, Monrovia
3. Rodney Jefferson, A-Game Fundamental Basketball Clinic
4. Debra Elliott-Penzer, Monrovia
5. Cyrus Kemp, Monrovia
6. Bill Beebe, Monrovia Arts Festival Association

The following matter was taken out of order:

**G. REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES**

1. **Mayor Hammond** report that:

**(a) Appointment of Commissioners and Boardmembers.** It was moved by Mayor Hammond, seconded by Councilmember Adams, to appoint the following to Commissions and Boards: Planning Commission, three year term, Bill Beebe, Susannah Cupp, two year term, Tom Blank (to complete the unexpired term of Don Theall), and one year term, Brad Palfrey (to complete the unexpired term of Ed Zoolalian); Historic Preservation, three year term, Donna Baker, Marianna Lee, Tim Shea; Community Services Commission, three year term, Thomas Dittmar, Kim Herney; Monrovia Old Town Advisory Board, two year term, Cyndi Bolander, Jerry Braschia, Ted Goldbeck. There were no objections.

**D. PUBLIC HEARINGS/MEETINGS:**

1. **Historic Landmark HL-96/Mills Act Contract MA-91 for the Property Located at 628 East Foothill Boulevard by Property Owners, John J. and Marie C. Bruno, Resolution No. 2006-32**

Steve Sizemore, Planning Division Manager, reviewed the Staff Report.

This single-story home was built in 1917 and had three bedrooms and three bathrooms. The approximately 1,890 square foot house was a combination of Craftsman and Colonial Revival architecture.

At its meeting of May 24, 2006, the Historic Preservation Commission determined that the house met Criteria Number 1 (Notable builder/architect), and Criteria Number 4 (Architecture) for designation and voted unanimously to recommend approval of Historic Landmark status and execution of a Mills Act Contract.

**PUBLIC HEARING OPENED:** Mayor Hammond opened and closed the Public Hearing as there was no one who wished to speak on the matter.

**It was moved by Councilmember Adams, seconded by Mayor Pro Tem Lutz, to approve Resolution No. 2006-32 designating the property at 628 East Foothill Boulevard as Historic Landmark Number 96 and approve entering into a Mills Act Contract with the conditions of approval.**

**ROLL CALL:**

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

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

**CONVENE:** Chairman Rob Hammond convened the Regular Meeting of June 20, 2006 of the Monrovia Redevelopment Agency Board of Directors at 8:19 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 Mary Ann Lutz, and Chairman Rob Hammond. Boardmember Kirby was excused.

**A. CONSENT CALENDAR:**

It was moved by Boardmember Adams, seconded by Boardmember Garcia, to adopt the Consent Calendar consisting of Agenda Items \*B and \*MRA-3. There were no objections.

**\*B. UNADOPTED MINUTES:** The unadopted Minutes of the Regular Meeting of the Monrovia Redevelopment Agency of June 6, 2006 were approved by order of the Consent Calendar.

**MRA REPORTS**

**1. Adoption of Fiscal Year 2006-07 Budget, Resolution No. 4-2006**

Mark Alvarado, Finance Director, reviewed the Staff Report.

Based upon the status of the Redevelopment Agency's four funds, they were all projected to end the fiscal year with a positive fund balance. The Agency had two debt service bond funds. The first one was the Debt Service Fund and accounted for the 1998B Refunding Bonds, the 2002 Taxable Tax Allocation Refunding Bonds, the 2003 Taxable Tax Allocation Refunding Bonds, and the 2006A & B Taxable and Tax Allocation Bonds.

In addition, as part of the State of California's budget process for the 2006-07 fiscal year, the governor's proposal included the elimination of the Educational Revenue Augmentation Fund ("ERAF") takeaway from Redevelopment Agencies. The State took away property tax revenue in the amount of \$155,000 in 2002-03, \$280,000 in 2003-04, \$607,000 in 2004-05, and \$561,000 in 2005-06. This increase in property tax revenue had been accounted for in the 2006-07 budget. In addition, the Agency projected a 4% growth in tax increment revenue.

The Low and Moderate Income Housing Fund was mandated by law to receive 20% of every tax increment dollar received by the Agency. Beginning with fiscal year 1998-99, a portion of this 20% tax increment was pledged as debt service payments for the 1998A and B Bonds. The Housing Fund received approximately \$5,000,000 in bond proceeds, in fiscal year 1998-99, as part of the 1998A and B Bonds refinancing. The Housing Fund was projected to receive approximately \$500,000 in tax increment revenue after the debt service obligations have been met.

Lastly, the Economic Development Fund was scheduled to move forward with many projects. A partial listing included Fifth Avenue & Huntington Drive, Station Square, and Transit Center.

Mayor Hammond asked Finance Director Alvarado to explain the benefits of debt for the Redevelopment Agency. He indicated a desire to have Brenda Trainor do an On Point show on just Redevelopment financing to help the community understand the financial side of all the new projects the Agency was involved in.

It was moved by Boardmember Adams, seconded by Vice-Chairman Lutz, to adopt Resolution No. 4-2006, relating to the Fiscal Year 2006-2007 Budget.

**Ayes:** Boardmembers Adams, Garcia, Vice-Chairman Lutz and Chairman Hammond  
**Absent:** Boardmember Kirby  
**Motion carried:** 4-0

**2. Acquisition of Real Property Located at 1616 South California Avenue for the Total Consideration of \$5,800,000.00; 1620 South California Avenue for the Total Consideration of \$3,950,000.00; and 475 East Duarte Road for the Total Consideration of \$5,800,000.00, Resolution No. 5-2006**

Kevin O'Brien, Redevelopment Division Manager, reviewed the Staff Report.

On November 15, 2005, the Agency Board approved an Exclusive Negotiating Agreement between the Monrovia Redevelopment Agency and Olson Urban Housing, LLC, and Samuelson & Fetter, LLC for the Station Square Study Area. The site was comprised of approximately 180 separate ownership interests and acquisitions were generally not planned to begin until a Disposition and Development Agreement was approved. There were, however, a number of large key sites that the Agency had either acquired, or had initiated discussions with the owners. One of the largest land holdings owned by a single entity was the subject site located on California Avenue and Duarte Road.

Given the prominence of the site, Agency Staff initiated discussions with the owners, to determine if they would consider selling its real property holdings to the Agency. Their facilities totaled 211,677 square feet, and their land covered close to eleven acres. The improvements on the property were older and inefficiently laid out and the owners were processing plans through the City to complete an extensive remodel of their facility. After learning about the Station Square concept, and following extensive negotiations, the owners had agreed to sell the property to the Agency for the total consideration of \$15,550,000. In addition to the sales price, the owners had agreed to settle their relocation claim against the Agency for the sum of \$1,000,000. As part of the terms of the sale, the owners would have up to thirty months to secure a suitable relocation facility. Escrow on the property would not close until they had completed their move.

**It was moved by Boardmember Garcia, seconded by Boardmember Adams, to adopt Resolution No. 5-2006, and authorize the execution of any required documentation.**

**Ayes:** Boardmembers Adams, Garcia, Vice-Chairman Lutz and Chairman Hammond  
**Absent:** Boardmember Kirby  
**Motion carried:** 4-0

**\*3. Authorization to Enter into Professional Services Contracts for Phase II Environmental Remediation Work at 1601 South Myrtle Avenue for the total Amount of \$90,000.00 with Mayfield Enterprises for the Excavation and Disposal of Contaminants, and with John L. Hunter and Associates for the Total Amount of \$89,000.00 for the Phase II Mitigation Work**

This matter was approved by order of the consent calendar.

The Agency Board authorized the purchase of 1601 South Myrtle Avenue on June 15, 2004 for incorporation into the Monrovia multi-modal transit center. The site was a former gasoline and diesel fueling station which was comprised of two underground storage tanks ("UST's") that were required to be removed as part of the development. Prior to acquiring the property, the Agency commissioned a Phase I environmental assessment report which disclosed that one or

more of the underground storage tanks had discharged gasoline product into the soil. The cost to complete the remediation was deducted from the purchase price paid by the Agency. In addition, the State Water Resources Control Board and the California Environmental Protection Agency had created a fund that allowed owners of UST's to obtain reimbursement, for an amount up to \$1,000,000, for environmental remediation work associated with the removal of UST's. The proposed work would be eligible to receive 100% reimbursement after the completion of the remediation work.

Staff recommended approval of Professional Services Contracts with Mayfield Enterprises, in the amount of \$90,000.00 and with John L. Hunter and Associates, in the amount of \$89,000.00, and authorization for the Executive Director to execute the necessary documents.

**MRA ADJOURNMENT:** Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 8:31 P.M.

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

**CONVENE:** President Rob Hammond convened the Regular Meeting of June 20, 2006 of the Monrovia Financing Authority at 8:31 P.M. in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting.

**ROLL CALL:** Those in attendance were Authority Commissioners Tom Adams, Joe Garcia, Vice-President Mary Ann Lutz, and President Rob Hammond. Commissioner Kirby was excused.

#### **A. CONSENT CALENDAR \*MFA-1**

**It was moved by Commissioner Adams, seconded by Commissioner Garcia, to adopt the Consent Calendar consisting of Agenda Item \*MFA-1. There were no objections.**

**\*B. MINUTES:** There were none.

#### **MFA REPORTS**

##### **\*1. Adoption of Fiscal Year 2006-07 Budget, Resolution No. A2006-02**

This matter was approved by order of the consent calendar.

In 1996, the City created the Monrovia Financing Authority (MFA) to successfully refinance an obligation of the Water Fund. A Department of Water Resources (DWR) loan was secured by the City in 1982 under the Safe Drinking Water Bond Law of 1976. The DWR loan was used to construct water system improvements in the northern section of town.

The outstanding portion of the DWR Loan, on June 30, 2004, was \$790,297. During the 2004-05 fiscal year, the outstanding debt was refinanced through Citizens Business Bank. This was done to reduce the interest rate, which in turn had saved the City approximately \$45,000 in interest expense. The refinancing was done directly between the bank and the City of Monrovia. The debt balance on June 30, 2005 was \$702,721. The debt service payments would now be shown in the Water Fund. Therefore, there would be no budgeted activity in the Monrovia Financing Authority for the 2006-07 fiscal year.

Staff recommended adoption of Resolution No. A2006-02, relating to the 2006-2007 Budget.

**MFA ADJOURNMENT:** President Hammond adjourned the Monrovia Financing Authority Meeting at 8:31 P.M.

## **RECONVENE MONROVIA CITY COUNCIL MEETING**

### **E. BIDS**

#### **\*1. Award of One-Year Contract to The Star-Monrovia News Post and Pasadena Star News for Publication of Legal Advertisements for the Period Ending June 30, 2007**

This matter was approved by order of the consent calendar.

On May 8, 2006, a request for proposal (RFP) was published in The Monrovia Weekly, our current provider, requiring a response by 10:00 A.M., June 8, 2006 to the Office of the City Clerk. A bid package was sent to the Pasadena Star News (The Star - Monrovia News Post), Mountain Views, and Core Media Group, Inc. (The Monrovia Weekly). Included in the RFP was a legal advertisement that each company was to price and return based on their costs.

On June 8, 2006, two bids were received by the City Clerk and opened accordingly. Mountain Views newspaper did not respond.

Core Media submitted a bid for \$.37 per line per column, 1.57 inch column for a cost of \$4.75 per inch per column. The legal advertisement was priced at \$18.13. Lead time for publication was two days prior to either of their Monday and Thursday editions.

The Star - Monrovia News Post submitted a bid for \$.35 per line per column, 1.81 inch column for a cost of \$4.20 per inch per column. The legal advertisement was priced at \$16.25. Lead time for publication was two days prior to their Sunday edition.

Included in The Star's bid, was a proposal from the Pasadena Star News that submitted a bid for \$.45 per line per column, 2.25 inch column for a cost of \$5.40 per inch per column. The legal advertisement was priced at \$17.82. Lead time for publication was two days prior to the needed publication date. The Pasadena Star News is published daily. In an emergency, an ad could be placed in the Pasadena Star News.

Overall, The Star - Monrovia News Post costs less, and was comparable in lead and retraction times to The Monrovia Weekly (Core Media). While The Monrovia Weekly had given excellent service over the past years, the lowest bidder was The Star - Monrovia News Post and Pasadena Star News.

Staff recommended awarding a contract to The Star - Monrovia News Post and the Pasadena Star News for the period ending June 30, 2007.

### **F. COMMUNICATIONS AND PETITIONS:**

#### **\*1. Denial of Liability Claim; Doris Ludwig vs. City of Monrovia**

This matter was approved by order of the consent calendar.

Ms. Ludwig alleged that on May 9, 2006, a City tree branch fell causing damage to her fence. The tree in question had been regularly inspected and maintained. There was no visible sign of disease or decay. Therefore, the City bore no responsibility in this matter and Staff recommended that Council deny this claim.

**\*2. Denial of Liability Claim; Brian Benton vs. City of Monrovia**

This matter was approved by order of the consent calendar.

Mr. Benton alleged that on June 21, 2005, a City tree branch fell causing damage to his fence. The tree in question had been regularly inspected and maintained. There was no visible sign of disease or decay. Therefore, the City bore no responsibility in this matter and Staff recommended that Council deny this claim

**G. REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES:**

1. **Mayor Hammond** reported that:

(a) **Appointment of Commissioners and Boardmembers.** This matter was taken out of order following the ORAL COMMUNICATIONS above.

(b) **Birth Announcements and Recognitions.** He asked City Manager Ochoa to review the concept of opening City Council meetings in honor of recent births. Mr. Ochoa gave a brief explanation of how birth announcements would be submitted through a link on the City website directly to the City Clerk, who would then place names on the City Council meeting agenda. Mayor Hammond indicated that he would like to have certificate sent to parents after the meeting. Mr. Ochoa stated that a program such as this could feasibly be implemented around September.

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

(a) **Storm Drain Update.** She called upon Louis Celaya who gave an update on the Storm Drain Fund and NPDES Mandates with the aid of a PowerPoint presentation.

(b) She had the pleasure of attending the graduation ceremony of the Monrovia Adult School and the Promotion Ceremony of Santa Fe Middle School. She congratulated all of the graduates in the City of Monrovia.

(c) She asked Kerri Zessau to give an overview of the numerous summer programs available to the children and youth of the community, including the Mary Wilcox Youth Center and Summer Extravaganza, as well as activities at Boys & Girls Club and the YMCA.

(d) She and Community Development Director Alice Griselle attended the San Gabriel Valley Council of Governments strategic planning retreat on June 3, 2006. She explained some of things achieved at the retreat, including fine tuning and condensing the Mission Statement, reviewing strengths and weaknesses of the organization, discussing the external factors/trends that would have an impact on the region in the next three years, and setting three year goals for the SGVCOG. She took exception with a recent newspaper article about the SGVCOG and reiterated the positive steps they are taking to move forward.

3. **Councilmember Adams** had no report at this time.

4. **Councilmember Garcia** had no report at this time.

5. **Councilmember Kirby** was excused

**H. REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES:** There were none.

**I. ADMINISTRATIVE REPORTS**

1. **Adoption of Fiscal Year 2006-07 Budget, Resolution No. 2006-34; and 2006-07 Fees and Charges, Resolution No. 2006-35**

Mark Alvarado, Director of Finance, reviewed the Staff Report.

All *City Council Priorities* had been reviewed and incorporated into this budget. Each councilmember was asked to rank the priorities in their order of importance. There was no change for the 2006-07 year.

A review of all fees and charges was done as part of the budget process. Resolution 2006-34 illustrated the percentage of cost recovery for all fee based services provided by the City. A few of fee based services were increased by an amount to cover a percentage of the cost of doing service.

The Combined Funds Statement showed the budgeted total resources and appropriations for all City funds for fiscal year 2006-07. All funds were projected to end the fiscal year with a positive fund balance. The total budgeted appropriations for the 2006-07 fiscal year were projected to be \$51,826,211.

All local budget impacts recommended by the Governor during his *May Revise* had been incorporated into this budget. Any additional impacts to local revenues that were currently being discussed had not been factored into this proposed two year budget. If any budgeted revenues were cut during the State's budget adoption process, Staff would come back to the City Council with options to balance the 2006-07 fiscal year budget.

Councilmember Adams inquired about the City's mining tax. With respect to the extremely low rates compared to neighboring cities, he indicated concern as to the impact on traffic and road conditions due to increased travel to gravel pits within the City and suggested reviewing that fee. City Manager Ochoa indicated that it could be brought back at a meeting in September.

Discussion ensued regarding the Lighting and Landscape Maintenance and the Park Maintenance Assessment Districts. It was of concern to Mayor Hammond that a future Council be burdened with an ever-increasing supplement from the General Fund, and confirmed that the only means to increasing the assessments was by way of a Proposition 218 ballot measure. Mr. Alvarado indicated that the mid-year budget review would be an appropriate time to review the matter further, and would still be in time to do an all-mail ballot election, limited to property owners, and still have a new assessment go into effect prior to the next tax billing cycle.

**It was moved by Mayor Pro Tem Lutz, seconded by Councilmember Garcia, to adopt the Fiscal Year 2006-07 Budget, Resolution No. 2006-34 and the Fiscal Year 2006-07 Fees and Charges, Resolution No. 2006-35. There were no objections.**

## **2. Fire Station No. 101 Relocation Project**

Fire Chief Christopher Donovan reviewed the Staff Report

Fire Station 101 was built in 1964 and was in need of remediation and repairs. It was determined that asbestos had been found throughout the structure, water damage had occurred due to intrusion through the existing aluminum windows, and mold was expected to be found in the wood structure members due to the water damage. The station water system was constructed of original galvanized piping and had repeated blockage, as well as undrinkable water quality. The HVAC system was improperly designed for current station usage and had several areas of water leakage. Significant termite damage had been found and insufficient lighting and office space utilization had been problematic within the administration and prevention sections.

The need to relocate fire personnel, including operations, administration and fire prevention, as well as emergency response equipment was demonstrated given the extensive renovation that was to take place within Fire Station 101. This project was expected to take from 9 to 12 months to complete and Fire Station 101 would not be suitable to occupy. It was therefore

determined that a temporary Fire Station would be required while the repairs were made. The fundamental stance taken in the feasibility study was the need to have the least impact on fire department response times relative to the location of the temporary fire station.

**After discussion, it was moved by Councilmember Adams, seconded by Mayor Pro Tem Lutz, to approve the site located at the southwest corner of Olive and Ivy Avenues for temporary Fire Station 101 usage and allocate \$130,000 for the total costs associated with the project.** Staff was directed to attend the next Merchants Association meeting to discuss the changes to parking mitigation plans related to upcoming construction and review potential solutions.

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

### **3.     Advertising Program on City-Owned Transit Vehicles; Receive and File**

Deputy City Manager Tito Haes reviewed the Staff Report.

At the May 16, 2006 City Council meeting, while discussing the purchase of four new paratransit vehicles, the City Council requested staff research the possibilities of an advertising program on City owned transit vehicles. The two main issues the City could face with a transit vehicle advertising program were the ability to control the types of advertising on City owned vehicles and the cost effectiveness of such a program.

Staff contacted 22 different cities and/or transit agencies in Southern California and asked if they offered advertising on their transit vehicles. Thirteen cities and one transit agency responded that they did not offer advertising on their transit vehicles. Three cities responded that they allowed non-profits and/or city public service announcements on their transit vehicles at no charge. One city was researching the possibility of offering advertising on their transit vehicles.

Foothill Transit did offer limited advertising opportunities on their 306 buses. However, they were limited to non-profits or city events as sponsorships of other events. They did not offer independent advertising to businesses solely on their buses.

Norwalk transit operated 40, 40-foot buses and offered advertising opportunities on them. An independent contractor (CBS Outdoor) managed their advertising program and offered a variety of advertising space, including interior, exterior posters, wraps, and bus shelters. Santa Monica offered advertising on their fleet of approximately 180 buses and used Blu Line Media LLC as their independent contractor to manage their advertising program. The Los Angeles County MTA offered advertising on their vehicles and CBS Outdoor managed their advertising program.

Staff would not want to see advertising on a Monrovia transit vehicle that was obscene or questionable to the community. As such, staff researched ways to try to prevent such ads from appearing on City transit vehicles. Of the various other agency policies staff reviewed, the MTA's policy appeared to be the most straightforward. In essence, the MTA policy prohibited the following types of advertising: Alcohol and tobacco advertising, non-commercial advertising and advertisements could not contain any obscene, offensive, vulgar, language or images as defined by County Code. Monrovia had a similar section in the Municipal Code (MMC 17.44).

**After much discussion, it was moved by Councilmember Adams, seconded by Councilmember Garcia, to receive and file this report and direct Staff to bring back to a future meeting more details such as options for hardware, contracting with the Chamber**

of Commerce, staffing cost for the administration of the program, life expectancy of hardware, and a mock-up.

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

**4. Memorandum of Understanding; Amend Personnel Rules and Regulations to Provide for Compensation and Supplemental Benefits Effective Fiscal Year 2006-2007 for General Employees, Appendix "B," Resolution No. 2006-37; Management Employees, Appendix "C," Resolution No. 2006-38; Elected and Appointed Employees, Appendix "D," Resolution No. 2006-39; Hourly Employees, Appendix "F," Resolution No. 2006-40; Mid-Management Employees, Appendix "H," Resolution No. 2006-41; and General Employees Employer Paid Member Contribution (EMPC), Resolution No. 2006-42**

Theresa St. Peter, Director of Human Resources, reviewed the Staff Report.

It had been the City's practice since the late 1970's, to endeavor to compensate its employees at a competitive rate. Therefore, Staff surveyed approximately fourteen of the neighboring cities to determine salary and benefit levels provided to their employees. This assisted the City in ensuring they were able to recruit and retain quality employees. The proposed adjustments provided salary and benefit adjustments that were in parity with the total compensation of the survey cities, as well as appropriate internal alignment.

The last Memorandum of Understanding with the Monrovia Municipal Employees' Association (MMEA) expired June 30, 2005. An agreement was reached with MMEA for a Memorandum of Understanding (MOU) to be effective July 1, 2006 through June 30, 2007. The MOU provided for a salary adjustment based on total compensation survey information obtained. Additionally, the Agreement provided for the adoption of the Public Employees' Retirement System (PERS) benefit known as the Employer Paid Member Contribution (EPMC) effective July 1, 2006.

Additionally, salary and benefit adjustments were reviewed annually for Managers, Mid-Managers, Elected and Appointed, and Hourly Employees.

The proposed adjustments provided for an average salary increase of 6% for General and Hourly employees, 3.78% for Managers, 5% for Elected and Appointed Employees, and 7% for Mid-Managers. Additionally, the City would adopt PERS (EPMC) Program for all members of the Monrovia Municipal Employees' Association. The performance evaluation and bonus program for Managers had been revised to provide for more objective performance measures.

**It was moved by Councilmember Adams, seconded by Mayor Pro Tem Lutz, to approve Resolution Nos. 2006-37 through 2006-42.**

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

**\*5. Application Submittal to California Integrated Waste Management Board for Available Targeted Rubberized Asphalt Concrete Incentive Grants Program; Resolution No. 2006-31**

This matter was approved by order of the Consent Calendar.

The City's participation in the Target RAC grant application required a signed resolution from the agency's governing body authorizing the submittal of the grant application. The City was submitting an application request in the amount of \$150,000. Staff was submitting for consideration Asphalt Overlay improvements for Fiscal Year 2006-2007 from the Street Resurfacing Capital Improvement Program and two additional target areas

Staff recommended adopting Resolution No. 2006-31 authorizing the submittal of the 2006-2007 Targeted Rubberized Asphalt Incentive Grant application, and authorizing the Director of Public Works to be the City's authorized representative to execute all documents and associated grant agreements.

**\*6. 2006-07 Gann Limit Appropriations, Resolution No. 2006-36**

This matter was approved by order of the Consent Calendar.

In November of 1979, Proposition 4, which was more commonly referred to as the "Gann Initiative," was adopted by California voters. The Initiative established constitutional spending limits allowable for California governmental agencies based on the Consumer Price Index and population growth. According to the Revenue and Taxation Code, Section 7910, each local government must establish its appropriations limit by resolution each year at a regularly scheduled meeting or a noticed special meeting.

Staff calculated the Gann Limit using the growth factor provided to the City by the State Department of Finance, the growth in California Per Capita Personal Income (CPCPI) and the County's population growth rate. The 2006-07 Appropriation limit was \$33,956,467. The actual budget subject to limitation was \$28,072,622. This meant the City could appropriate an additional \$5,883,845 before the legal limit would be reached.

The specific calculations and backup materials were available to the public at the City Clerk's office and in the Finance Department. Any challenge of the adopted spending limit must be made within 45 days of the effective date of the resolution. Adoption of the resolution on June 20, 2006 would give the public until August 4, 2006 to challenge the calculations.

**\*7. 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: SB1206, AB2987

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

Watch: SB1210, AB2922, AB2015

**\*8. Set for Public Hearing on July 18, 2006; Hearing of Protest, Annual Weed Abatement Cost List**

This matter was approved by order of the Consent Calendar.

Staff requested that the City Council set July 18, 2006 for the Public Hearing to accept the Confirmation Report of Noxious Weed Abatement from the Los Angeles County Department of Agricultural Commissioner/Weights and Measures Office, Noxious Weed Abatement.

Affected owners would have the opportunity to protest any and all charges at this proposed Public Hearing.

**\*9. Agreement with Edington, Peel & Associates for Federal Legislative Advocacy Services in the Amount of \$4,000.00 Monthly for the Period Ending June 30, 2007**

This matter was approved by order of the Consent Calendar.

The City of Monrovia had used a federal legislative advocacy firm since 2000. Since that time, the City had successfully received several earmarks, including funds for transportation projects, youth programs, streetscape projects, storm water infrastructure projects, and economic development funds for storm channel preparation. Since 2000, the City had retained the services of David Turch and Associates. While staff had been pleased with the level of service provided by David Turch and Associates, it had been six years since the City considered proposals from other federal legislative advocacy firms.

Staff requested proposals for federal legislative advocacy from five (5) different firms: Edington, Peel and Associates, David Turch & Associates, MARC Associates, The Ferguson Group, and Copeland, Lowery, & Jacquez. All five firms were located in Washington D.C., had experience working with California local governments, and demonstrated the ability to monitor legislation and represent local government needs.

Edington, Peel & Associates provided the lowest cost and staff checked their references which were all positive. As such, Staff was confident Edington, Peel & Associates could provide Monrovia with the most cost effective federal legislative advocacy services.

Staff recommended the City Council authorize the City Manager to enter into an agreement with Edington, Peel & Associates for a one-year period beginning June 30, 2006 through June 30, 2007.

**\*10. Contract Price Adjustment, Effective July 1, 2006, for Street Cleaning Services with Clean Street (Formerly California Street Maintenance, Inc.)**

This matter was approved by order of the Consent Calendar.

Clean Street had provided high quality street sweeping service to the City since 1994. In May of 2002, Clean Street requested to have their contract extended to fiscal year 2009–2010 with only a Consumer Price Index (CPI) increase which was calculated at 3% per year

With the increased costs of fuel, insurance and labor, Clean Street requested a price increase of 8.5% or \$1,140.00 per month effective July 1, 2006 through June 30, 2007, with a CPI increase thereafter effective July 1, 2007. The proposed increase would be from \$14.00 to \$16.33 per curb mile. The remaining years of the contract would be adjusted in accordance with the Consumer Price Index calculated at 4% per year.

Funds were available through the Street Sweeping Funds. The current fees would remain the same under Prop. 218. Staff recommended approval of the contract price adjustment, effective July 1, 2006, for street cleaning services with Clean Street.

**\*J. PAYROLL & VOUCHERS:** Payroll No. 12 in the net amount of \$494,539.62, and Voucher Numbers 137304 through 137600 in the amount of \$701,188.70 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, July 18, 2006, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California. He noted that the July 4 and August 15, 2006 Meetings of the Monrovia City Council had been cancelled.

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

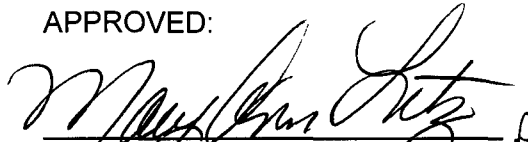
**M. ADJOURNMENT TO CLOSED SESSION:** At 9:58 P.M., Mayor Hammond announced that the City Council would adjourn to Closed Session to discuss the following matters:

1. Conference with Legal Counsel; Existing Litigation pursuant to Government Code §54956.9(a), Michael Solarez vs. City of Monrovia, Case No. GC036344
2. Conference with Labor Negotiator pursuant to Government Code Section §54957.6 Agency Negotiator: Theresa St. Peter; Group Employees: Monrovia Firefighters' Association, and Monrovia Police Officers' Association

**N. RECONVENE AND REPORT OF CLOSED SESSION:** Mayor Hammond reconvened the City Council Meeting at 10:40 P.M. after Closed Session. Acting City Attorney Rudell announced that the Council had taken no reportable action.

**O. ADJOURNMENT:** Mayor Hammond adjourned the Meeting at 10:40 P.M.

APPROVED:

  
 Rob Hammond, Mayor  
 Mary Ann Lutz  
 Mayor Pro Tem

ATTEST:

  
 Linda B. Proctor, MMC, City Clerk