

**MINUTES OF THE REGULAR MEETING  
OF THE  
MONROVIA CITY COUNCIL  
HELD TUESDAY, NOVEMBER 16, 2004, 7:30 P.M.**

**CONVENE:** Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, November 16, 2004 at 7:33 P.M. in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Study Session to discuss the Development Review Committee (DRC), City Council Chambers, 6:35 P.M. to 7:08 P.M. Staff in attendance was City Manager Scott Ochoa, City Attorney Craig A. Steele, and City Clerk Linda B. Proctor.

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

**PLEDGE OF ALLEGIANCE:** Councilmember Tom Adams led the Flag Salute.

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

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

**PRESENTATIONS:** None

**PROCLAMATIONS:** None

**STUDENT GOVERNMENT REPRESENTATIVE REPORT:** Student Liaison Pamela Cheng reported on activities at Monrovia High School.

**A. CONSENT CALENDAR** It was moved by Mayor Pro Tem Garcia, seconded by Councilmember Adams, to approve the Consent Calendar consisting of Items \*B, \*I-2, \*I-3, and \*J. There were no objections.

**\*B. MINUTES:** The Minutes of the Regular Meeting of November 2, 2004 were approved by order of the Consent Calendar.

**C. ORAL COMMUNICATIONS:**

1. Bill Kelso, Boy Scouts of America, Chairman of Lucky Baldwin District Boy Scout Council, presented the Distinguished Citizen of the Year Award to Mayor Hammond, which was previously presented to him at the event on October 30, 2004 honoring him.

2. Michael Blumenthal, Monrovia, expressed his opinion regarding a citation from a Neighborhood Preservation Officer recently.

3. Tami Laughton, Monrovia High School Band Booster President, introduced Band Director Cordero, presented a mug and plaque to the City Council for its support of funding for uniforms and instruments.

4. Chuck Keen, Commander, American Legion Post 44, Monrovia, thanked the City and Staff for the Veteran's Day program, and announced upcoming video presentations regarding all servicemen and women.

5. Cyrus Kemp, Monrovia, expressed his opinion of comments made to him at the All Commission/Board Annual meeting held recently; complained that he believed the Agenda and related documents published on Thursday for the following Tuesday City Council Meeting was not timely enough; complained that he could not obtain a copy of the draft Agenda; read portions of the newly passed public records act and gave his opinion of the meaning; and expressed concern for the welfare of a code enforcement case.

6. Steve Miller, Monrovia, explained comments made by him at the last City Council Meeting regarding Hillside Preserve; expressed his opinion of an agenda item for the upcoming Community Service Commission meeting; and took issue with its three minute speaker's limit.

7. Rosemary Harrahill, Monrovia, thanked Staff in the City Clerk's office for assistance in the late registration of a soldier during the recent Presidential election; thanked the Council for the Veteran's Day Program; announced HBO's Last Letters program; and requested that the public comment time be limited to three to five minutes.

#### **D. PUBLIC HEARINGS/MEETINGS:**

##### **1. Historic Landmark HL-69 and Mills Act Contract MA-65 for Property Located at 346 Stedman Avenue by Owners Robert Posen and Judith Aguilera-Posen, Resolution No. 2004-68**

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

This two-story wood framed Colonial style house was built in 1937.

The applicant also requested approval of a Mills Act Contract which would provide tax savings for the homeowner. The City would lose a small portion of the property tax collected on the property. This would give the City the ability to attach conditions to assure its preservation and enhancement. Based on the applicants Rehabilitation Plan, the Commission placed conditions on the Mills Act that will fully restore the property within 10 years.

At its meeting of October 27, 2004, the Historic Preservation Commission determined that the house met one of the required criteria for designation and voted unanimously to recommend approval of Historic Landmark status and execution of a Mills Act Contract.

**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.

**PUBLIC HEARING RE-OPENED:** At the request of the owner, Mayor Hammond re-opened the Public Hearing.

1. Robert Posen, owner, requested clarification as to whether the driveway had to be replaced or repaired. Councilmember Lutz noted that the conditions permitted either within five years. He also inquired as to the condition of the Commission's approval of replacement of rain gutters as he had recently arranged for the replacement of such due to the recent rains. Community Development Director Griselle stated that, as the Commission needed to approve the rain gutters, a meeting of a subcommittee of the Historic Preservation Commission could be called to review the installation and approve the matter, if it qualified.

**PUBLIC HEARING CLOSED:** Mayor Hammond closed the Public Hearing as there was no one else who wished to speak for or against the matter.

It was moved by Councilmember Kirby, seconded by Councilmember Adams, to approve Resolution No. 2004-68 designating the property at 346 Stedman Place, Historic Landmark No. 69 and approve entering into a Mills Act Contract with the conditions of approval.

#### **ROLL CALL:**

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



**It was moved by Councilmember Lutz, seconded by Councilmember Adams, to approve Resolution No. 2004-70 designating the property at 444 North Ivy Avenue, Historic Landmark Number 77 and approve entering into a Mills Act Contract with the conditions of approval.**

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

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

**CONVENE:** Chairman Rob Hammond convened the Regular Meeting of November 16, 2004 of the Monrovia Redevelopment Agency Board of Directors at 8:25 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, Dan Kirby, Mary Ann Lutz, Vice-Chairman Joe Garcia, and Chairman Rob Hammond.

**A. CONSENT CALENDAR**

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

**\*B. MINUTES:** The Minutes of the Regular Meeting of November 2, 2004 were approved by order of the Consent Calendar.

**MRA REPORTS:** None

**MRA ADJOURNMENT:** Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 8:26 P.M. and the City Council Meeting continued.

**RECONVENE MONROVIA CITY COUNCIL MEETING**

**E. BIDS:**

**1. Street and Sidewalk Improvements on Royal Oaks Drive between Shamrock Avenue and California Avenue; C.D.B.G. Project 600614-03, City Project C-2931; Award of Contract to E.C. Construction Co. in the Amount of \$96,901.02**

Doug Benash, City Engineer, reviewed the Staff Report.

The pavement on Royal Oaks Drive between Shamrock Avenue and California Avenue was asphalt and had been degraded over the years. Staff applied for Federal C.D.B.G. funding for the remediation of this street and received approval.

On October 19, 2004, eight bids were received ranging from \$96,901.02 to \$141,635.00. The apparent low bidder was E. C. Construction Co. Staff reviewed its bid and found an error in bid item 8 for installation of 130 square feet of sod and 5 sprinkler heads. The apparent low bidder placed a unit price instead of a lump sum price. This error did not change the apparent low bidder. The City attorney was consulted and indicated that the error was a minor irregularity and could be waived by the City Council. E. C. Construction Co. completed similar projects for the City and other cities.

The project would be funded through C.D.B.G. Federal funds in the amount of \$95,000.00 and \$1,901.02 from the Street Maintenance Fund.

Cyrus Kemp, expressed concern over the use of outside contractors rather than using in-house Staff.

**It was moved by Councilmember Adams, seconded by Mayor Pro Tem Garcia, to waive all irregularities in the bid contract, award a contract to E. C. Construction Co. in the amount of \$96,901.02, and reject all other bids. There were no objections.**

**F. COMMUNICATIONS AND PETITIONS: None**

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

**1. Mayor Hammond reported that:**

**(a) Appointment of Monrovia Endowment for the Arts Committee Members: It was moved by Mayor Hammond, seconded by Councilmember Lutz, to appoint Becky Shevlin, Coulter Winn, Bill Bee, Mayor Pro Tem Garcia and Vicki Novell to the Monrovia Endowment for the Arts Committee. There were no objections.**

**(b) Passage of Proposition 1A:** He explained the positive significance to cities with the passage of Proposition 1A in the last Presidential Election held November 2, 2004.

**(c)** He congratulated Aaron Wheeler, graduate of Monrovia High School, for attaining the status of Eagle Scout

**(d)** He thanked those at Wildrose Elementary School, Teacher Cindy Ramirez and Principal Lambert, who go to great lengths to teach their students healthy eating habits, for the preparation of fruits and vegetables today for lunch.

**(e)** He thanked the San Gabriel Valley Allied Council for holding the Veteran's Day Program which saw the largest crowd he had ever seen.

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

**(a)** He wished all a happy Thanksgiving.

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

**4. Councilmember Kirby reported that:**

**(a)** He wished all a happy Thanksgiving and thanked those who had done so for making Monrovia a great place to live.

**(b).** He noted that he would also be taking a moment to thank all of our servicemen and women.

**(c)** The Holiday Parade was upcoming, and invited all to attend.

**5. Councilmember Lutz reported that:**

**(a)** The Mayor's Prayer Breakfast, changed from Good Friday due to church events, was scheduled for November 19, 2004, Holiday Inn, 8:00 A.M.

**(b)** The Holiday Parade was scheduled for December 2, 2004, 7:00 P.M.

**(c)** A list of holiday activities for 2004 could be found at City Hall, Library, and Community Center.

**H. REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES: None**

**H. ADMINISTRATIVE REPORTS**

**Cancellation of Second City Council Meeting in December**

City Clerk Linda Proctor reviewed the Staff Report.

On September 20, 1994, the City Council adopted Ordinance No. 94-13, which allowed for the cancellation of a regularly scheduled meeting of the City Council. The City Council had cancelled the second meeting in August since 1995.

In prior years, when the second meeting in December fell on or about Christmas Day, Staff recommended, and the City Council concurred, that the meetings were cancelled. This year, the second meeting in December would fall just 4 days before. As this week was typically one of the slowest weeks of the year, rather than reschedule the meeting, it was Staff's recommendation that the City Council consider canceling this meeting.

There was no fiscal impact, other than savings in utility costs for the approximate three to four hour period of time added to the regular business day at City Hall, and Staff recommended cancellation of the second regular City Council meeting in December.

**It was moved by Councilmember Adams, seconded by Mayor Pro Tem Garcia, to cancel the regular City Council meeting of December 21, 2004.** There were no objections.

**\*2. Final Tract Map No. 54139 for Re-subdivision of Property Located at 202-206 South Five Avenue for Eight (8) Single Family Homes and a Common Lot by Thomas Keiser**

This matter was approved by order of the Consent Calendar.

Tentative Tract Map No. 54139 was for the re-subdivision of a property located in the Residential High Density (RH) Zone. The area was being re-subdivided into eight (8) single family, two story, Planned Unit Development (PUD) homes and a common lot. The Tentative subdivision map was approved by the Planning Commission at its meeting of January 15, 2003, and was approved by the City Council on February 25, 2003. The Public Works and Community Development Departments reviewed the Final Map and found it to conform to the Tentative Map as conditionally approved by the Planning Commission and the City Council.

This development would change the property from 1 lot into 8 single family residential Planned Unit Development properties. The project would improve property values and increase the tax base.

**\*3. Amendment of the Joint Exercise of Powers Agreement for Insurance and Risk Management Purposes of the Independent Cities Risk Management Authority, Resolution No. 2004-72**

This matter was approved by order of the Consent Calendar.

The City of Monrovia had been a member of the ICRMA since 1987. The Joint Exercise of Powers Agreement for Insurance and Risk Management Purposes ("JPA") was last amended in 1998. Since then, the Certificates of Participation ("COP") had been retired and, due to the creation of JPA Bylaws, other changes became necessary to reflect the manner in which the ICRMA conducts its business.

The ICRMA Governing Board, at its meeting on October 13, 2004, approved a Fifth Amended JPA which deleted references to the COP and made other changes as shown on the "Comparison of 1998 Joint Powers Agreement and October 2004 Amended Joint Powers Agreement," which was attached to the Staff Report. The Fifth Amended JPA would become effective after it was approved by two-thirds of the ICRMA members. The ICRMA Governing Board requested that the City Council approve the amended JPA by adopting the attached

Resolution. It was also appropriate to reconfirm the City's appointees to the ICRMA Governing Board. The Governing Board provided policy direction for all of the ICRMA committees and, among its duties, appoints the General Manager, admits, sanctions and expels members, adopts the budget, approves and amends Program Bylaws, establishes, amends and terminates programs, approves the Memorandum of Coverage, elects members to committees, settles claims and approves dissolution of ICRMA.

The recommended changes would have no fiscal impact to the City.

Staff recommended that the City Council adopt Resolution No. 2004-72, designating its representatives to the ICRMA Governing Board and the separate Risk Management Programs in which the City of Monrovia participated, and directed that a certified copy of the Resolution be forwarded to ICRMA's General Manager.

**\*J. PAYROLL & VOUCHERS:** Payroll No. 23 in the net amount of \$456,572.83, and Voucher Numbers 122063 through 122296 non-sequentially in the amount of \$431,088.32 was approved by order of the Consent Calendar.

**K. SCHEDULED MEETINGS:**

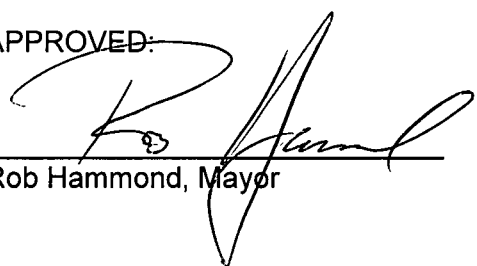
The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, December 7, 2004, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

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

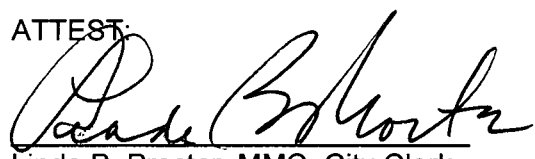
**M. CLOSED SESSION:** None

**N. ADJOURNMENT:** Mayor Hammond adjourned the Meeting at 8:47 P.M. in memory of Azja Ostrye-Sutherland, Grandson of Patricia Ostrye, and Phyllis McCarville, former City Clerk and City Councilmember.

APPROVED:

  
\_\_\_\_\_  
Rob Hammond, Mayor

ATTEST:

  
\_\_\_\_\_  
Linda B. Proctor, MMC, City Clerk