

**MINUTES OF THE REGULAR AND SPECIAL MEETINGS OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, NOVEMBER 5, 2013, 7:30 P.M.**

CLOSED SESSION: Mayor Mary Ann Lutz convened the Closed Session Meeting of the Monrovia City Council at 4:30 p.m. on Tuesday, November 5, 2013, in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, at which all Councilmembers were present to discuss the following Closed Session item: CS-1 Public Employee Appointment Pursuant to Government Code §54957: City Manager. Mayor Lutz adjourned the Closed Session meeting at 5:25 p.m.

STUDY SESSION: Mayor Lutz convened the Special Meeting / Study Session of the Monrovia City Council at 5:43 p.m. on Tuesday, November 5, 2013, in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, at which all Councilmembers were present to discuss Station Square Public Improvements Concept Design.

Staff from IBI group reviewed community outreach efforts, survey results and design concepts for play areas. Community Development Director Steve Sizemore provided an overview of estimated annual maintenance costs for hardscape and landscape, and next steps for design review, construction documents, bid and award, and project construction. Councilmember Blackburn suggested providing design options to choose from before bringing the project back to City Council for approval.

Mayor Lutz adjourned the Study Session meeting at 6:20 p.m.

CLOSED SESSION: Mayor Lutz convened the Closed Session Meeting of the Monrovia City Council at 6:30 p.m. on Tuesday, November 5, 2013, in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, at which all Councilmembers were present to discuss the following Closed Session item: CS-1 Conference with Labor Negotiator pursuant to Government Code §54957.6; Agency Negotiator: Danielle Tellez; Group Employees: Monrovia Firefighters Association and Monrovia Police Officers Association. Mayor Lutz adjourned the Closed Session meeting at 6:50 p.m.

CONVENE: Mayor Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, November 5, 2013, at 7:30 p.m. in City Council Chambers, preceded by a Special Meeting – MAP Leadership Academy Graduation at 7:00 p.m. In attendance were Interim City Manager Francis M. Delach, City Attorney Craig A. Steele, and City Clerk Alice D. Atkins.

INVOCATION: Police Chaplain Terrence Brown led the invocation.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Becky A. Shevlin led the Pledge of Allegiance.

ROLL CALL: In attendance were Councilmembers Tom Adams, Alexander C. Blackburn, Larry J. Spicer, Mayor Pro Tem Becky A. Shevlin, and Mayor Mary Ann Lutz.

REPORT OF CLOSED SESSION: City Attorney Craig Steele stated that the City Council met in closed session at 4:30 p.m. to discuss the item on the posted agenda and voted unanimously to select Alliance Resource Consulting as the contractor for the City Manager Recruitment and authorized the Interim City Manager to negotiate and execute a contract. The City Council also met in closed session at 6:30 p.m. to discuss the item on the posted agenda and the City Council took no reportable action on that item.

PRESENTATIONS/PROCLAMATIONS:

PR-1 Commemoration of Vietnam War 50th Anniversary: The Mayor and City Council presented a proclamation to Chuck Keen and Earl Sweeney, American Legion Post 44. Mayor Lutz noted that it would be presented to the Allied Veterans Group at the upcoming Veterans Day program.

PR-2 Recognition of Annual Halloween Event Sponsors: The Mayor and City Council presented Certificates of Recognition to the sponsors of the event.

PR-3 Proclaiming November 2013 as “Pulmonary Hypertension Awareness Month”: The Mayor and City Council presented a proclamation to Joannie Yuille.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Liaison Kevin Lee report on past and future activities at the high school.

ORDER OF BUSINESS: Interim City Manager Fran Delach stated there were no changes to the order of business.

CONSENT CALENDAR: It was moved by Councilmember Adams, seconded by Mayor Pro Tem Shevlin, to approve the consent calendar. The Consent Calendar consisted of the following Agenda items:

CC-1 Unadopted Minutes of the October 15, 2013, Special and Regular Meetings of the Monrovia City Council: The City Council adopted the Minutes of the October 15, 2013, Special and Regular Meetings.

CC-2 Payroll No. 22 in the Net Amount of \$501,629.55 and Warrant Register dated October 10, 2013, in the Total Amount of \$589,171.86: The City Council approved Payroll No. 22 in the net amount of \$501,629.55 and Warrant Register dated October 10, 2013, in the total amount of \$589,171.86.

CC-3 Restated Participation Agreement with the Glendora Police Department Related to the Los Angeles County "Avoid the 100" Driving Under the Influence (DUI) Task Force for the Period October 1, 2013, through September 30, 2016: The City Council approved a restated Participation Agreement with the Glendora Police Department Related to the Los Angeles County "Avoid the 100" DUI Task Force for the Period October 1, 2013, through September 30, 2016, and authorized the Chief of Police to execute the necessary documents

CC-4 Purchase of Four (4) Replacement Electrocardiogram (EKG) Heart Monitors, Two (2) New Combination Automatic External Defibrillators (AED), and One (1) New EKG Simulator from Zoll Medical Corporation in the Amount of \$173,016.55: The City Council approved the purchase of four (4) replacement electrocardiogram (EKG) heart monitors, two (2) new combination Automatic External Defibrillators (AED), and one (1) new EKG simulator from Zoll Medical Corporation in the Amount of \$173,016.55

PUBLIC INPUT:

1. Joannie Yuille, Bobbi Romanian, Jenny Nelson, Neil Tadken, Interfaith Council of Monrovia
2. Rev. Neil Tadken, St. Luke's Episcopal Church
3. Steve Baker, Monrovia
4. Kurt Thorgerson, Monrovia
5. Suzie Ruelas, Baldwin Park Housing Authority
6. MHS Physics Teacher Tom Dobson and Students Emma McIntosh and Amanda Sullivan, Monrovia High School Robotics
7. Pam Fitzpatrick, Old Town Merchants
8. Earl Sweeney, Commander, American Legion Post 44

Interim City Manager Delach responded to comments regarding construction delays on Myrtle Avenue.

PUBLIC HEARINGS / MEETINGS:

PH-1 Tentative Tract Map No. 72540 and Conditional Use Permit CUP2013-15 for a Four-Unit, Two-Story, Detached Planned Unit Development at 535 West Lemon Avenue by Steve Seidner, Applicant; Resolution No. 2013-49

City Attorney Steele requested a three-minute recess to discuss possible conflicts of interest between members of the City Council and a member of the public involved in the project. Following the recess, Councilmember Adams and Mayor Pro Tem Shevlin recused themselves based past business relationships with Richard Tipping, who could potentially be involved in the project in the future. Councilmember Adams and Mayor Pro Tem Shevlin exited Council Chambers at 8:32 p.m.

Craig Jimenez, Planning Division Manager, reviewed the Agenda Report.

Mayor Lutz opened the Public Hearing.

1. Richard Tipping spoke on behalf of the applicant.

Mayor Lutz closed the Public Hearing as there was no one else who wished to speak for or against the item.

It was moved by Councilmember Blackburn, seconded by Councilmember Spicer to adopt Resolution No. 2013-49. The motion carried as follows: AYES: Councilmembers Blackburn and Spicer, Mayor Lutz. ABSTAIN: Councilmember Adams, Mayor Pro Tem Shevlin.

REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

RCC-1 Mayor Mary Ann Lutz:

- (a) Recent residential fire; Fire Chief Donovan gave update on the condition of two injured Firefighter Paramedics.
- (b) Attendance at a recent roundtable discussion with Senator Carol Liu
- (c) Upcoming California Economic Summit

RCC-2 Mayor Pro Tem Becky A. Shevlin:

- (a) Make a Difference Day
- (b) Recent and upcoming events in the community
- (c) Foothill Fitness Challenge

RCC-3 Councilmember Tom Adams:

- (a) Make a Difference Day recap: Interim Volunteer Center CEO Penny Arroyo provided an overview of the day's activities

RCC-4 Councilmember Alexander C. Blackburn:

- (a) Recent recognition of 50-year Rotarian Members
- (b) Interfaith Council of Monrovia; Councilmember Blackburn asked Staff to reach out to members of other faiths for City Council invocations
- (c) Requested City Attorney Steele to evaluate feasibility of the City establishing an Economic Development Corporation
- (d) Requested an update on formation of the Reusable Bag Regulations committee
- (e) Requested City Attorney Steele to evaluate feasibility of the City using crowd funding, such as Kickstarter
- (f) Update on AB678; Fire Chief Donovan provided an overview on cost recovery for public agencies with authorized emergency transportation program, explaining the City was not currently eligible, but an amendment to the bill was expected and Staff was looking into potential for the City to provide ambulance transport.

RCC-5 Councilmember Larry J. Spicer had no report.

ADMINISTRATIVE REPORTS:

AR-1 Professional Services Agreement with Pasadena Humane Society & SPCA for Full Animal Control Services in the Amount of \$165,856 for the Period January 1, 2014, through December 31, 2014, with Two (2) One-Year Options to Renew

Police Chief Jim Hunt reviewed the Agenda Report.

During discussion, Steve McNall, President/CEO of Pasadena Humane Society & SPCA, spoke about fundraising and operations; Elizabeth Richer Campo, Senior Vice President, reviewed information on regular patrols, response to after-hours reports and major emergencies, community events, and on-site reduced-cost clinics for service cities.

It was moved by Mayor Pro Tem Shevlin, seconded by Councilmember Spicer, to approve a contract with Pasadena Humane Society & SPCA for full service animal control in the amount of \$165,856 for the period January 1, 2014, through December 31, 2014, with two (2) one-year options

to renew, and authorize the City Manager to approve minor changes and execute the necessary documents with the concurrence of the City Attorney. The motion carried unanimously.

AR-2 Update to the Installation of the K-Rail for Madison Fire Mitigation Measures, Approval of the Design and Authorization to Proceed

Jeremiah Petsas, Management Analyst I, reviewed the Agenda Report. In addition, Fire Chief Chris Donovan provided an update on meetings with the National Oceanic and Atmospheric Association and National Weather Service, noting that based on special circumstances, 12-24 hour pre-storm warnings would be provided to Monrovia, and with the use of the Nixle alert system, a pre-identified geographical area of affected homes could be notified via text message alert (opt-in system) or reverse 9-1-1.

Discussion ensued regarding revisiting temporary traffic flow and parking plans on Heather Heights, utilization of Monrovia Transit and parking lots at Monrovia High School and Mayflower Elementary school for residential areas with restricted parking due to K-Rail placement, and possible cost recovery from resident on whose property the Madison Fire started.

Public Input:

1. Richard Mountjoy, Monrovia, spoke against placement of K-Rail on Heather Heights Court
2. Joseph Nugent, Monrovia, spoke against placement of K-Rail on Heather Heights Court
3. Brian Benton, Monrovia, spoke against placement of K-Rail on Heather Heights Court
4. Peter Hechler, Monrovia, spoke in favor of placement of K-Rail on Highland Place
5. Kris Leonard, Monrovia, spoke against placement of K-Rail on Heather Heights Court
6. Frank Saccoman, Monrovia, spoke against placement of K-Rail on Heather Heights Court
7. Hal Leavens, Monrovia
8. Faye Thompson, Monrovia, spoke in favor of placement of K-Rail on Highland Place

Mayor Lutz requested clarification on the City's liability and whether a property owner could sign a waiver, to which City Attorney Steele responded and emphasized that a mud slide or debris flow affecting properties in the hillside as a result of the fire would not be the liability of the City; the County and City were solely interested in protecting property and lives. He raised concerns about liability should the City Council decide to selectively implement plans prepared by the County; allowing residents to opt-out would have to have unanimity within a given neighborhood.

Discussion continued regarding the County's reinspection of Heather Heights and Lotone, residents who choose to build their own barriers, complications caused by residents not protecting their driveways, traffic flow on Heather Heights, elevation of some homes on Heather Heights, inability to anticipate seasonal levels of precipitation, allowing residents to anchor deflective devices to City streets and K-Rails, options to postpone Heather Heights installation, review of evaluation and design process that began in June, and the importance of proceeding quickly.

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Shevlin, to approve the Los Angeles County's design as presented, direct Staff to proceed with the installation of the K-Rail at the earliest feasible date, hold Heather Heights to be the last installation, request the County to look again at the west side of Heather Heights and if an adjustment could be made to the plans, then do so; if not, proceed with the plan in place. The motion carried unanimously.

AR-3 Amendment to Title 15 of the Monrovia Municipal Code, Adopting by Reference the 2013 Edition of the California Building Standards Code, known as the California Code of Regulations (Part 2 of Title 24), Except Chapter 27 (electrical), Chapter 28 (mechanical), Chapter 29 (plumbing), and appendix A-H and J-M; the 2013 California Historical Building Code (Part 8 of title 24); the 2013 California Existing Building Code (Part 10 of title 21), Based on the 2012 International Building Code Volumes I and II; the 2013 California Residential Code (Part 2.5 of Title 24), Except appendix A-Q, Based on the 2012 International Building Code; the 2013 California Green Building Standards Code, Chapter 4 and Chapter 5 of Mandatory Measures Only (Calgreen) (Part 11 of Title 24); the 2013 California Plumbing Code (Part 5 of Title 24), Based on the 2012 Uniform Plumbing Code; the 2013 California Mechanical Code (Part 4 of Title 24), Based on the 2012 Uniform Mechanical Code; the 2013 California Energy Code (Part 6 of Title 24); the 2013 California Electrical Code (Part 3 of Title 24), Based on the 2011 National Electrical Code; the 2013 California

Fire Code (Part 9 of Title 24), Based on the 2012 International Building Code; and Readopting the 1997 Edition of the Uniform Housing Code, the 1997 Edition of the Administrative Code, the 2000 Edition of the Solar Energy Code, the 1997 Edition of the Building Security Code, adopting certain amendments, additions, and deletions to the foregoing Uniform Codes, re-adopting penalties for violations thereof, and Making Findings According to Law

Building Division Manager Encarnacion Cervantes reviewed the Agenda Report.

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Shevlin, to introduce, read by title only, and waive further reading of Ordinance No. 2013-05, and set for Public Hearing on December 3, 2013, with minor modification as noted by interoffice memo for the record. The motion carried unanimously.

City Attorney Steele noted that the findings document was posted on the internet and was available in the City Clerk's Office, then read the title of Ordinance No. 2013-05 as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, AMENDING TITLE 15 OF THE MONROVIA MUNICIPAL CODE, ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, KNOWN AS THE CALIFORNIA CODE OF REGULATIONS (PART 2 OF TITLE 24), EXCEPT CHAPTER 27 (ELECTRICAL), CHAPTER 28 (MECHANICAL), CHAPTER 29 (PLUMBING), AND APPENDICES A-H AND J-M; THE 2013 CALIFORNIA HISTORICAL BUILDING CODE (PART 8 OF TITLE 24); 2013 CALIFORNIA EXISTING BUILDING CODE (PART 10 OF TITLE 21), BASED ON THE 2012 INTERNATIONAL BUILDING CODE VOLUMES I AND II; THE 2013 CALIFORNIA RESIDENTIAL CODE (PART 2.5 OF TITLE 24), EXCEPT APPENDICES A-Q, BASED ON THE 2012 INTERNATIONAL BUILDING CODE; THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE, CHAPTER 4 AND CHAPTER 5 MANDATORY MEASURES ONLY (CALGREEN) (PART 11 OF TITLE 24); THE 2013 CALIFORNIA PLUMBING CODE (PART 5 OF TITLE 24), BASED ON THE 2012 UNIFORM PLUMBING CODE; THE 2013 CALIFORNIA MECHANICAL CODE (PART 4 OF TITLE 24), BASED ON THE 2012 UNIFORM MECHANICAL CODE; THE 2013 CALIFORNIA ENERGY CODE (PART 6 OF TITLE 24); THE 2013 CALIFORNIA ELECTRICAL CODE (PART 3 OF TITLE 24), BASED ON THE 2011 NATIONAL ELECTRICAL CODE; THE 2013 CALIFORNIA FIRE CODE (PART 9 OF TITLE 24), BASED ON THE 2012 INTERNATIONAL BUILDING CODE; AND READOPTING THE 1997 EDITION OF THE UNIFORM HOUSING CODE, THE 1997 EDITION OF THE ADMINISTRATIVE CODE, THE 2000 EDITION OF THE SOLAR ENERGY CODE, THE 1997 EDITION OF THE BUILDING SECURITY CODE, ADOPTING CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS TO THE FOREGOING UNIFORM CODES, RE-ADOPTING PENALTIES FOR VIOLATIONS THEREOF, AND MAKING FINDINGS ACCORDING TO LAW

AR-4 Consideration of the Reinstatement of Merit Step Salary Increases for Members of the Monrovia Police Officers' Association

Interim City Manager Francis Delach reviewed the Agenda Report.

It was moved by Councilmember Blackburn, seconded by Councilmember Spicer, to approve the proposal to reinstate the "merit-step" salary increases for the Monrovia Police Officers' Association for the 2013-14 Memorandum of Understanding. The motion carried unanimously.


PUBLIC INPUT, CONTINUED, IF NEEDED: None.

ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED: None

SCHEDULED MEETINGS: The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, November 19, 7:30 p.m., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

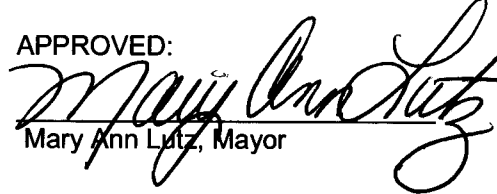
ADJOURNMENT: At 11:32 p.m., Mayor Lutz adjourned the meeting in memory of Nick Koutsoutis, longtime Metropolitan Water District employee and father of Department of Public Works Employee Andy Koutsoutis; Doug Gordon, photographer, longtime member of Monrovia Association of Fine Arts, and 2011 Heart in the Arts award recipient; and Judy Thomas, longtime and active member of the community.

ATTEST:



Alice D. Atkins, CMC, City Clerk

APPROVED:



Mary Ann Lutz, Mayor