

**MINUTES OF THE REGULAR MEETING OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, July 3, 2012, 7:30 P.M.**

CLOSED SESSION: Mayor Lutz convened the Closed Session Meeting of the Monrovia City Council at 7:02 p.m. on Tuesday, July 3, 2012, in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, at which all Councilmembers were present to discuss the following Closed Session items: CC-1 Conference with Labor Negotiator pursuant to Government Code §54957.6; Agency Negotiator: Danielle Tellez; Group Employees: Monrovia Municipal Employees Association and Monrovia Firefighters Association; CC-2 Real Property Negotiations Pursuant to Government Code §54956.8; a Portion of Real Property Located at 1622 South Magnolia Avenue, 200-204 West Pomona Avenue, and 1675 South Primrose Avenue; Agency Negotiator: City Manager; Negotiating Parties: The Parks at Monrovia Station Square I LLC, The Parks at Monrovia Station Square II LLC and Samuelson & Fetter LLC; Under Negotiation: Price and Terms of Payment; and CC-3 Conference with Legal Counsel, Existing Litigation Pursuant to Government Code §54956.9 (a); SoCal Mobile Food Vendors Association v. City of Monrovia, et al., Case No. BC 458142. The meeting adjourned at 7:25 p.m.

CONVENE: Mayor Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, July 3, 2012, at 7:30 p.m. in City Council Chambers. In attendance were City Manager Laurie Lile, City Attorney Craig A. Steele, and City Clerk Alice D. Atkins.

INVOCATION: Police Chaplain Terrence Brown led the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Tom Adams led the Pledge of Allegiance.

ROLL CALL: In attendance were Councilmembers Tom Adams, Becky A. Shevlin, Larry Spicer, Mayor Pro Tem Joe Garcia, and Mayor Mary Ann Lutz.

REPORT OF CLOSED SESSION: City Attorney Craig A. Steele stated that no reportable action was taken.

PRESENTATIONS/PROCLAMATIONS:

PR-1 Recognition of Retiring Commissioners; Eric Faith and Susannah Cupp, Planning Commission; and Kim Herney, Community Services Commission: The Mayor and City Council recognized the years of dedicated service Commissioners Faith, Cupp and Herney provided to the community.

PR-2 Recognition of Gloria Huss and Monrovia Floral as 44th Assembly District Small Business of the Year: The Mayor and City Council recognized Gloria Huss and Monrovia Floral as recipient of the 44th Assembly District Small Business of the Year Award.

PR-3 Recognition of Retiring Crossing Guard Robert Whisenant: The Mayor and City Council recognized Robert Whisenant for over 12 years of service and dedication to the safety of the children and residents of Monrovia.

PR-4 Proclaiming the Month of July 2012 as "Parks and Recreation Month": The Mayor and City Council presented a proclamation to the Department of Community Services Youth Commission, recognizing the wide range of services offered by the Department of Community Services, including Summer Extravaganza, Summer Concerts, Nature and Wildlife Education programs, Classes and Active Adult programs.

PR-5 Recognition of Chris Shevlin, Recipient of the Citrus College Alumni Achievement Award: The Mayor and City Council recognized Chris Shevlin, who was honored by Citrus College at its 96th Commencement Ceremony for his outstanding achievements over the past 40 years.

PR-6 Recognition of Joan Whitenack, Former Executive Director of the Foothill Unity Center: The Mayor and City Council will recognize Joan Whitenack for her outstanding contributions to the community through the years as Executive Director of the Foothill Unity Center.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: To resume in September.

ORDER OF BUSINESS: City Manager Laurie Lile stated that there were items under Councilmember Reports that would be moved forward to be presented prior to Public Input. In addition, a member of the public had requested that Consent Calendar items CC-5 and CC-7 be pulled for discussion. Those items would be heard following Administrative Reports.

CONSENT CALENDAR: It was moved by Councilmember Adams, seconded by Councilmember Shevlin, to approve the consent calendar, with the exception of items CC-5 and CC-7. The motion carried unanimously. The Consent Calendar consisted of the following Agenda items:

CC-1 Unadopted Minutes of the June 19, 2012, Regular Meeting of the Monrovia City Council: The Minutes were approved as presented.

CC-2 Payroll No. 13 in the Net Amount \$591,582.25, and Voucher Nos. 178021 through 178278 (Checks) and 162 through 176 (EFT) in the Total Amount of \$1,176,739.92: The City Council approved the Payroll and Vouchers as presented.

CC-3 Cancellation of the August 21, 2012, Regular City Council Meeting: The City Council approved the cancellation of the August 21, 2012, Regular City Council Meeting.

CC-4 Repeal of Section 8.34.020 (Prohibition of Solicitation in Public Right-of-Way) of Chapter 8.34 (Solicitations of Employment, Business or Contributions Within the Public Right-of-Way and Within Commercial Parking Lots) of Title 8 (Health and Safety) of the Monrovia Municipal Code; Adoption of Ordinance No. 2012-05: The City Council adopted Ordinance No. 2012-05

CC-5 Support Services Agreement with Monrovia Chamber of Commerce in the Amount of \$48,688 for the Period Ending June 30, 2013: This item was pulled from the Consent Calendar to be discussed following Administrative Reports.

CC-6 Agreement with David Turch and Associates for Legislative Advocacy Services in the Amount of \$24,000 for the Period Ending June 30, 2013: The City Council approved the agreement with David Turch and Associates for Legislative Advocacy Services in the amount of \$24,000 for the period ending June 30, 2013, and authorized the City Manager to execute the necessary documents.

CC-7 Agreement with Mad Haus Creative, Inc. (Formerly Ewing and Beland), in the Amount of \$1,800.00 per Month for the Period Ending June 30, 2013, to Perform a Complete Website Redesign, Specific Website Design Updates, Maintenance, Repair and Hosting Services: This item was pulled from the Consent Calendar to be discussed following Administrative Reports.

The following items were taken out of order:

RCC-1 Mayor Lutz

(b) Book Houses Project; Elizabeth Schneider, Youth Services Librarian II, introduced members of the Library Teen Advisory Board, who reviewed the pilot project.

RCC-5 Councilmember Spicer

(a) Read a statement in response to allegations relating to past criminal charges and his ability to represent the community as a member of the City Council.

PUBLIC INPUT

1. Cyrus Kemp, Monrovia
2. Robert Bartlett, Former Mayor
3. Ernest Gonzales, Monrovia
4. Betty Thomas, Monrovia
5. Lois Gaston, Duarte
6. Pam Fitzpatrick, Monrovia
7. Myriam Childers, Monrovia
8. Delphine Spicer, Monrovia

PUBLIC HEARINGS / MEETINGS: None

**CONVENE MONROVIA HOUSING AUTHORITY MEETING
WITHOUT ADJOURNING CITY COUNCIL MEETING**

MHA CONVENE: Chairman Mary Ann Lutz convened the meeting of the Monrovia Housing Authority at 8:50 p.m.

MHA ROLL CALL: Boardmembers Tom Adams, Becky A. Shevlin, Larry Spicer, Vice-Chairman Joe Garcia, and Chairman Mary Ann Lutz

MHA CONSENT CALENDAR: It was moved by Vice-Chairman Garcia, seconded by Boardmember Adams, to approve the Consent Calendar. The motion carried unanimously. The Consent Calendar consisted of the following item:

MHA CC-1 Unadopted Minutes of the June 19, 2012, Regular Meeting of the Monrovia Housing Authority: The Authority Board adopted the Minutes as presented.

MHA PUBLIC HEARINGS/MEETING: None

MHA ADMINISTRATIVE REPORTS: None

MHA ADJOURNMENT: Chairman Lutz adjourned the meeting of the Monrovia Housing Authority at 8:51 p.m. and the City Council meeting continued.

RECONVENE CITY COUNCIL MEETING

REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

RCC-1 Mayor Lutz:

(a) Appointment of Historic Preservation Commissioners and Monrovia Old Town Advisory Board Boardmembers; **It was moved by Mayor Pro Tem Garcia, seconded by Councilmember Shevlin, to re-appoint Donna Baker, Marianne Lee, and Tim Shea to the Historic Preservation Commission for a three-year term ending June 30, 2015.** The motion carried unanimously. **It was moved by Councilmember Shevlin, seconded by Mayor Pro Tem Garcia, to re-appoint Rutillo "Rudy" Castrellon, Vanessa de la Riva, and Dr. Kevin Mercado, Chiropractor, to the Monrovia Old Town Advisory Board (MOTAB) for a three-year term ending June 30, 2014.** The motion carried unanimously.

(b) Book Houses Project: This item was heard out of order prior to Public Input above.

(c) Recent CEO and Broker's Reception.

(d) Attendance with Councilmember Spicer at a Town Hall Meeting with Consul General of Israel David Siegel.

(e) Responded to Councilmember Spicer's statement and expressions of support during Public Input.

RCC-2 Mayor Pro Tem Garcia:

(a) Responded to comments made on subject of Councilmember Spicer's past and commended him for his statement of apology.

(b) Wished everyone an amazing Fourth of July.

RCC-3 Councilmember Adams:

(a) Wished everyone a Happy Fourth of July and hoped to see everyone at the celebration in Old Town.

RCC-4 Councilmember Shevlin:

(a) Responded to comments made on subject of Councilmember Spicer's past and commended him for his statement of apology.

(b) Upcoming events at the Library and in the community.

(c) Thanked the community and Staff for contributing to the success of the Clean-Up Challenge.

(d) Wished everyone a Happy fourth of July.

RCC-5 Councilmember Spicer:

- (a) This item was heard prior to Public Input above.

ADMINISTRATIVE REPORTS:**AR-1 Discussion of the Disposition of the City's Interest in Real Property Located at 214 Madeline Drive**

City Manager Laurie Lile provide an oral report, reviewing the deal points provided in recent correspondence from Former City Manager Scott Ochoa with respect to restructuring the repayment of his outstanding note and second trust deed related to the subject property.

Public Input:

1. Cyrus Kemp, Monrovia, raised concerns regarding potential conflict of interest for Councilmember Shevlin due to her employment by Podley Properties; and spoke in opposition

Mayor Lutz called for a 10 minute recess at 9:23 p.m. to allow the City Attorney and Councilmember Shevlin to review any potential conflict of interest.

Mayor Lutz reconvened the meeting at 9:35 p.m. Councilmember Shevlin stated that there would be no financial impact for her personally; however, for the sake of transparency, she would recuse herself and exited Council Chambers at 9:36 p.m.

Public Input – Continued:

2. John Jogminas, Monrovia
3. Scott Ochoa, Monrovia

Discussion ensued, with Councilmember Adams and Mayor Pro Tem Garcia sharing concerns of the political correctness of considering any changes to the existing loan in the current economic climate, and Councilmember Spicer and Mayor supporting the proposal of the City receiving \$200,000 at the close of Mr. Ochoa's escrow and the remainder within 90 days, for the sake of the City putting those funds to use as soon as possible.

Following further discussion, including Mr. Ochoa's offer to adjust his proposal to reflect 6.75% interest on the remaining \$75,000 with a 90-day term, the City Council was unable to reach consensus. City Manager Lile stated that she would have further discussions with Mr. Ochoa and bring an update back to the City Council at their next meeting.

Councilmember Shevlin returned to Council Chambers at 10:07 p.m.

PUBLIC INPUT, CONTINUED, IF NEEDED: None.

ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED:**CC-5 Support Services Agreement with Monrovia Chamber of Commerce in the Amount of \$48,688 for the Period Ending June 30, 2013**

Management Analyst Dan Bell presented the Staff Report.

Public Input:

1. Cyrus Kemp, Monrovia
2. Karin Crehan, Monrovia

Following discussion, **it was moved by Councilmember Adams, seconded by Councilmember Shevlin, to approve the agreement with Monrovia Chamber of Commerce in the amount of \$48,688 for the Period Ending June 30, 2013, and authorize the City Manager to execute the necessary documents.** The motion carried unanimously.

CC-7 Agreement with Mad Haus Creative, Inc. (Formerly Ewing and Beland), in the Amount of \$1,800.00 per Month for the Period Ending June 30, 2013, to Perform a Complete Website Redesign, Specific Website Design Updates, Maintenance, Repair and Hosting Services

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Public Input:

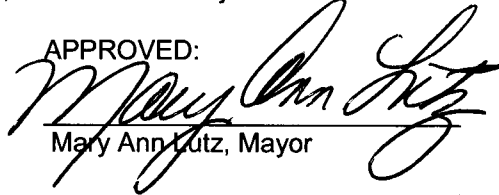
1. Cyrus Kemp, Monrovia

Following discussion, expanding on plans for new website, future IT goals, potential applications and links, and utilizing the skills and services of Mt. Sierra College students, **it was moved by Mayor Pro Tem Garcia, seconded by Councilmember Shevlin, to approve the agreement with Mad Haus Creative, Inc. (formerly Ewing & Beland) in the amount of \$1,800.00 per month for the period ending June 30, 2013, for website design, maintenance, repair, and hosting Services, and authorize the City Manager to execute the necessary documents.** The motion carried unanimously.

SCHEDULED MEETINGS: The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, July 17, 2012, 7:30 p.m., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

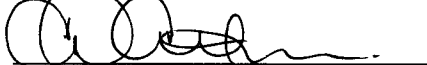
ADJOURNMENT: At 10:28 p.m., Mayor Lutz adjourned the meeting in memory of Retired Monrovia Police Sergeant Ron Buck; and Lily Jefferson, Mother of Rodney Jefferson.

APPROVED:



Mary Ann Lutz, Mayor

ATTEST:



Alice D. Atkins, CMC, City Clerk

