

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY May 13 2003 7 30 P M**

CONVENE Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday May 13 2003 at 7 39 P M in City Council Chambers 415 South Ivy Avenue Monrovia California Staff in attendance was City Manager Donald R Hopper City Attorney Craig A Steele and City Clerk Linda B Proctor

INVOCATION City Clerk Linda B Proctor led the Invocation

FLAG SALUTE Councilmember Mary Ann Lutz led the Flag Salute

ROLL CALL In attendance were Councilmembers Tom Adams Joe Garcia Dan Kirby Mary Ann Lutz and Mayor Rob Hammond

REPORT OF CLOSED SESSION(S) None

PRESENTATIONS

1 Recognition of the Sponsors of the 2003 Spring Egg Hunt Bunnies and Blossoms

Mayor Hammond introduced Kerri Zessau Recreation Supervisor who gave a brief description of the 2003 Spring Egg Hunt Bunnies and Blossoms " Ms Zessau then assisted the Mayor and City Council in recognizing the event sponsors as follows Supervisor Michael Antonovich Mystic Sisters OilStop Drive thru Oil Change Seidner Collision Centers and Monrovia Kiwanis Club

2 Recognition of Monrovia High School Teacher Marc Segal and Staff for Production of ' Joseph and the Amazing Technicolor Dreamcoat

Mayor Hammond presented a Certificate of Recognition to Marc Segal Keely Milliken (unable to attend) and Alison Hooper (unable to attend) for the very successful production of Joseph and the Amazing Technicolor Dreamcoat Mr Segal presented a short clip of the show intertwined with scenes of the next production

3 Recognition of Eighth Grade Santa Fe Middle School Student Danny Magana First Place Winner In the UCLA/AVID Write-Off

Mayor Hammond introduced and presented a Certificate of Recognition to Eighth Grade Santa Fe Middle School Student Danny Magana First Place Winner in the UCLA/AVID Write-Off Danny read his essay at the request of the City Council

Santa Fe Middle School Teacher Gail LaBau explained that each year students write an essay based on writings from an author selected by the UCLA Writing Project Subregional winners are selected and then entered into the L A County pool Two essays for each grade level are selected to enter the Best Essay in Los Angeles County contest for middle school and high school

Danny who qualified was then asked to write on Frieda Kahlo in an hour's time He competed against 293 schools in the southern counties This was the fourth year that Santa Fe Middle School won

4 2003-04 Queen and Court Portrait to the City Council by the Monrovia Day Association

Royal Court Coordinator Cindy York gave a run down of this weekend's events in celebration of the 117th birthday of Monrovia. She invited all to attend the May 17-18 2003 activities consisting of the Parade SoapBox Classics and Jamboree. Queen Ashley Frew and Princess Anna Ocampo presented the official 2003-04 Queen and Court portrait to the Mayor and City Council and invited all to participate in their Teddy Bear Drive.

5 Recognition of Betty Sandford Recipient of the Monrovia Arts Festival Association's 2003 Renaissance Award

Betty Sandford was unable to attend. She will be invited to attend the May 27 2003 City Council Meeting.

6 Recognition of Louise Osbrink as the Monrovia Senior of the Year and Winner of the Older American Recognition Award

Penny Arroyo Assistant Recreation Coordinator introduced Louise Osbrink Monrovia Senior of the Year' and winner of the "Older American Recognition Award" to the Mayor City Council and community.

PROCLAMATIONS**1 Proclaiming the Month of May 2003 as "Older Americans Month"**

In celebration of Older Americans everywhere Mayor Hammond proclaimed the month of May as Older Americans Month. Louise Osbrink Monrovia's 2003 Senior of the Year and recipient of the Older American Award received the Proclamation.

2 Proclaiming the Week of May 5-12 2003 as 'National Historic Preservation Week'

Mayor Hammond proclaimed the week of May 5-12 2003 as "National Historic Preservation Week." Each year the National Trust for Historic Preservation invites appropriate organizations and agencies to recognize the importance of historic preservation. The Monrovia Old House Preservation Group is co-sponsoring the celebration this year with the National Trust for Historic Preservation. Dana Hendrix President of the Monrovia Old House Preservation Group accepted the Proclamation.

3 Proclaiming the Week of May 18-24 2003 as "National Public Works Week"

Mayor Hammond proclaimed the week of May 18-24 2003 as "National Public Works Week." In observance of the week Public Works provided a display in the City Hall Lobby. Public Works Director David Fike accepted the Proclamation. Mayor Hammond congratulated the winner of the "Name the Trolleys" contest who named them Myrtle and Maybelle after William Monroe's daughters.

STUDENT GOVERNMENT REPRESENTATIVE REPORT Student Liaison Dayshia Boykins reported on activities at Monrovia High School. Mayor Hammond reported that Miss Boykins was named Youth Volunteer of the Year at the recent Volunteer Luncheon and Awards Program.

A. CONSENT CALENDAR

It was moved by Councilmember Adams seconded by Mayor Pro Tem Garcia to approve the Consent Calendar consisting of Items *B *F-1 *I-6 *I-7 *J-2 and *K

ROLL CALL Ayes Councilmembers Adams Garcia Kirby Lutz Mayor Hammond
Motion carried 5-0

***B MINUTES** The Minutes of the Regular Meeting of April 22 2003 were approved by order of the Consent Calendar

C ORAL COMMUNICATIONS

1 Clare Chesley Monrovia thanked the City Council for its support of the troops and their families She asked for further support for the extradition of the killer of Officer David March from Mexico

2 Cyrus Kemp Monrovia asked that the Committee makeup of the DRC be agendized to address adding a resident

3 Walt Shelly Monrovia reported that the Monrovia Postmaster confirmed that he had old paintings of California bears which were historical in nature from the Work Progress Administration (WPA) era Mr Shelly reviewed the steps he took to ascertain the fact Mayor Hammond asked Mr Shelly to meet with him tomorrow and to enlist the assistance of Historian Steve Baker

4 Clint Arsenault Monrovia reviewed the procedure to obtain and regulations for yard sales He suggested various improvements to the forms and cited instances of non-compliance Councilmember Kirby asked that he submit his suggestions for the forms to the City Clerk and stated that he would personally pay for the new forms

D PUBLIC HEARINGS/MEETINGS

1 **General Plan Amendment GPA2003-01 Resolution No 2002-23 and Zone Change ZC2003-01 Changing the Land Use and Zoning Designations from Residential to Hillside Wilderness Preserve for the Former Woodward Property, Introduction and First Reading of Ordinance No 2003-04**

Alice Gnselle Community Development Director reviewed the Staff Report

Last year the City acquired the four parcels comprising the 80-acre Woodward property A General Plan Amendment and Zone Change are proposed to change the General Plan and Zoning designations of these properties to Hillside Wilderness Preserve (HWP) As property is acquired the Land Use designation in the General Plan will be changed to Hillside Wilderness Preserve or Hillside Recreation along with the appropriate zoning designation

The Woodward property is located adjacent to the Angeles National Forest The property contains Ruby Canyon to the south and the entire 80 acres is habitat to deer mountain lion and bear Purchase of this property connects the Angeles National Forest and the Monrovia Wilderness Preserve and completes the purchase of properties along the upper Monrovia foothills The property is in the Cloverleaf Specific Plan and is designated with a residential density designation of one (1) dwelling unit/20 acres The proposed General Plan amendment and zone change will change the residential land use and zoning designations to Hillside Wilderness Preserve (HWP) General Plan amendments are approved by resolution and zone changes are adopted by ordinance Once a property is designated either HWP or HR voter approval is required to change to any other designation

On February 13 2003 the Planning Commission recommended approval of the General Plan Amendment and Zone Change respectively

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

It was moved by Councilmember Adams seconded by Councilmember Lutz to adopt Resolution No 2003-23

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

It was moved by Councilmember Adams seconded by Councilmember Lutz to introduce waive reading and read by title only Ordinance No 2003-04 As there were no objections City Attorney Steele read as follows

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA AMENDING TITLE 17 (ZONING) SECTION 17 04 404 THE OFFICIAL ZONING MAP OF THE MONROVIA MUNICIPAL CODE

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

CONVENE Chairman Hammond convened the Regular Meeting of May 13 2003 of the Monrovia Redevelopment Agency Board of Directors at 8 42 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 Garcia and Chairman Hammond

A CONSENT CALENDAR

It was moved by Vice Chairman Garcia seconded by Boardmember Adams to approve the Consent Calendar consisting of Items *B

ROLL CALL Ayes Boardmembers Adams Kirby Lutz Vice Chairman Garcia and Chairman Hammond
Motion carried 5-0

***B MINUTES** The Minutes of the Regular Meeting of April 22 2003 were approved by order of the Consent Calendar

MRA REPORTS

1 Authorization to Purchase Property Located at 116 West Huntington Drive for the Amount of \$717 895 00 from Karen B Graff and Lisa Wainright

Kevin O Brien Redevelopment Division Manager reviewed the Staff Report

Because of its strategic location the Myrtle Avenue and Huntington Drive intersection is key to the Agency's redevelopment efforts The northeast northwest and southeast corners have been significantly improved through redevelopment activity The redevelopment of the remaining southwest corner has long been a high priority of the Agency's With the voluntary closure of the Shell Station and the elimination of the requirement of a costly relocation of the

operator it became financially feasible to consider completing this final important corner. After reviewing the entire site it was determined that the best development for the corner site would be a project comprised of Shell the former Planned Parenthood facility and the Winston Tire outlet sites. The Agency acquired the Planned Parenthood site and was in escrow with the owners of the Shell property.

For the past several months Staff had negotiated with the owners of the Winston Tire property to determine an appropriate sales price. Following extensive discussions the parties have reached a tentative agreement of \$717,895.00 for the sale of the property. In the discussions the attorney for the seller indicated that this was the minimum they would voluntarily sell the property for and that if this number was unsatisfactory to the Agency it should pursue an eminent domain action. Based on the Agency Counsel opinion regarding the probably judicial outcome Staff believed this settlement represented the best outcome possible.

In addition to the consideration necessary to acquire fee title to the property by State Law the Agency will also be required relocate the operator of the tire store to a new location. Preliminary work on securing a suitable relocation site has already commenced.

It was moved by Boardmember Lutz seconded by Vice Chairman Garcia to approve the purchase of 116 West Huntington Drive for the amount of \$717,895.00 and authorize the Executive Director to execute the required documentation.

ROLL CALL Ayes Boardmembers Adams Kirby Lutz Vice Chairman Garcia and Chairman Hammond
Motion carried 5-0

MRA ADJOURNMENT Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 8:48 P.M. and the City Council Meeting continued.

CONVENE MONROVIA FINANCING AUTHORITY COMMISSION MEETING WITHOUT ADJOURNING CITY COUNCIL MEETING

CONVENE President Rob Hammond convened the Regular Meeting of May 13, 2003 of the Monrovia Financing Authority Commission at 8:48 P.M. in City Council Chambers, 415 South Ivy Avenue without adjourning the City Council Meeting.

ROLL CALL Those in attendance were Financing Authority Commissioners Tom Adams, Dan Kirby, Mary Ann Lutz, Vice President Joe Garcia, and President Rob Hammond.

A. CONSENT CALENDAR

It was moved by Authority Commissioner Adams seconded by Vice President Garcia to approve the Consent Calendar consisting of Item *B.

ROLL CALL Ayes Authority Commissioners Adams Kirby Lutz Vice Chairman Garcia and Chairman Hammond
Motion carried 5-0

***B MINUTES** The Minutes of the Regular Meeting of April 22, 2003 were approved by order of the Consent Calendar.

MFA ADJOURNMENT President Hammond adjourned the Monrovia Financing Authority Commission Meeting at 8:49 P.M. and the City Council Meeting continued.

this regional organization's event Mayor Hammond explained the value of being an integral part of the organization

(b) He Assistant City Manager Ochoa City Manager Hopper and Mayor Pro Tem Garcia will be attending the ICSE Convention in Las Vegas next week Those companies in attendance will be those who are developing projects such as Monrovia will want to see in the next fifteen years in the south section of the City

(c) The Monrovia Day Association will be celebrating the City 117th Birthday this weekend

2 **Mayor Pro Tem Garcia** reported that

(a) **Legislative Action Days** A delegation will be going to Sacramento to represent Monrovia on May 14 and 15 2003 to take the local message to the State Capitol regarding proposed budget cuts and the affects it will have on cities and especially Monrovia The Governor will announce his latest revision of budget Mayor Pro Tem Garcia discussed the potential impacts on cities and explained that a constitutional amendment was needed to protect cities revenues from the State

3 **Councilmember Adams** reported that

(a) The Annual Don Montgomery Memorial Golf Tournament was scheduled for this Friday Donations are still being accepted even though the event is sold out The proceeds will be split between the YMCA for youth programs and the Mary B Thorn Club for High School scholarships

(b) **City Council Expenses Administrative Policy No 1 26** He thanked Human Resources and Risk Management Director Theresa St Peter for preparing the survey taken of other cities noting that a per diem would not be used in the policy as some events included hotel and meals and others did not He stated that this policy to be put into play by the City Manager did several things—it made accountability to the public much easier than before split budgets into individual Councilmember budgets provided that any international travel first be approved by the City Council publicly and provided that all expenses be related to the City of Monrovia

1 **Cyrus Kemp Monrovia** expressed his opinion of past spending practices by members of the City Council and requested that more stringent action be taken regarding the matter in the form of an ordinance

Councilmember Adams stated he believed that the new policy would be very effective City Manager Hopper stated that there had not been any misappropriation of funds by anyone on the City Council Mayor Hammond noted that all expense reports were available to the public through the City Clerk's Office and had been for several months

It was moved by Councilmember Adams seconded by Mayor Pro Tem Garcia to adopt the policies regarding City Council expenses

ROLL CALL

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

4 **Councilmember Kirby** reported that

(a) He thanked the Police and Fire Departments for the Open Houses on Saturday celebrating its Centennial (Police) and holding its annual Pancake Breakfast (Fire)

(b) **California Association of Public Information Officials (CAPIO) First Place Awards for Monrovia On Demand brochure and CD-ROM** Councilmember Kirby introduced Public Information Officer Dick Singer who explained the motives for the First Place trophy for Special Publications-- Monrovia on Demand and the First Place trophy for Innovation-- Monrovia on Demand on CD

(c) Monrovia was chosen to host the first Nature Center Conference on May 16 2003 at the Nature Center in Monrovia Canyon Park

5 Councilmember Lutz reported that

(a) Los Angeles Chapter American Planning Association Planning Award for the Hillside Preservation Program Monrovia won the Planning Award from the American Planning Association for innovative projects in accomplishing positive change in the community for the its Wilderness Preserve project The actual award will be presented at a special awards dinner on June 11 2003 at the Southwest Museum

(b) On May 9 2003 she attended a Governor's Budget and Local Government meeting with Scott Ochoa at the AQMD auditorium held to give representatives of cities an opportunity to discuss the budget crisis and its affect on their respective cities with their legislators The legislators in attendance requested that letters previously sent regarding VLF be resent at this time City Manager Hopper reported that a half dozen letters had been sent and will now be resent

(c) She Mayor Pro Tem Garcia City Manager Hopper and the Fire and Police Chiefs will be traveling to Sacramento to lobby for Monrovia and other cities to lobby regarding the budget crisis at the Legislation Action Days in Sacramento May 14 15 2003

H REPORTS OF COMMISSIONS BOARDS AND COMMITTEES None

I ADMINISTRATIVE REPORTS

1 Renewal of Agreement with Community Media of the Foothills for Public Access Governmental and Educational Cable Television Production and Cablecasting for Fiscal Year 2003-2004

Dick Singer Public Information Officer reviewed the Staff Report

An existing contract between the City and Community Media of the Foothills (CMF) was extended in March 2002 and will expire June 30 2003 The contract calls for CMF to provide Public Educational and Government (PEG) Access for the City and provides CMF with funding allocated by the City Council and designated for public access in the City's cable franchise agreements with both the Adelpia and Altrio cable systems This one-year extension made no changes in the existing agreement with the exception that new Altrio-generated funding was now specifically included in the document along with that of the Adelpia system

A one-minute video was presented as an example KGEM's varied programming last year

Cyrus Kemp Monrovia expressed his opinion of how the contract should be enforced

After discussion it was moved by Councilmember Adams seconded by Councilmember Lutz to approve a one-year extension of the current contract with Community Media of the Foothills from July 2 2003 to June 30 2004 and authorize the Mayor and City Clerk to execute the agreement

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

2 Third Amendment for the Scope of Work to the Heating Ventilation and Air Conditioning Maintenance Services Contract with Honeywell Inc for Fiscal Year 2003-2004 in the Amount of \$82 842 17

Dennis Shiflett Facilities Division Manager reviewed the Staff Report with I-4 below

The maintenance contract was initiated on July 1 1995 and continues through June 30 2005 Honeywell Inc has agreed to extend the existing HVAC service contract for one (1) year with no increase in the base contract price of \$79 015 17 The new contract amount of \$82 842 17 includes \$3 827 00 for the increased scope of work for the Historical Museum and the Youth Center Funds were available in Facilities Maintenance

It was moved by Councilmember Adams seconded by Mayor Pro Tem Garcia to approve the Third Amendment for the scope of work to the HVAC maintenance contract with Honeywell Inc in the amount of \$82 842 17

ROLL CALL

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

3 Fourth Amendment to the Contracts for Motor Fuels with Mercury Fuels and Merrimac Energy Group for Fiscal Year 2003-2004 in the Combined Amount of \$130 000 00

Dennis Shiflett Facilities Division Manager reviewed the Staff Report

The Facilities Division of the Public Works Department provides motor fuel by Mercury Fuels and Merrimac Energy Group for all City vehicles Fire Department Police Department Monrovia Unified School District Metropolitan Cooperative Library System and the City of Duarte The approval of the fourth Amendment will continue to provide the appropriate motor fuel under the same terms and provisions as included in the original contract Funds were available through the Facilities Division Fueling Services Program

It was moved by Councilmember Adams, seconded by Councilmember Lutz, to approve the Fourth Amendment to the contract for motor fuels with Mercury Fuels extending the contract for one year for the purchase of premium gasoline in the amount of \$100 000 00 and approve the Fourth Amendment to the contract for motor fuels with Merrimac Energy Group extending the contract for one year for the purchase of diesel fuel in the amount of \$30 000 00

ROLL CALL

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

4 Fifth Amendment to the Janitorial Services Contract with Facility Operations Plus for Fiscal Year 2003-2004 in the Amount of \$171 744 00

Dennis Shiflett Facilities Division Manager reviewed the Staff Report with I-2 above

Facility Operations Plus has provided professional and experienced janitorial service since April 1997 to City Hall Police Station Community Center Library Corporate Yard City Hall Annex Canyon Park Entry Station Canyon Park Cabin and Canyon Park Nature Center

Facilities Operations Plus agreed to extend the existing Janitorial Service contract for one (1) year with no increase in the base contract price of \$156 444 00 The new contract amount of \$171 744 00 included \$15 300 00 for the increased scope of work for the Historical Museum and the Youth Center Funds were available in Facilities Maintenance

***7 Set for Hearing for Public Hearing on May 27 2003 Tentative Tract Map No 54345/Conditional Use Permit CUP2003-07 for Property Located at 616-620 West Palm Avenue by WF Construction Applicant Martha Lopez (616 West Palm Avenue) Owner and Vivian Gomez (620 West Palm Avenue) Owner**

This matter was approved by order of the Consent Calendar

The Planning Commission is scheduled to review a request for a four-unit Planned Unit Development (PUD) at 616-620 West Palm Avenue on May 14 2003 Approval of a Tentative Tract Map requires City Council action Staff recommended setting May 27 2003 as the date of the Public Hearing

J RESOLUTIONS & ORDINANCES

1 Amendment to Title 15 of the Monrovia Municipal Code Relating to Expanding the Definition of Excavations Introduction and First Reading of Ordinance No 2003-07

Doug Benash City Engineer reviewed the Staff Report

With the increased development of hillside lots property owners prior to completion of any grading plans complete geotechnical soils and subsurface investigations By expanding the definition of "Excavations" it would include for inspection and plans of any and all geotechnical soil and subsurface investigations greater than 12 inches to be a part of the grading permit application including building demolitions and removal of underground storage tanks

After much discussion regarding the needed language in the ordinance relating to when a permit was required the matter was rescheduled to the next Regular Meeting of the City Council

***2 Amendment of Title 2 Chapter 2 12 Section 2 12 010 of the Monrovia Municipal Code Relating to the Day of City Council Meetings, Second Reading and Adoption of Ordinance No 2003-06**

This matter was approved by order of the Consent Calendar

At the July 28 1997 City Council meeting Ordinance No 97-15 was introduced which after adoption changed the regular meeting day of the City Council to the 2nd and 4th Tuesday of the month This was done at the request of then Mayor Robert T Bartlett due to "critical and compelling personal reasons" At the April 8 2003 City Council Meeting Mayor Hammond asked that the Ordinance be amended to revert back to the 1st and 3rd Tuesdays of the month

Staff completed a review of regularly scheduled meeting dates and determined that there does not appear to be any conflicting schedules Reverting back to the original days would actually relieve Staff of the burden of preparing City Council Agenda Reports for one night and Planning Commission Agenda Reports for the next night There was no fiscal impact relating to the change

Staff recommended a change in Meeting days to the 1st and 3rd Tuesdays

***K PAYROLL & VOUCHERS** Payroll Nos 9 and 10 in the net amount of \$428 116 58 and \$401 601 2 respectively and Voucher Numbers 110364 through 110800 non-sequentially in the amount of \$1 227 211 26 were approved by order of the Consent Calendar

L SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council is scheduled for Tuesday May 13 2003 7 30 P M City Council Chambers 415 South Ivy Avenue Monrovia California

A Study Session to discuss the 2003-2005 Fiscal Year Budget to be held in City Council Chambers 6 00 P M to 7 15 P M will precede the next Regular Meeting of the Monrovia City Council scheduled for Tuesday May 27 7 30 P M City Council Chambers 415 South Ivy Avenue Monrovia California

M ORAL COMMUNICATIONS CONTINUED IF NEEDED None

N CLOSED SESSION Mayor Hammond announced that the City Council would adjourn to Closed Session to Conference with Labor Negotiator pursuant to Government Code Section §54957 6 Agency Negotiator Theresa St Peter Group Employee All Employees and that it would not be returning to Council Chambers A report of Closed Session will be given at the next Meeting of the City Council


O ADJOURNMENT The Meeting was adjourned at 10 11 P M in memory of Josephine Miglia and Polly Gunter Closed Session convened at 10 15 P M and concluded at 11 00 P M

APPROVED



Rob Hammond Mayor

ATTEST



Linda B Proctor CMC City Clerk