

**MINUTES OF THE REGULAR MEETING  
OF THE  
MONROVIA CITY COUNCIL  
HELD TUESDAY, DECEMBER 6, 2005, 7 30 P M**

**CONVENE** Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, December 6, 2005 at 7 34 P M in City Council Chambers, 415 South Ivy Avenue, Monrovia, California Staff in attendance was City Manager Scott Ochoa, City Attorney Craig A Steele, and Deputy City Clerk Alice D Atkins

**INVOCATION** Dr John Mastrogiovanni gave the Invocation

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

**TAKEN OUT OF ORDER**

Mayor Hammond took the following report out of order

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

**1 Mayor Hammond**

**(a) Annual Santa Tour** Santa Claus entered City Council Chambers, passing out candy canes to all Kerri Zessau announced that Santa would tour Monrovia on Monday, December 12 through Friday, December 16 in all neighborhoods The winner of the Mayor's First Annual Tree Lighting Contest was seven-year old Cierra Jacquet Miss Jacquet would flip the switch for the tree-lighting ceremony at 6 00 PM on Thursday, December 8, 2005, and would ride alongside Santa on his sleigh, accompanied by her parents and brother, in the Holiday Parade at 7 00 PM on Myrtle Avenue immediately following the ceremony On behalf of the City Employees, Ms Zessau wished all Monrovia residents Happy Holidays

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

**PRESENTATIONS**

**1 Introduction of Newly Hired Community Services Assistant Recreation Coordinator Rene Calderon**

April Soash Director of Community Services, introduced newly hired Assistant Recreation Coordinator Rene Calderon to the Mayor, City Council and the community

**2 Recognition of the 2006 Monrovia Recycles Calendar Winners**

For the third year in a row, the City of Monrovia conducted the Monrovia Recycles Calendar Contest The contest was held each year in conjunction with America Recycles Day, celebrated annually on November 15th, to educate students on the importance of recycling

The calendars were funded by the City's Beverage Container Grant received from the California Integrate Waste Management Board

This year the City received approximately 150 entries from fifth grade students in the Monrovia Unified School District and 12 were selected based upon the recycling message, creativity, and artistry

Louis Celaya, Senior Management Analyst, assisted the Mayor and City Council in introducing and presenting certificates to the winners Mayor Hammond thanked all of the children who participated in the contest

**PROCLAMATIONS** None

**STUDENT GOVERNMENT REPRESENTATIVE REPORT** Student Liaison Krystina Mastrogiovanni reported on activities at Monrovia High School

**TAKEN OUT OF ORDER**

Mayor Hammond took the following reports out of order

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

**2 Mayor Pro Tem Lutz** reported that

**(a) 2005 Holiday Home Happenings Decorating Contest** She announced the upcoming Contest and introduced Community Services Commission Chair Becky Shevlin who who gave more details, including the categories of Most Effective Use of Lighting a House, Best Decorated Indoor Tree, Best Decorated Outdoor Tree, Best Religious Display, Best Outdoor Display, Best Still Display, Best Window Display, Best Neighborhood Effort, Toyland Award, Children’s Choice Award, Snowman Award, and the Tim McKeehan – Holiday Season Award Winners would be announced at the December 13, 2005 Community Services Commission Meeting

**A CONSENT CALENDAR**

Agenda item \*I-5 was pulled from the Consent Calendar to be rescheduled at a later date

**It was moved by Councilmember Adams, seconded by Mayor Pro Tem Lutz, to approve the Consent Calendar consisting of Items \*B, \*I-3, \*I-4, \*I-6, \*I-7, \*I-8, and \*J** There were no objections

**\*B UNADOPTED MINUTES** The unadopted Minutes of the Regular Meeting of November 15, 2005 were adopted by order of the Consent Calendar

**C ORAL COMMUNICATIONS**

Those speaking

- 1 Becky Shevlin, Monrovia
- 2 Alondra Diaz, Monrovia, representing Monrovia High School Renaissance
- 3 Rafi Garabedian, Monrovia
- 4 Paul Jolinas, Monrovia
- 5 Chuck Keen, Monrovia

**D PUBLIC HEARINGS/MEETINGS**

**1 Historic Landmark HL-92 and Mills Act MA-87 for the Property Located at 164 North Encinitas Avenue by Property Owners Mark and Cindy Rude, Resolution No 2005-63**

Steve Sizemore, Planning Division Manager, reviewed the Staff Report

This one-story Craftsman bungalow was built in 1920 The home was capped with a front-gabled roof and was wrapped with horizontal redwood siding

At its meeting of November 16, 2005, the Historic Preservation Commission determined that the house met 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 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 Mayor Pro Tem Lutz, seconded by Councilmember Kirby, to adopt Resolution No 2005-63 designating the property at 164 North Encinitas Avenue Historic Landmark Number 92 and approve entering into a Mills Act Contract with the conditions of approval There were no objections

2 To be Opened and Continued to January 3, 2006, General Plan Amendment GPA2005-04, Resolution No 2006-03 (formerly Resolution No 2005-58), Zone Change ZC2005-04 to Change the Land Use and Zoning Designation from Public/Quasi-public (P/QP) to Residential Low Density (RL) for a Remnant Lot Previously Part of the Los Angeles County Flood Control District (LACFCD) that will be Consolidated with the Adjacent Lot at 1521 Pilgrim Way by Property Owner, Tom Blank, Introduction and First Reading of Ordinance No 2006-04 (formerly Ordinance No 2005-13)

The property owner at 1521 Pilgrim Way purchased the lot adjacent to the Santa Anita Wash from LACFCD and received approval by the Development Review Committee (DRC) on October 26, 2005 to consolidate the remnant LACFCD lot with his single-family improved residential lot He was requesting to change the General Plan designation and the Zoning designation from P/QP to RL The Planning Commission recommended approval to the City Council for the General Plan Amendment and Zone Change from P/QP (Public/Quasi Public) to RL (Residential Low Density) The continuance was necessary to allow the applicant the necessary time to record the Certificate of Compliance for the lot line adjustment with the Los Angeles County Recorders Office

**PUBLIC HEARING OPENED AND CONTINUED** Mayor Hammond opened and continued the Public Hearing to January 3, 2006

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

**CONVENE** Chairman Rob Hammond convened the Regular Meeting of December 6, 2005 of the Monrovia Redevelopment Agency Board of Directors at 8 13 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, Dan Kirby, Vice-Chairman Mary Ann Lutz, and Chairman Rob Hammond

#### **A CONSENT CALENDAR**

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

**\*B UNADOPTED MINUTES** The unadopted Minutes of the Regular Meeting of the Monrovia Redevelopment Agency of November 15, 2005 were approved by order of the Consent Calendar

#### **MRA REPORTS**

1 **Second Amendment to Purchase and Sale Agreement with The Bates Company Regarding Real Property Located at 139 East Olive Avenue, Resolution No 10-2005**

This matter was removed from the Agenda to be rescheduled at a later date

**MRA ADJOURNMENT** Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 8 14 P M and the City Council Meeting continued

#### **RECONVENE MONROVIA CITY COUNCIL MEETING**

**E BIDS** None

**F COMMUNICATIONS AND PETITIONS None****G REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES**

**1 Mayor Hammond** reported that

- (a) **Annual Santa Tour** Taken out of order preceding "ROLL CALL" above
- (b) He gave an update on the Gold Line and the Foothill Extension and announced that the groundbreaking was slated for sometime between 2009-2010
- (c) He wished everyone in the community a Merry Christmas and Happy Holidays, as well as a Happy and Prosperous New Year and asked them to keep the families who were victims of the natural disasters, and all of the Blue Star families, in their prayers

**2 Mayor Pro Tem Lutz** reported that

- (a) **2005 Holiday Home Happenings Decorating Contest** Taken out of order preceding "A CONSENT CALENDAR" above
- (b) She thanked the Old Town Merchants for sponsoring the Tree-Lighting Ceremony and Holiday Parade, and reminded the community as they shop for the holidays to support their own town and shop in Monrovia
- (d) She offered a prayer to all of the victims of the recent natural disasters and reminded all to keep in their thoughts those things they hold dear as everyone celebrates the Holidays

**3 Councilmember Adams** reported that

- (a) **Proclaiming March 1, 2006 as Arbor Day** He announced the Annual Arbor Day Celebration on March 1, 2006 A tree-planting ceremony would be held on that day at the Canyon Park and he invited children and adults alike to participate
- (b) He wished every Happy Holidays, Merry Christmas, and that he looked forward to seeing everyone in the New Year

**4 Councilmember Garcia** reported that

- (a) He thanked the Council for sending a letter to Governor and Legislature, urging them to fill the gap in Proposition 42 funds for local street and maintenance programs He gave an overview of the history of Proposition 42, its original intent, and subsequent challenges faced by cities
- (b) He wished everyone Happy Holidays and a wonderful New Year

**5 Councilmember Kirby** reported that

- (a) He expressed gratitude to all the residents who supported the City in the last year
- (b) He invited all to attend the Holiday Parade
- (c) He wished all a Merry Christmas and a great New Year

**H REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES None****I ADMINISTRATIVE REPORTS**

**1 Scheduled Replacement of 1989 LTI Ladder/Pumper, Purchase of 2005 Aerial Ladder Truck in the Amount of \$600,978 00 from E-One Leasing, Inc**

Interim Fire Chief Dave Dennis reviewed the Staff Report

The existing 1989 LTI Aerial Ladder/Pumper had served the community well over the prior 16 years This piece of equipment featured a 75' aerial ladder, a 500 gallon water tank, and the 1500 gallon per minute pump

The 2005 E-One Aerial Ladder Truck would be outfitted with a portable fire extinguisher matrix that exceeded NFPA standards, as well as a configuration of fire hose that would allow the truck company to connect and draw water from any fire hydrant The extinguisher matrix would consist of pressurized water, CO-2, and dry-chemical extinguishers These two safeguards would allow the

truck company to attack most any random fire incident (trash fire, car fire, etc ) that may happen, until an engine arrived on scene

Department personnel worked diligently to secure the best deal for the City The Department had been able to capitalize on the manufacturer's strong interest in reestablishing a presence in that market E-One desired to partner with the Monrovia Fire Department to demonstrate the quality of its product to the region The Monrovia Fire Department had purchased E-One vehicles in the past and had been very pleased with their performance and durability

The acquisition would be a "lease-purchase" transaction The City would make a down payment of approximately \$250,000 in FY2005-06, and finance the balance over the next six years through an annual payment of nearly \$69,000 per year The interest rate on the lease would be 4.8% The first payment for this vehicle, scheduled to be made in 2006, would be made with the proceeds from the resale of the existing LTI The existing LTI would be held for approximately six months while Department personnel trained with the new truck and ensured that there were no manufacturer-related problems with the vehicle

The \$250,000 down payment had been incorporated into the current fiscal year budget Additionally, the annual \$69,000 payment would take the place of an existing payment that was made for the Department's 2002 Cyclone II Fire Engine, and which was set to expire in FY 2006-07 This financing arrangement allowed the Fire Department's vehicle replacement fund to maintain a positive fund balance that would allow for additional scheduled replacements in the future

Staff recommended the purchase of the Aerial Ladder Truck from E-One As detailed above, this piece of equipment fit the future role and direction of the Monrovia Fire Department, provided much needed equipment and storage space, and met the City's budgetary requirements Additionally, by adhering to the Department's equipment replacement schedule, equipment maintenance funds were used as efficiently as possible

After discussion, it was moved by Councilmember Garcia, seconded by Mayor Pro Tem Lutz, to authorize the purchase of a 2005 Aerial Ladder Truck from E-One Leasing, Inc , for an amount not to exceed \$600,978 There were no objections

**2 Conditionally Authorizing a Transfer of Control of the Cable Television Franchisee from Adelphia Communications Corporation to Comcast Cable Holdings, LLC, Assignment of the Cable Television Franchise Comcast Cable Holdings, LLC , to CAC Exchange I, LLC , and Transfer of Control of CAC Exchange I, LLC , from Comcast Corporation to Time Warner Cable, Inc , Resolution No 2005-69**

Dick Singer, Public Information Officer, reviewed the Staff Report

Adelphia Communications Inc , was being sold to a joint venture of Comcast Cable Holdings and Time Warner Cable, with an agreement between the two purchasing corporations ceding all of Adelphia's Southern California systems to Time Warner For this to happen, it would require the approval of the City Council to transfer the local franchise from Adelphia, through Comcast and a Comcast subsidiary, to Time Warner Resolution No 2005-69 allowed the transfer to take place through a multi-step procedure, with safeguards in place should the sale not go through The transfer would not affect any provisions of the existing franchise, but simply move it from Adelphia to Time Warner Staff recommended approval of this transfer

After discussion, It was moved by Councilmember Adams, seconded by Mayor Pro Tem Lutz, to adopt Resolution No 2005-69 There were no objections

**\*3 Cooperative Traffic Signal Installation Project Between the City of Monrovia and the City of Duarte, Mountain Avenue at Home Depot/Wal-Mart Entrances, Acceptance of Work and Final Payment in the Amount of \$43,980.36 to the City of Duarte , for the Total Project Amount of \$132,073.15**

This matter was approved by order of the Consent Calendar

The two cities participated in a cooperative traffic signal construction project on Mountain Avenue at the Home Depot/Wal-Mart entrances, with the costs being shared equally among the developer, City of Monrovia and the City of Duarte

The City of Duarte provided construction administration and project management services The City of Monrovia provided project oversight during construction and coordination with the business owners to minimize construction impacts

The project was funded with Proposition C funds

Staff recommended accepting the work and authorizing final payment in the amount of \$43,980 36 to the City of Duarte

**\*4 Cooperative Street Improvement Project Between the City of Monrovia and the City of Duarte, Mountain Avenue from Huntington Drive to Evergreen Avenue, Acceptance of Work and Final Payment in the amount of \$63,207 54 to the City of Duarte for the Total Project Amount of \$139,249 97**

This matter was approved by order of the Consent Calendar

The two cities participated in a cooperative street improvement project on Mountain Avenue from Huntington Drive to Evergreen Avenue with the costs being shared equally between them

The City of Duarte provided construction administration and project management services The City of Monrovia provided project oversight during construction and coordination with the business owners to minimize construction impacts Staff reviewed the final billing for the project and concurred with the final quantities

The project was funded with Proposition C funds

Staff recommended accepting the work and authorizing final payment in the amount of \$63,207 54 to the City of Duarte

**\*5 Agreement with the Monrovia Chamber of Commerce for \$48,688 00 to Provide Support Services to the City of Monrovia for Calendar Year 2006**

This matter was removed from the Agenda to be rescheduled at a later date

**\*6 Amendment of Title 15 44 "Art in Public Places" of the Monrovia Municipal Code Pertaining to Establishing a Library Improvement Fund, Second Reading and Adoption of Ordinance No 2005-06**

This matter was approved by order of the Consent Calendar

This was the second reading and final adoption of Ordinance No 2005-06 amending Title 15 of the Monrovia Municipal Code, pertaining to establishing a Library Improvement Fund Staff continued to recommend approval of this ordinance

**\*7 Amendment to Title 17 (Zoning) of the Monrovia Municipal Code Pertaining to Regulations for the Adoption and Administration of Specific Plans, Second Reading and Adoption of Ordinance No 2005-11**

This matter was approved by order of the Consent Calendar

This was the second reading and final adoption of Ordinance No 2005-11 amending Title 17 of the Monrovia Municipal Code, pertaining to regulations for the adoption and administration of specific plans Staff continued to recommend approval of this ordinance

**\*8 Zone Change ZC2005-03 to Change the Land Use and Zoning Designation from Office/Research and Development/Light Manufacturing (O/RD/LM) to a Specific Plan Designation at 700 South Myrtle Avenue by Woodford Investment, LLC/Barratt American Applicants, Second Reading and Adoption of Ordinance No 2005-12**

This matter was approved by order of the Consent Calendar

This was the second reading and final adoption of Ordinance No 2005-12 regarding Zone Change ZC2005-03 Staff continued to recommend approval of this ordinance

**\*J PAYROLL & VOUCHERS** Payroll Nos 23 and 24 in the net amount of \$500,055 41 and \$533,950 91, respectively, and Voucher Numbers 129443 through 129780 non-sequentially in the amount of \$1,161,929 33 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, January 3, 2006, 7 30 P M , City Council Chambers, 415 South Ivy Avenue, Monrovia, California, and that the December 20, 2005 Regular City Council Meeting had been cancelled

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

**M ADJOURNMENT TO CLOSED SESSION** At 8 50 P M , Mayor Hammond reported that the City Council would adjourn to Closed Session to Conference with Legal Counsel, Government Code §54956 9(a), Workers Compensation Claim, Rosemarie Tergina vs City of Monrovia, Case No 1-23666 , and would return to Council Chambers to report Closed Session convened at 8 50 P M

**N RECONVENE AND REPORT OF CLOSED SESSION** At 9 05 P M , the City Council Meeting was reconvened by Mayor Hammond City Attorney Steele reported that the above matter was discussed, and that disclosure of any actions was non-reportable as disclosure would impair ability to settle

**O ADJOURNMENT** Mayor Hammond adjourned the Meeting at 9 05 P M in memory of Robert E (Bob) Zook and Katie Surbeck

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

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