

**MINUTES OF THE REGULAR MEETING OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, OCTOBER 16, 2012, 7:30 P.M.**

CLOSED SESSION: Mayor Lutz convened the Closed Session Meeting of the Monrovia City Council at 6:30 p.m. on Tuesday, October 16, 2012, in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, at which all Councilmembers were present, with the exception of Councilmember Adams who was excused, to discuss the following Closed Session items: CS-1 Conference with Legal Counsel, Existing Litigation Pursuant to Government Code §54956.9 (a); Metro Gold Line Construction Authority v. City of Monrovia et al., Case No. GC 050043; CS-2 Conference with Legal Counsel, Existing Litigation Pursuant to Government Code §54956.9 (a); Samuelson & Fetter LLC, The Parks at Monrovia Station Square I LLC, and The Parks at Monrovia Station Square II LLC v. City of Monrovia, Successor Agency of the Monrovia Redevelopment Agency, and Does 1 through 20, inclusive, Case No. GC 050043; CS-3 Conference with Legal Counsel, Anticipated Litigation Pursuant to Government Code §54956.9 (a); A point has been reached where there is a significant exposure to litigation against the Agency, in the opinion of the Agency on the advice of its legal counsel, based on the Notice of Proposed Eminent Domain Proceeding and of Opportunity to be Heard sent to the Agency by the Metro Gold Line Foothill Extension Construction Authority on August 28, 2012; One (1) Potential Case; CS-4 Real Property Negotiations Pursuant to Government Code §54956.8; a Portion of Real Property Located at the Southeast Corner of Magnolia and Pomona Avenues (Assessor Parcel Numbers 8507-003-917, 918, 919, and 920); Agency Negotiator: City Manager; Negotiating Parties: Metro Gold Line Foothill Extension Construction Authority; Under Negotiation: Price and Terms of Payment; CS-5 Conference with Labor Negotiator pursuant to Government Code §54957.6; Agency Designated Negotiator: Danielle Tellez; Employee Organizations: Monrovia Firefighters Association and Monrovia Municipal Employees Association. The meeting adjourned at 7:05 p.m.

CONVENE: Mayor Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, October 16, 2012, at 7:33 p.m. in City Council Chambers, in honor of Ethan Tyler Ambriz, Born August 18, 2012, to Lizbeth and Daniel Ambriz. In attendance were City Manager Laurie Lile, City Attorney Craig A. Steele, and City Clerk Alice D. Atkins.

INVOCATION: Reverend Richard Sullender led the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Larry Spicer led the Pledge of Allegiance.

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

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

PRESENTATIONS/PROCLAMATIONS:

PR-1 Recognition of Steve Clements, Assistant Store Manager, Monrovia Home Depot, for Donation of City's New Holiday Tree: This item was postponed to a later date.

PR-2 Proclaiming October 27, 2012, as Make a Difference Day: The Mayor and City Council presented a proclamation to Jessica Kubel, Volunteer Center Services Representative.

PR-3 Proclaiming November 2012 as Pulmonary Hypertension Awareness Month: The Mayor and City Council presented a proclamation to Monrovia resident and MAP Leader Joannie Yuille.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Liaison Sela Rich was excused.

ORDER OF BUSINESS: City Manager Laurie Lile stated that exhibits not available at the time the Agenda was posted had been distributed and were available at the public counter. Mayor Lutz requested that Item RCC-1(a) be moved up to follow the Consent Calendar.

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

CC-1 Unadopted Minutes of the October 2, 2012, Regular Meeting of the Monrovia City Council: The City Council approved the Minutes as presented.

CC-2 Payroll No. 21 in the Net Amount of \$539,963.18, and Voucher Nos. 179701 through 179875 (Checks) and 263 through 273 (EFT) in the Total Amount of \$665,139.14: The City Council approved Payroll No. 21 in the net amount of \$539,963.18, and Voucher Nos. 179701 through 179875 (Checks) and 263 through 273 (EFT) in the total amount of \$665,139.14.

CC-3 Agreement with the State of California - The Natural Resources Agency for Urban Greening for Sustainable Communities Grant Program Funds in the Amount of \$995,000.00 with a Term Expiring May 1, 2015: The City Council approved an agreement with the State of California – The Natural Resources Agency for Urban Greening for Sustainable Communities Grant Program Funds in the Amount of \$995,000.00 and authorized the City Manager to execute the necessary documents.

CC-4 Second Amendment and Restatement of the Memorandum of Understanding with the Monrovia Unified School District Relating to Public Use of Playground Areas at Monroe, Wild Rose, Bradoaks, Mayflower, and Plymouth Elementary Schools for Weekend Recreational Activities for the Period Ending June 30, 2013: The City Council approved the Second Amendment and Restatement of the Memorandum of Understanding with the Monrovia Unified School District Relating to Public Use of Playground Areas at Monroe, Wild Rose, Bradoaks, Mayflower, and Plymouth Elementary Schools for Weekend Recreational Activities for the Period Ending June 30, 2013.

CC-5 Amendment to Title 17 (Zoning) of the Monrovia Municipal Code relating to Old Town Extension Regulations, Adoption of Ordinance No. 2012-06; and Zone Change ZC2012-01 Amending the Zoning Designation from M (Manufacturing) to SP (Specific Plan), Adoption of Ordinance No. 2012-07: The City Council adopted Ordinance Nos. 2012-06 and 2012-07.

CC-6 Denial of Liability Claim filed by James E. Moore: The City Council denied the claim filed by James E. Moore against the City of Monrovia

The following item was heard out of order:

RCC-1 Mayor Mary Ann Lutz

- (a) Legislative Wrap-up, Assemblymember Anthony Portantino; The Mayor and City Council presented outgoing Assemblymember Portantino with a Certificate of Appreciation.

PUBLIC INPUT

1. Ron Handy, VFW Post 2070
2. Stephanie Cox, Monrovia
3. Reverend Richard Sullender, First Baptist Church
4. Chuck Keen, American Legion Post 44

PUBLIC HEARINGS / MEETINGS:

PH-1 Adoption of Findings of Fact and a Statement of Overriding Considerations as a Responsible Agency Pursuant to the California Environmental Quality Act, and Summary Vacation of Duarte Road (North), Resolution Nos. 2012-48 and 2012 -49

Ron Bow, Director of Public Works, reviewed the Staff Report.

Mayor Lutz 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 Spicer, seconded by Councilmember Shevlin, to Adopt Resolution Nos. 2012-48 and 2012-49. The motion carried unanimously.

REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES**RCC-1 Mayor Lutz:**

- (a) Legislative Wrap-up, Assemblymember Anthony Portantino; This item was heard out of order following Consent Calendar above.
- (b) Upcoming State Board of Equalization conference
- (c) Upcoming Mayor's Prayer Breakfast

RCC-2 Mayor Pro Tem Garcia had no report.

RCC-3 Councilmember Adams was excused.

RCC-4 Councilmember Shevlin:

- (a) Recent meeting regarding unemployment levels
- (b) Upcoming meetings and events in the community

RCC-5 Councilmember Spicer had no report.

Mayor Lutz called for a recess from 8:31 p.m. to 8:43 p.m.

ADMINISTRATIVE REPORTS:**AR-1 Overview of Southern California Gas Company Automatic Metering Infrastructure Project**

Ron Bow, Director of Public Works, reviewed the Staff Report. Southern California Edison representatives Helen Romero Shaw and Beverly Fernandez also presented information to the City Council.

Following discussion, **it was moved by Councilmember Shevlin, seconded by Councilmember Spicer, to receive and file the report.** The motion carried unanimously.

AR-2 Agreement with D & R Office Works, Inc., in the Amount of \$13,212.56 for the Purchase and Installation of Workspace Partitions and Moving Services

Darlene Sanchez, Senior Project Manager, reviewed the Staff Report.

Following discussion, **it was moved by Mayor Pro Tem Garcia, seconded by Councilmember Shevlin, to approve an agreement with D & R Office Works, Inc., in the amount of \$13,212.56 for the purchase and installation of workspace partitions and moving services, and direct Staff to bring back a Staff Report including analysis of the options to lease the existing Annex property for housing or business purposes, or to sell the property.** The motion carried unanimously.

AR-3 Amendment to Chapters 5.04 and 5.88 of the Monrovia Municipal Code Regarding Mobile Food Vendors, Introduction and First Reading of Ordinance No. 2011-08

Craig Steele, City Attorney, reviewed the Staff Report.

Following discussion, **it was moved by Mayor Pro Tem Garcia, seconded by Councilmember Shevlin, to introduce, read by title only, and waive further reading of Ordinance No. 2011-08.** The motion carried unanimously.

City Attorney Steele read the title of Ordinance No. 2011-08 as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, AMENDING CHAPTERS 5.04 AND 5.88 OF THE MONROVIA MUNICIPAL CODE REGARDING MOBILE FOOD VENDORS

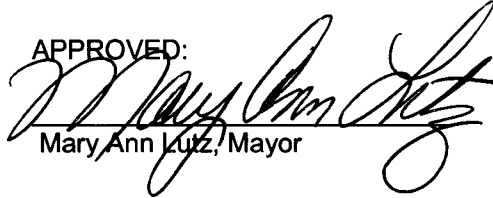
PUBLIC INPUT, CONTINUED, IF NEEDED: None.

ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED: None.

SCHEDULED MEETINGS: The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, November 6, 2012, 7:30 p.m., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.


ADJOURNMENT: At 9:40 p.m., Mayor Lutz adjourned the meeting in memory of Meghan Gibbs, Monrovia High School Alumnus and daughter of Ann Benson Gibbs and John Gibbs.

APPROVED:



Mary Ann Lutz, Mayor

ATTEST:



Alice D. Atkins, CMC, City Clerk