

**MINUTES OF THE REGULAR MEETING OF THE  
MONROVIA CITY COUNCIL  
HELD TUESDAY, JULY 6, 2010, 7:30 P.M.**

**CONVENE:** Mayor Mary Ann Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, July 6, 2010, at 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California, in honor of Jayden Dax Mari born March 17, 2010 to David & Cyndi Mari, preceded by a Closed Session, 7:00 P.M., at which all City Councilmembers were present. In attendance were City Manager Scott Ochoa, City Attorney Craig A. Steele, and City Clerk Alice D. Atkins.

**INVOCATION:** Pastor Richard Sullender gave the Invocation.

**PLEDGE OF ALLEGIANCE:** Councilmember Joe Garcia led the Pledge of Allegiance.

**ROLL CALL:** In attendance were Councilmembers Joe Garcia, Clarence R. Shaw, Becky A. Shevlin, Mayor Pro Tem Tom Adams and Mayor Mary Ann Lutz.

**REPORT OF CLOSED SESSION**

**RCS-1 Conference with Legal Counsel; Existing Litigation Pursuant to Government Code §54956.9; Hillside Wilderness Preservation Campaign Group, a California Unincorporated Association, and Thomas A. Suess, an Individual, vs. City of Monrovia, BS119186.** City Attorney Craig Steele stated that the City Council gave direction to Staff and there was no reportable action.

**PRESENTATIONS/PROCLAMATIONS:**

**PR-1 Recognition of John Nobrega, Long-time Supporter of the Monrovia Fire Department and Recipient of the Centennial Celebration Award:** The Mayor and City Council recognized John Nobrega for his years of dedicated service and support of the Monrovia Fire Department. Fire Chief Christopher Donovan presented Mr. Nobrega with a retired Centennial Badge secured in a shadow box. Mr. Nobrega said a few words of thanks.

**PR-2 Recognition of Retiring Boardmembers and Commissioners; Kathy Knudsen, Library Board, Charlotte Schamadan, Library Board, Paul Larsen, Community Services Commission, Brad Palfrey, Planning Commission, and George Khoury, Monrovia Old Town Advisory Board:** The Mayor and City Council recognized retiring Library Boardmembers Kathy Knudsen and Charlotte Schamadan, Community Services Commissioner Paul Larsen, Planning Commissioner Brad Palfrey, and Monrovia Old Town Advisory Boardmember George Khoury for their dedication and service to the community. Library Boardmember Kathy Knudsen was in attendance and accepted a plaque from the Mayor and City Council.

**PR-3 Proclaiming the Month of July 2010 as "Parks and Recreation Month":** The Mayor and City Council presented a proclamation to Community Services Commission Chair Brian Ulm. Recreation Supervisors Lisa Hansberger and Kerri Zessau reviewed the many programs available through the City of Monrovia Community Services Department.

**PR-4 The American Planning Association (APA) 2010 Special Award of Merit for the Monrovia Area Partnership (MAP) Program:** On June 23, 2010, the Los Angeles Section American Planning Association (APA) awarded MAP with the 2010 APA Special Award of Merit for "Planning Excellence for Grassroots Initiative." Dan McConnell, Neighborhood Services Coordinator, presented the award to the Mayor and City Council.

The following item was taken out of order:

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

**RCC-1 Mayor Lutz**

**(b) Fourth of July Celebration:** April Soash, Director of Community Services, reviewed the success of the Fourth of July celebration and KGEM played a short video highlighting the festivities held in Library Park.

**ORDER OF BUSINESS:** City Manager Ochoa stated that there were no other changes to the order of business.

**CONSENT CALENDAR:** At the request of a member of the public, item CC-7 was removed from the Consent Calendar for discussion following Administrative Reports. **It was moved by Mayor Lutz, seconded by Mayor Pro Tem Adams, to approve the Consent Calendar with the exception of item CC-7. It was noted for the record that Councilmember Garcia and Mayor Pro Tem Adams abstained from voting on the introduction of Ordinance No. 2010-06 due to a potential conflict of interest, and that Mayor Pro Tem Adams voted no on the introduction of Ordinance No. 2010-11. Motion carried.** The Consent Calendar consisted of the following Agenda items:

**CC-1 Unadopted Minutes of the June 15, 2010 Regular Meeting of the Monrovia City Council.** The Minutes of the June 15, 2010, Regular Meeting were adopted as presented.

**CC-2 Payroll No. 13 in the Amount of \$654,807.51 and Voucher Nos. 165575 through 165950 in the Amount of \$1,354,615.26.** Payroll No. 13 and Voucher Nos. 165575 through 165950 were approved as presented.

**CC-3 Zone Changes ZC2010-03 and ZC2010-04 Changing the Zoning Designations on Two City-owned Parcels from Residential Foothill (RF) to Hillside Wilderness Preserve (HWP); Adoption of Ordinance No. 2010-07:** The City Council adopted Ordinance No. 2010-07, amending Title 17 (Zoning) Section 17.04.040, the Official Zoning Map, of the Monrovia Municipal Code to change the zone designation on two city owned properties to Hillside Wilderness Preserve. First reading vote: All Ayes.

**CC-4 Zone Change ZC2010-02 Changing the Zoning Designations at 1116 to 1128 South Magnolia Avenue and 239 West Cypress Avenue from Retail Commercial Corridor (RDD) to Residential Medium Density (RM3500); Adoption of Ordinance No. 2010-06:** The City Council adopted Ordinance No. 2010-06, amending Title 17 (Zoning) Section 17.04.040 (Official Zoning Map) of the Monrovia Municipal Code to rezone the properties located at 1116, 1122, and 1128 South Magnolia Avenue and 239 West Cypress Avenue from Regional Commercial Corridor to Residential Medium Density and approving and adopting a Negative Declaration relating thereto pursuant to the California Environmental Quality Act. First Reading Vote: Ayes: Councilmembers Shaw, Shevlin, Mayor Lutz. Abstain: Councilmember Garcia, Mayor Pro Tem Adams (due to potential conflict of interest).

**CC-5 Amendment to Title 2 (Administration and Personnel) and title 8 (Health and Safety) of the Monrovia Municipal Code Establishing a Shopping Cart Containment and Retrieval Program; Adoption of Ordinance No. 2010-11:** The City Council adopted Ordinance No. 2010-11, amending Section 2.56.030 of Title 2 and adding Chapter 8.13 of Title 8 of the Monrovia Municipal Code. First Reading Vote: Ayes: Councilmembers Garcia, Shaw, Shevlin, Mayor Lutz. Noes: Mayor Pro Tem Adams.

**CC-6 Used Oil Payment Program (OPP) Application; Resolution No. 2010-33:** The City Council adopted Resolution No. 2010-33, authorizing the submittal of Used Oil Payment Program (OPP) Application and designation of City Manager or designee as signature authority.

**CC-7 Interim Agreement with Athens Services in the Amount of \$88,286.44 for Street Sweeping Services.** This item was pulled for discussion following Administrative Reports.

**CC-8 Emergency Removal and Permanent Replacement of Booster 3-1, Including Interim Use of Temporary Pump, at the May Avenue Booster Station by General Pump in the Amount of \$98,141.07.** The City Council approved the replacement of booster pump 3-1 at the May Avenue Booster Station by General Pump Company in the amount of \$98,141.07.

**CC-9 Ratification of Action to Close Monrovia Canyon Park on July 2-4, 2010.** The City Council ratified the closing of Monrovia Canyon Park on July 2-4, 2010.

**CC-10 Cancellation of the August 17, 2010, City Council Meeting.** The City Council approved the cancellation of the August 17, 2010, City Council Meeting.

**CC-11 Agreement with Ewing and Beland in the Amount of \$1,500.00 per Month for Fiscal Year 2010-2011 to Host, Maintain, Design and Provide Assistance in Updating the City Website.** The City Council

approved an agreement with Ewing and Beland for services related to website administration in the amount of \$1,500.00 per month and authorized the City Manager to execute the necessary documents.

**PUBLIC INPUT:**

1. Meredith Maxwell, Census Bureau, Partnership Specialist Team Leader
2. Kurt Thorgeson, Monrovia
3. Jackie Power, Paul Rodriguez, and Rosemary Calderon, Monrovia Area Partnership (MAP) Leaders
4. Luis Lopez and Mark Samet, LaRouche Political Action Committee
5. Michael Hickey, Monrovia
6. Mario Duron, Monrovia

In response to a speaker under Public Input, City Manager Ochoa clarified that the California Public Utilities Commission (CPUC) was referring customers with complaints against Champion Broadband to the Federal Communications Commission (FCC).

**PUBLIC HEARINGS/MEETINGS:**

**PH-1 2010-2011 Fiscal Year Citywide Lighting and Landscaping Maintenance Assessment District, Resolution No. 2010-35:** Mayor Lutz opened and closed the Public Hearing as there was no one present who wished to speak for or against the matter.

It was moved by Mayor Pro Tem Adams, seconded by Councilmember Shevlin to adopt Resolution No. 2010-35, confirming a diagram and assessment for the Citywide Lighting and Landscaping Maintenance District for Fiscal Year 2010-2011 pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code. Motion carried.

**PH-2 2010-2011 Fiscal Year Park Maintenance Assessment District; Resolution No. 2010-36:** Mayor Lutz opened and closed the Public Hearing as there was no one present who wished to speak for or against the matter.

It was moved by Mayor Pro Tem Adams, seconded by Councilmember Shaw, to adopt Resolution No. 2010-36, confirming a diagram and assessment for the Citywide Park Maintenance District for Fiscal Year 2010-2011 pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code. Motion carried.

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

**MRA CONVENE:** Chairman Mary Ann Lutz convened the Meeting of July 6, 2010, of the Monrovia Redevelopment Agency Board of Directors at 8:46 P.M. in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting.

**MRA ROLL CALL:** Those in attendance were Boardmembers Joe Garcia, Clarence R. Shaw, Becky A. Shevlin, Vice-Chairman Tom Adams and Chairman Mary Ann Lutz.

**MRA CONSENT CALENDAR:** It was moved by Boardmember Garcia, seconded by Vice Chairman Adams, to approve the Consent Calendar. Motion carried. The Consent Calendar consisted of the following item:

**MRA CC-1 Unadopted Minutes of the June 15, 2010, Regular Meeting of the Monrovia Redevelopment Agency:** The Minutes of the June 15, 2010, Regular Meeting were adopted as presented.

**MRA PUBLIC HEARINGS/MEETINGS:** None.

**MRA ADMINISTRATIVE REPORTS:** None.

**MRA ADJOURNMENT:** Chairman Lutz adjourned the Meeting at 8:46 P.M.

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

**MFA CONVENE** President Lutz convened the Meeting of July 6, 2010, of the Monrovia Financing Authority at 8:46 P.M. in City Council Chambers, 415 South Ivy Avenue; without adjourning the City Council Meeting

**MFA ROLL CALL** Commissioners Garcia, Shaw, Shevlin, Vice-President Adams, and President Lutz

**MFA CONSENT CALENDAR:** It was moved by Vice-President Adams, seconded by Commissioner Garcia, to approve the Consent Calendar. There were no objections. The Consent Calendar consisted of the following item.

**MFA CC-1 Unadopted Minutes of the June 15, 2010, Meeting of the Monrovia Financing Authority:** The Minutes of the June 15, 2010, Regular Meeting were adopted as presented.

**MFA PUBLIC HEARINGS/MEETINGS:** None

**MFA ADMINISTRATIVE REPORTS:** None

**MFA ADJOURNMENT** President Lutz adjourned the Meeting at 8:46 P.M.

### RECONVENE MONROVIA CITY COUNCIL MEETING

#### REPORTS OF CITY COUNCILMEMBERS AND SUB-COMMITTEES

**RCC1 Mayor Lutz** reported on:

(a) **Update on Monrovia Public Library Programs and Circulation:** Michele Tompkins, Recreation/Library Division Manager, Linda Granicy, Adult Services Senior Library, and Denise Neujahr, Youth Services Librarian II, reviewed programs and circulation statistics.

(b) **the Fourth of July Celebration.**

(c) her attendance at the U.S. Conference of Mayors the previous week.

**RCC2 Mayor Pro Tem Adams** reported on:

(a) the Fourth of July events.

(b) he responded to those who spoke on behalf of the LaRouche Political Action Committee under Public Input.

**RCC3 Councilmember Garcia** reported on:

(a) the Fourth of July events.

**RCC4 Councilmember Shaw** reported on:

(a) the Fourth of July events.

**RCC5 Councilmember Shevlin** reported on:

(a) Literacy Tutor Training scheduled for July 17, 2010, at the library.

(b) a grant from 3M Unitek for the Canyon Park Nature Center.

(c) upcoming events in the community.

(d) the 2010 World Cup.

#### ADMINISTRATIVE REPORTS

**AR-1 Participation in the Los Angeles County Energy Program (LACEP), an AB 811 Property Assessed Clean energy (PACE) Financing Program; Resolution No. 2010-34**

It was moved by Councilmember Garcia, seconded by Mayor Pro Tem Adams, to adopt Resolution No. 2010-34, consenting to inclusion of properties within the incorporated area of the City in the Los Angeles County Energy Program to finance distributed generation renewable energy sources and energy and water efficiency improvements, approving the report setting forth the parameters of the referenced program and certain matters in connection therewith; **and authorize the City Manager to execute the necessary documents.** Motion carried.

**AR-2 Interim Moratorium on the Opening and Licensing of New Massage Establishments and the Issuance of New Massage Practitioner Permits During the Time of the City's Review and Adoption of Amendments to Relevant Licensing and Zoning Regulations; Ordinance Nos. 2010-13 and 2010-13U**

This matter was previously before the Council on May 4, 2010. The Council adopted the moratorium as recommended. To remedy a defect in public noticing, staff recommended that the Council re-adopt the moratorium ordinances. The staff report and ordinances remained unchanged from prior consideration.

It was moved by Mayor Pro Tem Adams, seconded by Councilmember Garcia, to adopt Urgency Ordinance No. 2010-13U and set for public hearing on August 3, 2010, the extension of Urgency Ordinance 2010-13U; and to introduce, read by title only and waive further reading of Ordinance No. 2010-13

City Attorney Steele read the title of Ordinance No. 2010-13U as follows:

**AN URGENCY INTERIM ORDINANCE OF THE CITY OF MONROVIA, CALIFORNIA ENACTED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858 ESTABLISHING A MORATORIUM ON THE OPENING AND LICENSING OF NEW MASSAGE ESTABLISHMENTS AND THE ISSUANCE OF NEW MASSAGE PRACTITIONER PERMITS DURING THE PENDENCY OF THE CITY'S REVIEW AND ADOPTION OF AMENDMENTS TO RELEVANT LICENSING AND ZONING REGULATIONS, AND MAKING FINDINGS REGARDING THE URGENCY THEREOF.**

City Attorney Steele read the title of Ordinance No. 2010-13 as follows:

**AN INTERIM ORDINANCE OF THE CITY OF MONROVIA, CALIFORNIA, PROHIBITING THE OPENING AND LICENSING OF NEW MASSAGE ESTABLISHMENTS AND THE ISSUANCE OF NEW MASSAGE PRACTITIONER PERMITS.**

**AR-3 Reconsideration of Amendment to Chapter 2.20 of Title 2 of the Monrovia Municipal Code regarding City elections Relating to the Date of the General Municipal Election; Ordinance No. 2010-12**

It was moved by Councilmember Shevlin, Seconded by Mayor Lutz to introduce, waive further reading, and read by title only Ordinance No. 2010-12, amending the Monrovia Municipal Code by moving the date of the City's General Municipal Election from the second Tuesday of April of odd-numbered years to the first Tuesday after the first Monday in March of odd-numbered years.

**ROLL CALL:**  
**Ayes: Councilmembers Shevlin, Councilmember Mayor Lutz**  
**Noes: Councilmembers-Garcia, Shaw, Mayor Pro Tem Adams**  
**Motion failed: 2-3**

**PUBLIC INPUT, CONTINUED, IF NEEDED:** None

**ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED:**

**CC-7 Interim Agreement with Athens Services in the Amount of \$88,286.44 for Street Sweeping Services.**

**Speakers:**

1. Gwendolyn Jones, Monrovia

It was moved by Mayor Pro Tem Adams, seconded by Councilmember Shevlin, to approve an interim agreement with Athens Services for street sweeping services and authorize the City Manager to execute the necessary documents. Motion carried.

**SCHEDULED MEETINGS**

The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, July 20, 2010, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.


**ADJOURNMENT:** At 9:56 P.M. Mayor Lutz adjourned the Meeting in memory of Patrick Ryan, Son of City Clerk's Office employee and Passport Agent Kristine Ryan; Brian Straley, community volunteer through the Monrovia Chamber of Commerce, the Monrovia Kiwanis Club, and the YMCA; Donald Proctor, husband of former City Clerk Linda B. Proctor; and Martha Lang, long-time resident and community benefactor.

APPROVED:



Mary Ann Lutz, Mayor

ATTEST:



Alice D. Atkins, CMC, City Clerk