

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, JUNE 1, 2004, 7 30 P M**

CONVENE Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, June 1, 2004 at 7 38 P M in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Budget Study Session, 6 19 P M, in City Council Chambers Staff in attendance was City Manager Scott Ochoa, City Attorney Craig A Steele, and Administrative Secretary Alice D Atkins

INVOCATION Pastor Maurice Battle led the Invocation

PLEDGE OF ALLEGIANCE Councilmember Mary Ann Lutz led the Flag Salute

ROLL CALL In attendance were Councilmembers Adams, Kirby, Lutz, Mayor Pro Tem Garcia, and Mayor Hammond

REPORT OF CLOSED SESSION(S) May 18, 2004

1 Conference with Labor Negotiator pursuant to Government Code Section §54957 6 Agency Negotiator Theresa St Peter, Group Employees Monrovia Firefighters' Association, Monrovia Police Officers' Association, Monrovia Municipal Employees' Association, and Managers, Mid-Managers and Elected and Appointed Employees Mayor Hammond reported that no reportable action was taken

2 Conference with Legal Counsel, Government Code §54956 9(a), Worker's Compensation Claim, James Lopez, Case No 02-27820 Mayor Hammond reported that no reportable action was taken

3 Conference with Legal Counsel, Pending Litigation, Government Code §54956 9(a), City of Monrovia v Andrew L Youngquist Construction, et al, Los Angeles Superior Court Case No BC 304843 Mayor Hammond reported that no reportable action was taken

PRESENTATIONS

1 Recognition of Richard and Nanette Dougall for Their Many Years of Service to the Friends of the Monrovia Public Library

The Mayor and City Council recognized Richard and Nanette Dougall for their many years of service to the Monrovia Public Library and the Friends of the Library As Friends of the Library Book Sale Chairman, Richard, with the dedicated assistance of his wife Nan, had coordinated the Friends of the Library Book Sales for the past 25 years

2 Recognition of Monrovia Adult School and Counselor Bruce Langedyke, Recipients of the National Standards for School Counseling Academy Award in Recognition of Its Support Personnel Accountability Report Card (SPARC)

The SPARC is a continuous improvement document that gives a school-counseling program an opportunity to demonstrate effective communication and a commitment to getting results Modeled after the School Accountability Report Card (SARC), the Support Personnel Accountability Report Card (SPARC) has been developed by an advisory group of Los Angeles County counselors and consultants, counselor administrators, counselor educators and California Department of Education consultants

Councilmember Lutz in presented a certificate of recognition to the Monrovia Adult School and Counselor Bruce Langedyke for their outstanding contribution to their students and for receiving the National Standards for School Counseling Academy Award for two consecutive years In Mr Langedyke's absence, School Board Member Clare Chesley accepted on his behalf

PROCLAMATIONS None

STUDENT GOVERNMENT REPRESENTATIVE REPORT

Mayor Hammond reported that a certificate of recognition would be mailed to Susu Ji, who was not present, and thanked her for service as Student Government Liaison

A CONSENT CALENDAR

Mayor Hammond requested that item *I-4 be pulled from the Consent Calendar

Councilmember Adams announced he would abstain from Item *B as he was excused from the Regular Meeting of May 18, 2004

It was moved by Councilmember Kirby, seconded by Councilmember Lutz, to approve the Consent Calendar consisting of Items *B, *F-1, *I-5, and *J There were no objections

***B MINUTES** The Minutes of the Regular Meeting of May 18, 2004, were approved by order of the Consent Calendar

C ORAL COMMUNICATIONS

1 James H Broderick, Jr , Los Angeles, representing Monrovia residents Mr and Mrs Mitchell Lardner, spoke against the recent terrorist attacks on North Myrtle Avenue and urged the City Council to adopt an ordinance similar to that enacted by the City of Glendale which would not infringe on the First Amendment

2 Nick Peters, Monrovia, spoke against the recent terrorist attacks on North Myrtle Avenue

3 Penny Zuk, Monrovia, spoke against the recent terrorist attacks on North Myrtle Avenue, urged the City Council to adopt an ordinance to protect the community against such antagonism, and called for a town meeting to educate citizens on their rights

4 Audrey Remedios, Monrovia, spoke against the recent terrorist attacks on North Myrtle Avenue and urged the City Council to adopt an ordinance to protect the community from such threats and harassment

5 John Zuk, Monrovia, spoke against the recent terrorist attacks on North Myrtle Avenue and urged the City Council to adopt an ordinance to protect the community from such threats and harassment

6 Scott Bededonner, Monrovia, spoke against the recent terrorist attacks on North Myrtle Avenue and urged the City Council to adopt an ordinance to protect the community from such threats and harassment

7 Cyrus Kemp, Monrovia, spoke against the recent terrorist attacks on North Myrtle Avenue and asked the Council to add the subject to the agenda as an emergency matter

After discussion, Mayor Hammond directed Staff to notice an adjourned meeting of the City Council on Tuesday, June 8, 2004, 6 30 P M to address the issue and consider an ordinance

Mayor Hammond called for a recess from 8 50 P M to 9 06 P M

D PUBLIC HEARINGS/MEETINGS

1 Amendment to Title 8, Chapter 8 04 of the Monrovia Municipal Code Relating to the Health Code, Second Reading and Adoption of Ordinance No 2004-08, Adopting by Reference the Los Angeles County Health Code

Alice Griselle, Community Development Director, reviewed the Staff Report

In 1998, the Los Angeles County Board of Supervisors adopted an ordinance requiring retail food establishments to post a grade card at the end of routine inspections upon their cities adoption of the ordinance Monrovia was one of the remaining ten cities (of the 88 cities in Los Angeles County) that had not adopted an ordinance requiring the posting of grades at their food establishments

The City Council at their May 4, 2004 meeting, read by title only Ordinance No 2004-08 relating to Los Angeles County Retail Food Establishment Inspection/Grading Program and set a Public Hearing for June 1, 2004

The proposed ordinance allowed the Los Angeles County Health Department to operate their retail Food Establishment Inspection/Grading Program within the City of Monrovia Staff recommended that the City Council adopt Ordinance No 2004-08

Mayor Hammond directed Staff to send a letter inviting all of those previously notified of the new letter grading to attend an upcoming informational meeting

PUBLIC HEARING OPENED Mayor Hammond opened the Public Hearing

Those in favor

- 1 Russ Andres, Owner of McDonald's in Monrovia and Duarte
- 2 Cyrus Kemp, Monrovia
- 3 Steve Grollnek, Monrovia

Those against None

PUBLIC HEARING CLOSED Mayor Hammond closed the Public Hearing as there was no one else who wished to speak for or against the matter

It was moved by Mayor Pro Tem Garcia, seconded by City Councilmember Lutz to adopt Ordinance No 2004-08

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

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

CONVENE Chairman Rob Hammond convened the Regular Meeting of June 1, 2004 of the Monrovia Redevelopment Agency Board of Directors at 9 22 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 Joe Garcia, and Chairman Rob Hammond

A CONSENT CALENDAR

Boardmember Adams announced he would abstain from Item *B as he was excused from the Regular Meeting of May 18, 2004

It was moved by Vice Chairman Garcia, seconded by Boardmember Lutz, to approve the Consent Calendar consisting of Item *B There were no objections

***B MINUTES** The Minutes of the Regular Meeting of May 18, 2004, were approved by order of the Consent Calendar

MRA REPORTS None

MRA ADJOURNMENT Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 9 22 P M and the City Council Meeting continued

RECONVENE MONROVIA CITY COUNCIL MEETING

E BIDS None

F COMMUNICATIONS AND PETITIONS

***1 Denial of Liability Claim, Farmers Insurance Exchange vs City of Monrovia**

This matter was approved by order of the Consent Calendar

Mr Nevarez was insured by Farmers Insurance Exchange His wife submitted a claim with the City as their car was struck by a City vehicle while parked The City settled with Mrs Nevarez for expenses they incurred as a result of this incident

Farmers incorrectly concluded that the vehicle was totaled The City had the car damage appraised and paid the owner for the damages Any payment made by Farmers was at its own risk Accordingly, it was recommended that this claim be denied

Claimant was seeking \$11,115 00 in damages Staff recommended that City Council deny this claim

G REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

1 Mayor Hammond reported that

(a) **International Council of Shopping Centers (ICSC) Spring Convention** He, Joe Garcia, and Mary Ann Lutz attended the conference in Las Vegas and came back with a wealth of information on the potential retail and housing possibilities for the 80 acres in and around the proposed transit center, which will aid in implementing the suggestions of the ULI study currently being conducted

(b) He thanked everyone in the community who came out for the Memorial Day Celebration, and thanked Live Oak Memorial Park and Lorraine Mohan of the San Gabriel Valley Allied Council for sponsoring the event

(c) There would be an important public Gold Line meeting, on Thursday, June 3, 2004, discussing some of the environment impacts of the Gold Line at the Monrovia Community Center Monroe Room, 119 W Palm Avenue from 6 00 P M until 8 00 P M

2 Mayor Pro Tem Garcia reported that

(a) He congratulated Mayor Hammond on his recent appointment as Chairman of the Joint Powers Authority (JPA) for the Gold Line

3 Councilmember Adams reported that

(a) He thanked everyone for their calls and cards of congratulations on his recent wedding

(b) He congratulated Agent Glen Coleman on receiving the Heart in Hand Humanitarian Award, stating he couldn't think of anyone more deserving

4 Councilmember Kirby reported that

(a) He thanked everyone who participated in Memorial Day Celebrations everywhere, recognizing this very important day, and hoped those that are still away from their loved ones were always kept in mind, remembering every day those who were serving and had served our country

5 Councilmember Lutz reported that

(a) She reminded everyone of the upcoming Foothill Unity Center Golden Plate Awards Luncheon honoring Agent Coleman with the Heart in Hand Humanitarian Award on Wednesday June 9, 2004

(b) She announced that there would be a Town Hall meeting to discuss the moratorium pertaining to the pre-1940 s homes at 6 00 p m on Wednesday, June 9, 2004 City Council Chambers 415 S Ivy Avenue, Monrovia

H REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES None

I ADMINISTRATIVE REPORTS

1 Update to the City's Purchasing Policy, Resolution No 2004-32, and Amendment to Title 3, Chapter 3 24 of the Monrovia Municipal Code Relating to Purchasing, Bidding and Sale Procedures, Introduction and First Reading of Ordinance No 2004-09

Terrence Beaman, Finance Division Manager, reviewed the Staff Report

The Municipal Code had been reviewed to ensure all procedures were in line with the most efficient ways and means of implementing the procurement process. In conjunction with this, the Administrative Policy included a comprehensive set of practices and procedures required of staff at all levels. These practices would be used to satisfy the general City policy identified in the Municipal Code Section 3.24. Although changes were being recommended to the City code, it would still be in compliance with the State procurement code.

A summary of the changes to be made to the Municipal Code and the Administrative Policy were as follows:

- Special Payment Demand forms could be used to process purchases up to \$15,000. The previous limit was \$5,000.00.
- The requirement for obtaining three verbal quotes (i.e., telephone, catalog) for purchases was raised from \$500.00 to \$2,500.00. This would improve the efficiency of purchasing small dollar items that departments already knew where to obtain the lowest price.
- The requirement for obtaining three written quotes (i.e., vendor estimate, faxed price list,) for purchases was raised from \$2,500.00 to \$5,000.00. Purchases over \$5,000 would require written supporting documentation showing that Staff had done the proper due diligence in obtaining the lowest price.
- The authority granted the City Manager to sign contracts on behalf of the City was raised from \$5,000.00 to \$15,000.00. This allowed the City Manager to approve all administrative agreements that were part of the normal day-to-day operations of the City.

After much discussion, it was moved by Mayor Hammond, seconded by Councilmember Adams, to bring this matter back to a subsequent meeting, still authorizing the City Manager to execute contracts and agreements in an amount not to exceed \$15,000.00, but with more conservative changes to the rest of the Administrative Policy.

ROLL CALL

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

2 Three-year Extension of Contract with Honeywell Incorporated for Heating, Ventilation and Air Conditioning Maintenance Services in the Amount of \$79,548.00 for Fiscal Year 2004-05, with a Consumer Price Index Increase for Each Subsequent Year

Dennis Shiflett, Facilities Division Manager, reviewed the Staff Report.

The City maintenance contract with Honeywell Inc. was initiated as part of a bid process for energy conservation. With the State budget crisis growing, and the City's funding reductions, Honeywell demonstrated their willingness to withhold their contractual cost increase for fiscal year 2003-2004. The quote received for annual service was \$79,548.00.

Extending the maintenance services contract with Honeywell for three (3) additional years secured the City a net cost savings of \$8,831.00 or a 9% reduction for fiscal year 2004-2005. Increases for years two and three of the proposed extension would be based on the CPI. Expenditures would be from the Building Maintenance Fund.

It was moved by Mayor Pro Tem Garcia, seconded by City Councilmember Adams, to approve a three-year Extension of Contract with Honeywell Incorporated for heating, ventilation and air conditioning maintenance services in the amount of \$79,548.00 for fiscal year 2004-05, with a Consumer Price Index (CPI) increase for each subsequent year. There were no objections.

3 Three-year Extension of Contract with William Marino Enterprises for Graffiti Removal Services in the Amount of \$32,360.00 for Fiscal Year 2004-05 with a Consumer Price Index (CPI) Increase for Each Subsequent Year

Dan Iwata, Parks Division Manager, reviewed the Staff Report.

The Graffiti Removal Program had been a contract service, administered by the City's Parks Division, since 1993. The Contractor was required to provide a minimum of 16.25 hours of service per week, however, the Contractor was well known for performing his services on the weekends to help beautify the City.

The State budget crisis in 2003 impacted the Graffiti Removal Contract significantly. The budget was reduced from \$39,500.00 to \$32,360.00 for fiscal year 2004-05. William Marino Enterprises proposed a three (3) year extension.

The Contractor proposed no increase for Year One and increases for Years Two and Three of the extension to be based on the CPI. The total cost of the contract extension for Fiscal Year 2004-2005 was \$32,360.00. Funding was from the General Fund.

It was moved by Councilmember Adams, seconded by City Councilmember Kirby, to Approve a three-year extension of contract with William Marino Enterprises for Graffiti Removal Services in the amount of \$32,360.00 for fiscal year 2004-2005 with a Consumer Price Index (CPI) increase for each subsequent year. There were no objections.

4 One-year Extension of Contract with Merrimac Energy Group for the Procurement and Delivery Services and Motor Fuels in the Estimated Amount of \$300,000.00 for Fiscal Year 2004-05

At the request of Mayor Hammond, this item was pulled from the Consent Calendar.

The City's fueling services program currently provided fuel for vehicles operated by the following agencies:

- Monrovia Public Works, Police, Fire and Transit
- Neighborhood Preservation
- Monrovia Unified School District
- City of Duarte, which includes the contract Sheriff's vehicles
- Metropolitan Cooperative Library System
- Monrovia Reads Bookmobile Program

For the past seven years the City purchased its motor fuel from two vendors-- Merrimac Energy Group supplying diesel fuel, and Mercury Fuels supplying gasoline. Both vendors provided excellent service and adhered to contract pricing based on the Oil Pricing Information Service (OPIS) index average cost for fuels sold in the Los Angeles area.

The pricing of motor fuels was extremely volatile and uncertain. The method used by the City to ensure fair pricing was requiring the contractor to base their costs on the Oil Pricing Information Service index average cost for fuels sold in the Los Angeles area with a plus or minus monetary amount from the OPIS average for the delivery.

The expenditures for the purchase of motor fuels were off set by their sale to the Fueling Services Programs customers.

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Garcia, to approve a One-Year Extension of Contract with Merrimac Energy Group for the procurement and delivery services of motor fuels in the estimated amount of \$300,000.00 for Fiscal Year 2004-05. There were no objections.

***5 Renewal of Options Lease Agreements for Rotary and Recreation Parks for the Year Ending June 30, 2005**

This matter was approved by order of the Consent Calendar.

The City of Monrovia established land use lease agreements with Options for use of Rotary Park in 1987 and Recreation Park in 1988. The Rotary Park lease agreement provided space for a classroom to conduct the Options Surround Care which provided childcare opportunities to local residents. The

Recreation Park lease agreement provided space for a classroom to conduct Headstart programs that provide early academic and social opportunities for children and parent education programs

The leases were for one year and the current leases would expire June 30, 2004 Options was current with their rent of \$120 per month at Rotary Park and rent of \$1 00 per year at Recreation Park Staff and the Community Services Commission recommended to City Council the renewal of the lease agreements at Rotary Park and Recreation Park with a termination date of June 30, 2005

***J PAYROLL & VOUCHERS**

Payroll No 11 in the net amount of \$455,415 72 and Voucher Numbers 118645 through 118916 non-sequentially in the amount of \$514,019 23 56 were approved by order of the Consent Calendar

K SCHEDULED MEETINGS

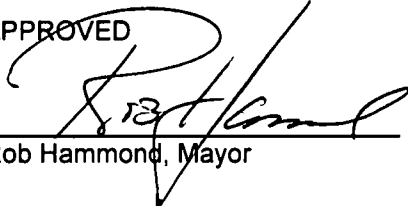
The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, June 15 2004, 7 30 P M , City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Salut to Service Program, 7 00 P M , City Council Chambers

L ORAL COMMUNICATIONS, CONTINUED, IF NEEDED None

M CLOSED SESSION None

N ADJOURNMENT At 10 15 P M , Mayor Hammond adjourned the City Council Meeting to 6 30 p m on Tuesday, June 8, 2004, City Council Chambers, in memory of Luciano Gallo, father of Public Works Employee Richard Gallo

APPROVED


Rob Hammond, Mayor

ATTEST


Linda B Proctor, CMC, City Clerk

