

**MINUTES OF THE REGULAR MEETING  
OF THE  
MONROVIA CITY COUNCIL  
HELD TUESDAY, APRIL 19, 2005, 7 30 P M**

**CONVENE** Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, April 19, 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 City Clerk Linda B Proctor

**INVOCATION** City Clerk Linda B Proctor gave the Invocation

**PLEDGE OF ALLEGIANCE** Mayor Pro Tem Mary Ann Lutz led the Flag Salute

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

**PRESENTATIONS**

**1 Recognition of Community Media of the Foothills, KGEM-TV**

The Mayor and City Council recognized KGEM's Jasen Lewis, Executive Director, his staff and program providers for their contributions to the community in a variety of productions to both entertain and educate the viewing audiences KGEM also provided the youth and community in general training in television production and an opportunity to express themselves as hosts and producers

KGEM's particular attention and coverage during the City's Municipal elections enabled the public to see and hear candidates first hand as they expressed their views and visions KGEM's outstanding coverage on Election Eves from City Hall as results were tallied and reported was both original and innovating

**PROCLAMATIONS**

**1 Proclaiming April 22, 2005 as "Earth Day"**

Mayor Hammond proclaimed April 22, 2005 as "Earth Day " This was the 35<sup>th</sup> anniversary of Earth Day Since its founding in 1970, Earth Day had been celebrated annually by millions of people worldwide on April 22 to remind everyone of the importance of protecting the environment

**2 Proclaiming April 30, 2005 as "El Dia de los Niños"**

Mayor Hammond proclaimed April 30, 2005 as "El Dia de los Niños " National Latino Children's Institute, serving as a voice for Latino Children, designated April 30<sup>th</sup> as El Dia de los Ninos to focus on uplifting Latino children and all other children into the next millennium by their own day of celebration, and to build a safe and healthy nation for them

**3 Proclaiming the Week of April 25 to May 1, 2005 as "West Nile Virus and Mosquito and Vector Control Awareness Week"**

Mayor Hammond proclaimed the Week of April 25, 2005 as West Nile Virus and Mosquito and Vector Control Awareness Week West Nile virus was a mosquito-borne disease that could result in debilitating cases of meningitis and encephalitis and death to humans, horses, avian species and other wildlife

**STUDENT GOVERNMENT REPRESENTATIVE REPORT** Student Liaison Pamela Cheng reported on activities at Monrovia High School

**A CONSENT CALENDAR** to approve the Consent Calendar consisting of Items \*B, \*F-1, \*F-2, \*F-3, \*F-4, \*I-4, \*I-5, \*I-6, and \*J It was moved by Mayor Pro Tem Lutz, seconded by Councilmember Kirby, to approve the Consent Calendar There were no objections

**\*B MINUTES** The Minutes of the Regular Meeting of April 5, 2005 were approved by order of the Consent Calendar

**C ORAL COMMUNICATIONS**

Those speaking were

- 1 Dennis Chiappetta, Athens Services
- 2 John Volk, Monrovia
- 3 Brandi Carter, Pasadena
- 4 Becky Shevlin, Monrovia
- 5 Jimmy O'Balles, Monrovia,
- 6 Stephen Grollnek, Monrovia
- 7 Chuck Keen, Monrovia

In response to concerns expressed by speakers, Mayor Hammond reviewed meeting times, dates and places of the Trails Committee, and City Attorney Steele reported that the verbiage used on the Agenda regarding conduct of speakers was directly from case law, and as such was not violating citizens' rights to speak to the City Council

**CHANGES IN THE AGENDA** Mayor Hammond announced that Agenda Items MRA-1 and Administration Report I-3 were pulled as there would not have been a quorum due to the fact that Mayor Pro Tem/Vice Chairman Lutz and Mayor/Chairman Hammond would have excused themselves from discussion and voting on the matter due to a conflict of interest based on the proximity of their respective businesses to the proposed projects

**D PUBLIC HEARINGS/MEETINGS** None

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

**CONVENE** Chairman Rob Hammond convened the Regular Meeting of April 19, 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 Joe Garcia, Dan Kirby, Vice-Chairman Mary Ann Lutz, and Chairman Rob Hammond Boardmember Tom Adams was excused

**A CONSENT CALENDAR**

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

**\*B MINUTES** The Minutes of the Regular Meeting of April 5, 2005 were approved by order of the Consent Calendar

**MRA REPORTS**

- 1 **Award of Grants Pursuant to Old Town Business Development Program**

This matter was removed from the Agenda and rescheduled for May 3, 2005

**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**

**\*1 Receive and File, Application for ABC Beverage License (Type 41-On-Sale Beer and Wine License) for Peach Café, 141 East Colorado Boulevard**

This matter was approved by order of the Consent Calendar

Notice was received from ABC that Nita Millstein and Elliot Midwood submitted an application for a Type 41 – On-Sale Beer and Wine License Based on the background investigation on the applicants, Staff found no reason to recommend any other action on this application There was no fiscal impact and Staff recommended that the City Council receive and file the application

**\*2 Denial of Liability Claim, Mario Arredondo vs City of Monrovia**

This matter was approved by order of the Consent Calendar

Mr Arredondo alleged he suffered injury as a result of actions taken by the City ultimately resulting in his termination from employment with the City of Monrovia

An investigation was conducted and the City was satisfied that the termination of this employee was based on sound reasoning Therefore, the City acted correctly in its handling of this matter

**\*3 Denial of Liability Claim, Alex Cardona vs City of Monrovia**

This matter was approved by order of the Consent Calendar

Mr Cardona alleged he suffered injury as a result of actions taken by the City ultimately resulting in his termination from employment with the City of Monrovia

An investigation was conducted and the City was satisfied that the termination of this employee was based on sound reasoning Therefore, the City acted correctly in its handling of this matter

**\*4 Denial of Liability Claim, Allan Lario vs City of Monrovia**

This matter was approved by order of the Consent Calendar

Mr Lario alleged he suffered injury as a result of actions taken by the City ultimately resulting in his termination from employment with the City of Monrovia

An investigation was conducted and the City was satisfied that the termination of this employee was based on sound reasoning Therefore, the City acted correctly in its handling of this matter

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

**1 Mayor Hammond reported that**

**(a) Appointment of Selection Committee for Planning Commission, Community Services Commission, Historic Preservation Commission, Library Board, and Monrovia Old Town Advisory Board** Mayor Hammond appointed a Selection Committee for the Planning Commission, Community Services Commission, Historic Preservation Commission, Library Board, and Monrovia Old Town Advisory Board and explained that each April, a Selection Committee, made up of the Chair, Council Liaison and Department Director (or designee) of the Commission or Board was appointed to interview candidates for each of the various City's Commissions and Boards The Selection Committee would present a recommendation to the City Council for its June 21, 2005 City Council Terms would begin on July 1, 2005 and were for three years, with the exception of MOTAB, which was a two-year term

- (b) He and other members of the Staff and Council would be working at the Challenge Cup, Baker to Vegas Relay Race this weekend in support of Monrovia Police Department's Team
- (c) The Golden Age Club celebrated its 50<sup>th</sup> Anniversary at a luncheon Monday, April 18, 2005 at the Community Center

**2 Mayor Pro Tem Garcia reported that**

- (a) He attended the League of California Cities Housing, Economic Development and Housing Committee meeting in San Jose where a housing summit task force was discussed He explained the many facets of the task force

**3 Councilmember Adams was excused**

**4 Councilmember Kirby reported that**

- (a) He thanked staff and parents, and the children of Wildrose Elementary School for their Open House, noting that the 5th grade science projects were outstanding
- (b) He applauded the efforts of Mayor Hammond for his work in getting the Gold Line governance to where it was now, and congratulated him for an event that people said would never happen

**5 Councilmember Lutz reported that**

- (a) On April 21, 2005, the City of Monrovia would host the 5<sup>th</sup> Annual Regional Housing Summit of the Southern California Association of Governments' (SKAG) Housing Summit, "Housing Outside of the Box," 8 15 AM to 2 30 P M , where very board topics addressing housing in our region would be discussed She thanked Staff for helping in presenting the summit at the Community Center
- (b) She would also be working at the Challenge Cup Relay Race this weekend in support of Monrovia Police Department's team and was very proud of efforts of Monrovia's officers

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

**I ADMINISTRATIVE REPORTS**

**1 Expansion of Discount Bus Pass Program for Seniors, Disabled and Students**

Alice Griselle, Director of Community Development, reviewed the Staff Report

Since 1991, local governments had received AB2766 funds to implement programs that reduce air pollution from motor vehicles with an emphasis on projects that had a measurable impact on vehicle emissions The City's Discount Bus Pass Program was one of the current programs supported with Air Quality Funds Up to this point, only the senior/disabled Metro EZpass (also good on Foothill Transit) had been subsidized

Staff proposed to expand the existing Discount Bus Pass Program from the senior and disabled Metro EZpass to include the senior/disabled Foothill Transit (FT) passes, student Foothill Transit passes and the student Metro EZpass If approved, the program would begin on July 1

It was noted that the existing program provided a subsidy for the EZpass for seniors and disabled The estimated additional cost for the expansion of the program was \$4,536 00 The program would be paid for using AB2766 Funds This fund had sufficient revenues to cover the expanded program in the future Staff recommended approval of the expansion of the existing Discount Bus Pass Program

Discussion ensued regarding the proposed hike in fees by Foothill Transit

**After discussion, it was moved by Councilmember Garcia, seconded by Mayor Pro Tem Lutz, to approve the expansion of the Discount Bus Pass Program pursuant to the recommendations in the Staff Report and write a letter of protest regarding the proposed raise in fees There were no objections**

**2 Procurement of Two New Monrovia Transit Dial-A-Ride Vehicles from A-Z Bus Sales, Inc in the Amount of \$107,190 94**

Alice Griselle, Director of Community Development, reviewed the Staff Report

The City of Monrovia had operated Monrovia Transit Dial-a-Ride since 1983 The Monrovia Transit fleet consisted of nine (9) vehicles, all city-owned Staff proposed to replace two 10 passenger vehicles purchased in 1998, these vehicles have 180,000 and 160,000 miles The two new vehicles were 18-passenger vehicles with two wheelchair positions/two jump seats The fleet will remain at nine vehicles

The vehicles would be purchased through the State contract with A-Z Bus Sales, Inc Provisions in the Municipal Code allowed the City to purchase through another governmental entity's bid if it was in the City's economic interest The bid process for the existing state contract was conducted under the FTA and state guidelines for capital procurements The City had in the past solicited bids for the purchase of new vehicles Each time, the bids were higher than the price available through the Public Agency/State Contract

The cost of each vehicle with options was \$53,595 47, bringing the total cost for both vehicles to \$107,190 94 Additionally, the State Department of General Services charged a procurement fee of approximately 2 75% The purchase would be paid for using the City's Proposition A Local Return Funds

**It was moved by Mayor Pro Tem Lutz, seconded by Councilmember Kirby, to approve the procurement of two dial-a-ride vehicles for a total of \$107,190 94 through the State Contract from A-Z Bus Sales, Inc There were no objections**

**3 Approval of Parking Structure Acquisition Agreement with Colorado Commons, LLC, Regarding Real Property Located Near the Northeast Corner of Primrose Avenue and Colorado Boulevard, Resolution No 2005-21**

This matter was removed from the Agenda and rescheduled for May 3, 2005

**\*4 Final Tract Map No 061873 for Re-subdivision of Property Located at 727 Montana Street and 1312 Los Robles for Six (6) Single Family Homes and Common Lot by E K G Development (Edgar Bourne and Gail Littlejohn)**

This matter was approved by order of the Consent Calendar

Tentative Tract Map No 061873 was for the re-subdivision of properties into 6 single family, two story, Planned Unit Development (PUD) homes and a common lot The Tentative subdivision map was approved by the Planning Commission at its meeting of October 13, 2004, and was approved by the City Council on October 19, 2004 The Final Tract Map was in order and on file with the City Clerk, Community Development Department Planning Division, and the Department of Public Works

This development would change the properties from two lots into 6 single family residential Planned Unit Development properties The project would improve property values and increase the tax base

**\*5 Set for Public Hearing on May 3, 2005, General Plan Amendment GPA2005-01, and Zone Change ZC2005-01 to Change the General Plan and Zoning Designations from Residential to Hillside Wilderness Preserve (HWP) on Two Recently Purchased Hillside Properties**

This matter was approved by order of the Consent Calendar

In February 2005, the City acquired two more properties for the Hillside Wilderness Preserve the 20-acre "Sartwell" property and the 5-acre "Emigh" property A General Plan Amendment and Zone

Change was proposed to change the General Plan and Zoning designations of these properties to Hillside Wilderness Preserve (HWP)

**\*6 Legislative Update**

This matter was approved by order of the Consent Calendar

This report highlighted and summarized pending State legislation that may have been important to Monrovia and provided a brief analysis of the potential impacts to the City The recommendations made by Staff reflected the City's priorities and programs, as well as the direction taken by the League of California Cities and were as follows Support, ACA 13, ACAX 17, AB 888, AB 1222, AB 1248, and SB 459, Oppose AB 194, AB 260 and AB 1013

**\*J PAYROLL & VOUCHERS** Payroll No 7 in the net amount of \$433,048 94 and Voucher Numbers 124903 through 125158 in the amount of \$567,673 34 were approved by order of the Consent Calendar

**K SCHEDULED MEETINGS**

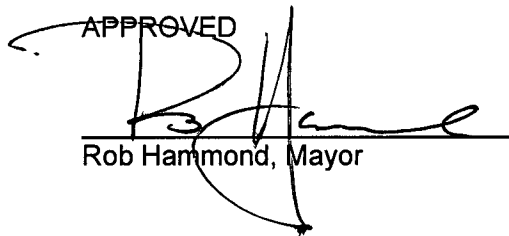
The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, May 3, 2005, 7 30 P M , City Council Chambers, 415 South Ivy Avenue, Monrovia, California

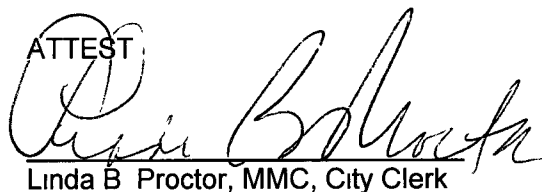
**L ORAL COMMUNICATIONS, CONTINUED, IF NEEDED** None

**M. CLOSED SESSION** Mayor Hammond announced that the City Council would hold a Closed Session to conference with Legal Counsel, Pending litigation, Government Code Section 54956 9(a), City of Monrovia, et al v Regional Water Quality Control Board - Los Angeles Region (Case No BS 080807, Lead Case No 080548)

**N ADJOURNMENT TO CLOSED SESSION** At 8 44 P M , Mayor Hammond adjourned the City Council Meeting to Closed Session in memory of Barbara Cruz, Mother of Fire Battalion Chief David Cruz, Kimberly Spicer, Niece of Information Services Employee Cathy Valentine and James Adams, Brother of Councilmember Tom Adams

**REPORT OF CLOSED SESSION(S) AND ADJOURNMENT.** Closed Session convened at 8 49 P M and adjourned at 9 06 P M City Attorney Steele announced that the Council voted 4-0 (Councilmember Adams was absent) to file an appeal in coordination with the other petitioner cities in the case named above

APPROVED  
  
Rob Hammond, Mayor

ATTEST  
  
Linda B Proctor, MMC, City Clerk