

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, OCTOBER 5, 2004, 7.30 P.M.**

CONVENE. Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, October 5, 2004 at 7 32 P M in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Study Session, 6 00 P M , Police Department Community Room, 140 East Lime Avenue, 6 08 P M – 7 08 P M , to discuss a Strategic Overview of Key Development Areas Citywide Staff in attendance was City Manager Scott Ochoa, City Attorney Craig A Steele, and City Clerk Linda B Proctor

INVOCATION: Pastor Gregory Douglass gave the Invocation

PLEDGE OF ALLEGIANCE· Mayor Pro Tem Joe Garcia led the Flag Salute

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

REPORT OF CLOSED SESSION(S)· None

PRESENTATIONS

1. Introduction of Newly Hired Monrovia High School Principal Frank Zepeda

Monrovia Unified School District Board of Education President Betty Sandford introduced newly hired Monrovia High School Principal Frank Zepeda Mayor Hammond extended a welcome to Mr Zepeda on behalf of the City Council and the community Principal Zepeda presented T-Shirts to the members of the Council and expressed his pleasure in being the new principal at Monrovia High School

1. Recognition of Monrovia Unified School District's California Distinguished Schools; Maureen Cook-Maldonado, Principal, Bradoaks Elementary; Jill Selak, Principal, Mayflower Elementary School, Marco Villegas, Principal, Monroe Elementary School

Three of Monrovia's elementary schools, Bradoaks, Mayflower, and Monroe, received the California Distinguished School Award This honor was the highest accolade that the state gives to its schools, and it has grown in significance with the advent of the state academic standards and the uniform annual testing of student achievement

The award was given in recognition of a school's high expectations for all its students, good test results, the implementation of state-adopted academic standards, and visionary and collaborative leadership Schools deemed to be "exemplary" are those that receive this prestigious award Of the more than 5,500 elementary schools in the state, 302 were honored with the Distinguished School Award The 2003-2004 awards were only open to elementary schools Secondary schools would be eligible for award consideration in 2004-2005

The Distinguished School Award validated the years of planning, community involvement, and creative teaching that led to the greatly improved student performance scores at the schools Mayor Hammond recognized Maureen Cook-Maldonado, Principal, Bradoaks Elementary, Jill Selak, Principal, Mayflower Elementary School, and Marco Villegas, Principal, Monroe Elementary School Also in attendance was Board of Education President Betty Sandford, Members Clare Chesley and Brian Wong, Superintendent of Schools Dr Louise Taylor, Associate Superintendent of Curriculum and Instruction Joel Shawn

Student Government Representative Report Student Liaison Pamela Cheng reported on activities at Monrovia High School

PROCLAMATIONS None

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

A CONSENT CALENDAR

It was moved by Councilmember Lutz, seconded by Mayor Pro Tem Garcia, to approve the Consent Calendar consisting of Items *B, *F-1, *I-4, *I-5, *I-6, *I-7, *I-8, *I-9, *I-10, *I-11, *I-12, *I-13, *J

ROLL CALL

Ayes Councilmembers Kirby, Lutz, Mayor Pro Tem Garcia, Mayor Hammond

Excused: Councilmember Adams

Motion carried 4-0

***B MINUTES** The Minutes of the Regular Meeting of September 7, 2004 were approved by order of the Consent Calendar

Mayor Hammond stated that he wanted the following statement in the record "The City Council wants to hear from this community That is why we have oral communication as well as public meetings The City Council believes in free speech and the right to express your views This meeting is for the benefit of the entire community Unfortunately, sometimes people feel very passionate about an issue and things are said in a manner that are sometimes inappropriate I respectfully ask that, if you choose to make comments, they are made in a civil manner and that the comments are not of a personal, derogatory or profane nature We all want our voices to be heard and this Council will always strive to make sure every voice that wishes to speak shall have the opportunity "

C ORAL COMMUNICATIONS:

1 Brenda Winner, manager of Foothill Gym, Monrovia, introduced Sgt Michael Giangregoria, United States United States Army, who presented a Certificate of Appreciation to Brian Whelan, owner of Foothill Gym, thanking him for his donation of lifetime memberships to those service people recognized through the Blue Star Program

2 Tom Reale, Chairman, Community Media of the Foothills, announced the October 16, 2004 annual Telethon, 3 00 P M to 8 00 P M , and asked the City Council for their participation once again

3 Chris Shelvin, Monrovia, complimented the direction the City Council had taken for the community, stated that he worked, volunteered and lived in Monrovia as was proud to do so, and expressed his support of City Manager Scott Ochoa He announced the Make a Difference Day event was Saturday, October 23, 2004, 8 00 A M in Library Park, and asked for volunteers

3 Jody Brenneman, Monrovia Day Association Parade Chairman, announced that May 14 and 15, 2005, was the next Monrovia Day celebration, that the parade had been moved back to Saturday, 9 00 A M , with the SoapBox Classic on the same day The Jamboree would be both days, with Chili Cook Off, Horseshoe Tournament, and three concerts on Sunday in Library Park She invited volunteers to join in the festivities, either as a parade committee member or an Association member

4 Chuck Keen, on behalf of American Legion Post 44, Monrovia, thanked the veterans and their families, whose loved ones were serving throughout the world and stateside, and for the sacrifices they were giving for the country

5 Dave Gayman, Monrovia, cautioned speakers not to abuse the privilege of free speech, expressed concern of some speakers' repetitive comments, and expressed his view of support and of other cities' positive comments regarding Monrovia

6 Cyrus Kemp, Monrovia, expressed his opinion of the rights of community members, and his opinion of previous speakers, and the City Staff

7 Rodney Jefferson, Monrovia, A Game Fundamental Basketball Clinic, expressed his and others support of the City Council and thanked the City Council for their support of youth programs in the City

8 Nancy Zack, Monrovia, announced that the Foothills Conservation League in Glendale was attempting to expand their scope of membership regionally in an effort to conserve and preserve any open space, and invited those interested to join

9 Joanne Spring, Monrovia, expressed concern about the manner in which people had gone about to solve problems recently She wanted to be able to hear people who say things that some may disagree with speak in a civil manner so that the matter could indeed be discussed in an orderly fashion to solve problems, as had always been done in the past

10 Steven Grollnek, Monrovia, expressed his opinion regarding Staff's interaction with those attending public meetings, and asked that the City Council look into the restaurants which were receiving B's and C's

11 Clint Arsenault, Monrovia, expressed his opinion of merchants and employees who park in downtown Monrovia, and thanked Chief Johnson for bringing Project Lifesaver

12 Christine Hammond, Monrovia, Monrovia, took issue with speakers who call others names from the podium

13 Ulysses Gutierrez, Monrovia, expressed his opinion of Monrovia as a model city, and encouraged the City Council to go forward

Mayor Hammond called for a recess from 8.26 P M. to 8 36 P.M.

D. PUBLIC HEARINGS / MEETINGS

1. General Plan Amendment GPA 2004-02, Resolution No 2004-50, and Zone Change ZC 2004-02 to Change the General Plan and Zoning Designations from Residential to Hillside Wilderness Preserve (HWP) for Recently Acquired Hillside Property (APN 8501-007-003), Introduction and First Reading of Ordinance No. 2004-19

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

As a result of the hillside planning process, the Hillside Wilderness Preserve (HWP) and Hillside Recreation (HR) Land Use Designations were created and added to the General Plan and the HWP and HR zones were added to the Zoning Ordinance. The intent of these designations was for the preservation of open space. The HWP designation specifically, was created to be applied to hillside property owned and acquired by the City in the future for this purpose.

The City recently acquired the 20.7-acre vacant parcel of land off of Ridgeside Drive, commonly known as the "Sachan" property (APN 8501-007-003). A grant from the State Habitat Conservation Fund under the Deer/Mountain Lion Habitat Project was used to pay for a portion of the cost of the property. The proximity of this property to other City owned hillside preserve property made it particularly important as a corridor for wildlife. The Sachan property was located between two City owned properties. A General Plan Amendment and Zone Change were proposed to change the General Plan and Zoning designations of these properties to Hillside Wilderness Preserve (HWP) per the voter approved Hillside Wilderness Preserve definition.

As property is acquired in accordance with the 2000 Special Election, the Land Use designation in the General Plan would be changed to Hillside Wilderness Preserve or Hillside Recreation along with the appropriate zoning designation. Both the General Plan Amendment and Zone Change required City Council approval. General Plan Amendments were approved by resolution and zone changes were adopted by ordinance (Ordinance 2004-19). When a property was designated either HWP or HR, voter approval would be required to change to any other designation.

At its meeting of September 15, 2004, the Planning Commission adopted Resolution No 2004-05 recommending approval of General Plan Amendment GPA2004-02 and Resolution No 2004-06 recommending approval of Zone Change ZC2004-02.

PUBLIC HEARING OPENED. Mayor Hammond opened the Public Hearing.

Those opposed

1 Cyrus Kemp, Monrovia

Those in support

1 Gloria Crudgington, Monrovia

Ted Morales, Monrovia, asked for a clarification of the rezoning, and stated that he liked the trails the way they were. Ms. Griselle reiterated the need for rezoning, and explained Staff's recommendation of Hillside Wilderness Preserve (HWP) as opposed to Hillside Recreation (HR).

Steve Miller, Monrovia, took issue with a previous speaker's comments, and stated he was opposed to an HR designation.

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

After discussion, it was moved by Councilmember Lutz, seconded by Mayor Pro Tem Garcia, to Adopt Resolution No. 2004-50 approving General Plan Amendment GPA2004-02, changing the

residential density designation of 1DU/20 acres to Hillside Wilderness Preserve, introduce and read by title only Ordinance No 2004-19, changing the zoning designation of the subject property to HWP, and adopting the Negative Declaration in Items 1 and 2 in the Staff Report.

ROLL CALL

Ayes: Councilmembers Kirby, Lutz, Mayor Pro Tem Garcia, Mayor Hammond
Excused: Councilmember Adams
Motion carried 4-0

City Attorney Steele read as follows

AN ORDINANCE OF THE CITY COUNCIL OF THE ECITY OF MONROVIA, CALIFORNIA, AMENDING TITLE 17 (ZONING), SECTION 17 04.040, THE OFFICIAL ZONING MAP, OF THE MONROVIA MUNICIPAL CODE.

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

CONVENE Chairman Rob Hammond convened the Regular Meeting of October 5, 2004 of the Monrovia Redevelopment Agency Board of Directors at 9 07 P M in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting

ROLL CALL: Those in attendance were Boardmembers Dan Kirby, Mary Ann Lutz, Vice-Chairman Joe Garcia, and Chairman Rob Hammond Boardmember Tom Adams was excused

A CONSENT CALENDAR

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

***B MINUTES** The Minutes of the Regular Meeting of September 21, 2004 were approved by order of the Consent Calendar

MRA REPORTS None

MRA ADJOURNMENT Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 9 08 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. Everardo Martinez vs. City of Monrovia**

This matter was approved by order of the Consent Calendar

Mr Martinez alleged that on September 14, 2004, a City tree limb fell, causing damage to two of his vehicles Claimant was seeking approximately \$3,100 00 in damages

The City tree in question was regularly inspected and trimmed There was no visible sign of disease or decay Therefore, the City bore no responsibility in this matter Staff recommended that the City Council deny this claim Staff recommended denial of the claim filed by Everardo Martinez against the City of Monrovia

G REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

1 Mayor Hammond reported that

(a) He had been talking to those residents who were displaced by a fire there two weeks ago, and it was apparent that a Resource Guide was needed to assist them in finding resources to recover and

asked the Staff prepare one Over 12 children were at the Community Center's Red Cross Disaster Center He thanked all who provided assistance to the displaced residents

(b) Monrovia Reads Week was this week The group was formed to make the community 100% literate Another goal was to have each child going into school have a library of five books Thursday was Read Across Monrovia Day, and he encouraged the public to get involved in reading to the children at any of the Monrovia schools Next February would be another opportunity to volunteer

2. Mayor Pro Tem Garcia reported that

(a) The Santa Anita YMCA had scheduled a program for October 14, 2004, 3 00 P M to 6 00 P M , the 5th Annual Lights on After School Rally would be held during its after school program, sending the message that after school activities was the key to students success

(b) There was a fire at an apartment building on Olive Avenue two weeks ago, displacing 18 people from their homes The Community Center was used as an Evacuation Center He praised Community Services, Red Cross and the Fire Department for their fine work No one was injured

3. Councilmember Adams was excused

4 Councilmember Kirby reported that

(a) **The Annual Haunted Canyon Night Hike** This event was scheduled for Thursday and Friday, October 28 and 29, 2004 at Canyon Park at 5 00 P M , \$5 00 each A short promotion clip was shown

(b) He had attended an event last Sunday sponsored by the Shiloh AME Zion where one of the awardees was Monrovia Police Chief Roger Johnson

(c) The "Wiggle Waggle Walk," sponsored by the San Gabriel Valley Humane Society, at Library Park on October 2, 2004, from 7 00 A M to 12 Noon, was well attended and well organized

(d) He was concerned about the performance of contract for the Foothill Boulevard street project as to the length of time, quality of work and the fact that it was still not completed City Manager Ochoa responded, at his request, that the project was five weeks overdue, and was still not completed He stated that liquidated damages will be enforced, that the day time disruption had concluded, and that the City's reference for the contractor would not be good

5 Councilmember Lutz reported that

(a) Last week she attended a breakfast and program sponsored by the Monrovia Adult School on how Adult School could help businesses She urged businesses to call them to find out about its great program

(b) **Endorsement of Proposition 1A** She reported that she had learned after the Agenda was posted that the Council's support of Proposition 65 did not automatically roll over as an endorsement for Prop 1A, and that a Resolution must be adopted by Thursday, October 7, 2004 and forwarded to the League of California Cities to add the City of Monrovia to the list of supporters for the November 2, 2004 election

It was moved by Councilmember Lutz, seconded by Mayor Pro Tem Garcia, to find that there was a need for immediate action which could not reasonably wait for the next regularly scheduled Meeting, that the need for such action came to the attention of Staff after the Agenda was posted, and to add support of Resolution No 2004-66 to the Agenda

ROLL CALL:

Ayes: Councilmembers Kirby, Lutz, Mayor Pro Tem Garcia, Mayor Hammond

Excused: Councilmember Adams

Motion carried 4-0

It was moved by Councilmember Lutz, seconded by Mayor Pro Tem Garcia, to adopt Resolution No. 2004-66 relating to the support of Proposition 1A There were no objections

(c) She was concerned with those citizens who were concerned about the Trails Committee She requested a report from Staff which would include education of those residents new to Monrovia as well as an on-going program to keep residents, new and old, advised, dispensing with a time table to evaluate the wilderness preserve, preparing the Management Plan, from which ad hoc committees will be selected to perform a particular a task The ad hoc committees would be charged with doing a historical prospective The evaluation of the trails would be much easier understood when the Management Plan is in place Everything would come from the Management Plan Communication with the citizenry is the number one priority As the majority of citizens cannot attend meetings, it was important that the

committees' agendas and minutes were available on the City's website. Documents should be available at every meeting showing where the project had come from and where it was going—a chronological order of events. Mayor Hammond stated that he would like to rename the Trails Committee to the Open Space Preservation Committee. City Manager Ochoa stated that it could be agendaized at a later date. Mayor Pro Tem Garcia suggested that a Mission Statement could define the direction of the hillside evaluation. City Manager Ochoa stated that this matter would be agendaized and brought back with a roadmap of where the City wanted to go.

Cyrus Kemp, Monrovia, suggested that the Trails Committee needed more direction. He expressed his opinion that there were too many Staff members at last meeting providing information. He requested that the meeting time be changed so that working members of the community could attend.

Trails Committee Chairman Becky Shevlin, Monrovia, stated that the meeting had been set for a later time to accommodate more people to be in attendance, and that she believed she made a concerted effort at the last meeting for everyone who wished to have an opportunity to talk.

H REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES None

I ADMINISTRATIVE REPORTS

1 Formation of the Monrovia Housing Authority, Resolution No 2004-56

Kevin O'Brien, Redevelopment Division Manager, reviewed the Staff Report.

In 2003, the Monrovia Housing Element was adopted and provided an analysis of the City's current and future housing needs. The assessment illustrated that there were significant levels of overcrowding within the City's housing units, a high rate of households in the City that paid an excessive percentage of their income for housing and a shortage of safe and sanitary dwellings within the City which were affordable to persons of lower and very low income.

The California Health and Safety Code, Section 34200, allowed a city to alleviate a lack of sanitary, safe and affordable housing by electing to form a Public Housing Authority. By adopting Resolution No 2004-56, the City would authorize the Monrovia Housing Authority to exist and therefore be available for the construction and management of safe, affordable and quality housing within the City. The Monrovia Housing Authority would serve as a vehicle to secure federal and state funding while working cooperatively with the Monrovia Redevelopment Agency to establish activities, services and facilities that would contribute to the rehabilitation and development of affordable and quality housing throughout the City.

Staff recommended that the City Council adopt Resolution No 2004-56, electing the formation of the Monrovia Housing Authority.

It was moved by Mayor Pro Tem Garcia, seconded by City Councilmember Lutz, to adopt Resolution No. 2004-56 and authorize the execution of the Cooperation Agreement between the Monrovia Housing Authority and the Monrovia Redevelopment Agency. There were no objections.

2 Calling for and Giving Notice of the March 8, 2005 General Municipal Election, Resolution No 2004-57, Setting Regulations for Candidate Statements, Resolution No 2004-58 and Requesting Specific Services from Los Angeles County Board of Supervisors, Resolution No 2004-59

City Clerk Linda B. Proctor reviewed the Staff Report.

Every two years, the City Council sets the schedule for the upcoming general municipal election by officially taking a few preliminary steps required by the State Election Code. First, the City Council officially calls for the election and sets the date and time that the polls are open. The terms of office to be filled are acknowledged along with information regarding the Nomination (filing) period, fees, candidates' statements, contract for election services with Los Angeles County, and swearing in of the newly elected officials. All of these actions are done by resolution.

As determined by the Elections Code, the filing period for candidates was November 15, 2004 through December 10, 2004. Nominations Papers would be taken out during regular working hours, 7 00 a m to 6 00 p m , Monday through Thursday, and 7 00 a m to 5 30 p m , on Fridays. Candidates would need to make an appointment with the City Clerk's office to receive a half-hour orientation and a Candidate's Handbook. There would be at least nine precincts, with a minimum of four election officers at each precinct. The City would again participate in the Student Poll Worker program, with an effort to staff each precinct with a student for the entire day.

Each candidate was required to submit the filing fee of \$25 00, a deposit in the amount of \$800 00 applied toward costs of the 200-word candidate's statement if one was desired, and a refundable \$100 00 deposit for the removal of campaign literature and/or signs. Refunds would be made accordingly if the actual costs are less than the deposit. The candidate's statement would be in English and Spanish and submitted electronically to the City Clerk.

By law, the canvass would have to be completed and reported to the City Council by the third Friday following the election. Consequently, a special meeting would be scheduled for Tuesday, March 22, 2005 to declare the results and to swear in the newly elected officers. The election of the Mayor Pro Tem would be held at the next regularly scheduled Council Meeting on April 5, 2005.

Staff estimated the total cost of the election to be \$49,067 00 and included it as part of the 2003-2005 two-year budget.

Staff recommended adoption of the resolutions relating to the General Municipal Election, and setting a Special Meeting for March 22, 2005.

Cyrus Kemp, Monrovia, expressed concern over the charging of the \$100 00 refundable deposit for removal of signs and literature as costs may preclude some people, who were not going to post signs, from filing for office, and the \$800 00 seemingly high deposit for a candidate's statement.

Councilmember Kirby encouraged residents to run for public office.

It was moved by Councilmember Kirby, seconded by Councilmember Lutz, to adopt Resolutions Nos. 2004-57, 2004-58, and 2004-59 relating to the March 8, 2005 General Municipal election, and set March 22, 2005 as a Special Meeting to accept the canvass of votes and swear-in the newly elected officers.

ROLL CALL

**Ayes: Councilmembers Kirby, Lutz, Mayor Pro Tem Garcia, Mayor Hammond
Excused: Councilmember Adams
Motion carried: 4-0**

3 Proposed Designs for Rotary and Recreation Parks Improvement Project

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

In October 2003, the Community Services Commission and the City Council approved resolutions to appropriate its State Prop 40 funds in the amount of \$322,763 00 for improvements to Rotary and Recreation Parks.

In June 2004, the City Council approved an award of contract to Armstrong and Walker to design improvements to Recreation Park and replace the chain link fence with new decorative steel fence at Rotary Park.

Upon approval by the City Council, Staff would direct the architects to proceed and develop construction documents for the bidding phase of these two projects. Both projects should be completed by May of 2005. No general funds required.

After discussion, it was moved by Councilmember Lutz, seconded by Councilmember Kirby, to approve the proposed designs for Rotary and Recreation Parks Improvement Project. There were no objections.

***4 Destruction of Certain Police and City Clerk's Department Records, Resolution No 2004-65**

This matter was approved by order of the Consent Calendar

Government Code §34090 provided a procedure whereby any city record which served its purpose and was no longer required would be destroyed, as long as the destruction of said records would not interfere with the services and functions of the City. On August 5, 2003, the City Council approved the Citywide Records Retention/ Destruction Schedule, setting into place the regulations covering the retention and destruction of citywide records.

Destruction of records were determined upon the written request by the Department Director and with the consent of the City Attorney. The City Clerk would assist with the destruction of those records that the State no longer deemed necessary to be retained and prepare the Staff Report for City Council consideration. The record of consent would be retained by the City Clerk's office as a permanent record.

There was no fiscal impact associated with this action and Staff recommended that the City Council adopt Resolution No 2004-65 relating to the destruction of certain Police and City Clerk Department records listed on the attached Exhibit "A."

***I-5 Set for Public Hearing on October 19, 2004, Historic Landmark HL-72 and Mills Act Contract MA-69 for Property Located at 224 North Encinitas Avenue by Owner Laura Martorana**

This matter was approved by order of the Consent Calendar

At its meeting of September 22, 2004, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status and execution of a Mills Act for the property at 224 North Encinitas Avenue to the City Council. Staff recommended setting October 19, 2004 as the date of the public hearing.

***I-6 Set for Public Hearing on October 19, 2004, Historic Landmark HL-73 and Mills Act Contract MA-70 for Property Located at 149 Highland Place by Owners Kirk and Amy McGinnis**

This matter was approved by order of the Consent Calendar

At its meeting of September 22, 2004, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status and execution of a Mills Act for the property at 149 Highland Place to the City Council. Staff recommended setting October 19, 2004 as the date of the public hearing.

***7 Set for Public Hearing on October 19, 2004; Historic Landmark HL-74 for Property Located at 138 Highland Place by Owner Kathleen Fresquez**

This matter was approved by order of the Consent Calendar

At its meeting of September 22, 2004, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status for the property at 138 Highland Place to the City Council. Staff recommended setting October 19, 2004 as the date of the public hearing.

***8 Set for Public Hearing on October 19, 2004; Historic Landmark HL-75 and Mills Act Contract MA-71 for Property Located at 263 North Encinitas Avenue by Owner Kelsie Dore**

At its meeting of September 22, 2004, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status and execution of a Mills Act for the property at 263 North Encinitas Avenue to the City Council. Staff recommended setting October 19, 2004 as the date of the public hearing.

***9. Set for Public Hearing on October 19, 2004; Tentative Tract Map No. TTM61873/Conditional Use Permit CUP2004-05 to Construct a Six-Unit, Two-Story, Detached Planned Unit Development at 1312 Los Robles Avenue and 727 Montana Street by E.K.G. Development, LLC**

This matter was approved by order of the Consent Calendar

The applicant was applying for approval of a Tentative Tract Map to develop a six-unit, two-story detached Planned Unit Development at 1312 Los Robles Avenue and 727 Montana Street. The property was in the RM3500 zone. On October 13, 2004, the Planning Commission would review the application and forward a recommendation to the City Council for its consideration. Staff recommended setting October 19, 2004 as the date of the public hearing.

***10 Set for Public Hearing on October 19, 2004; Tentative Tract Map No. TTM61821/Conditional Use Permit CUP2004-10 to Construct a 48-Unit, Two-Story, Detached Planned Unit Development at 950 Royal Oaks Avenue by G-APEX, LLC**

This matter was approved by order of the Consent Calendar

The applicant has applied for approval of a Tentative Tract Map to develop a 48-unit Planned Unit Development at 950 Royal Oaks Drive. The project consists of 48 detached units on a 4 acre site. Eubanks formerly occupied the property. The property is Planned Development—Area 12 which allows residential development at a maximum density of 1 unit for every 2500 square feet of lot area.

The Planning Commission will review the application at its meeting of October 13, 2004 and will forward a recommendation to the City Council. Tentative Tract Maps require approval by the City Council. Staff recommended setting October 19, 2004 as the date of the public hearing.

***11. Set for Public Hearing on October 19, 2004, Resolution No. 2004-64, Formation of Underground Utility District No. 2004-01 at Royal Oaks Drive (Mountain Avenue to Shamrock Avenue) and Mountain Avenue (Royal Oaks Drive to Huntington Drive)**

This matter was approved by order of the Consent Calendar

The formation of Underground Utility Districts (UUD) would call for the overhead facilities to be removed and placed underground within the district boundaries. All properties which were now receiving services from the overhead facilities would also be placed underground. These improvements would consist generally of running conduits and cables underground from the property lines to the buildings, and then up to the service points on panels. Edison's estimated construction costs were \$2.3 million. To date, the City had over \$3 million available for overhead to underground conversion project.

UUD No. 2004-01 encompassed Royal Oaks Drive (Mountain Avenue to Shamrock Avenue) and Mountain Avenue (Royal Oaks Drive to Huntington Drive). The Monrovia Municipal Code established the procedures for the creation of the UUD and required a Public Hearing to ascertain whether the public necessity, health, safety or welfare required the removal of poles, overhead wires, and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication or similar or associated service in any such district.

Funding for the Underground Utility District would utilize Edison Rule 20A funds.

***12. Final Tract Map No. 54307 for Re-subdivision of Property Located at 217–223 South Shamrock Avenue for Four (4) Single Family Homes and a Common Lot by Owners Richard and Helen Lam**

This matter was approved by order of the Consent Calendar

Tentative Tract Map No. 54307 was for the re-subdivision of a property located in the Residential Medium Density Zone (RM3500). The area was being re-subdivided into 4 unit, 2 story detached single family residential Planned Unit Developments and a common lot for ingress, egress, drainage and utilities. The tentative subdivision map was approved by the Planning Commission at their meeting of March 12, 2003 and was approved by the City Council on April 8, 2003.

The Final Tract Map was checked by the City's consultant and was found to conform to the approved tentative map and is technically correct and conformed to the requirements of the State Subdivision Map Act and the City's Subdivision Ordinance. The CC&R's were on file with the Planning Division. The Public Works and Community Development Departments reviewed the Final Map and found it to conform to the Tentative Map as conditionally approved by the Planning Commission and the City Council.

This development would change the property from two lots into 4 detached, single family residential Planned Unit Development properties. The project would improve property values and increase the tax base.

***13 Receive and File; Conflict of Interest Code, 2004 Local Agency Biennial Notice**

This matter was approved by order of the Consent Calendar.

Pursuant to the requirements of the Political Reform Act, Staff and the City Attorney had completed the City's biennial review of the local Conflict of Interest Code for the City and the Agency. As a result of changes in the law and the reclassification of some City positions, a revised Conflict of Interest Code would be prepared and presented for the City Council's review and action prior to the December 31, 2004 deadline.

As part of the reorganization of the City Manager's Office, the classification of Assistant City Manager was eliminated and the classification of Assistant to the City Manager was established. It was necessary to amend the Conflict of Interest Code to reflect those changes. Staff recommended that the City Council receive and file this notice.

***J PAYROLL & VOUCHERS** Payroll No. 20 in the net amount of \$494,976.21, and Voucher Numbers 121220 through 121493 non-sequentially in the amount of \$824,394.57 were approved by order of the Consent Calendar.

K SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, October 19, 2004, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Salute to Service Program, 7:00 P.M., City Council Chambers.

L ORAL COMMUNICATIONS, CONTINUED, IF NEEDED None


M CLOSED SESSION None

N ADJOURNMENT Mayor Hammond adjourned the Meeting at 10:20 P.M.

APPROVED


Rob Hammond, Mayor

ATTEST


Linda B. Proctor, MMC, City Clerk