

**MINUTES OF THE SPECIAL AND REGULAR MEETINGS OF THE  
MONROVIA CITY COUNCIL  
HELD TUESDAY, MAY 20, 2014, 7:30 P.M.**

**STUDY SESSION:** Mayor Mary Ann Lutz convened the Special Study Session Meeting of the Monrovia City Council at 4:30 p.m. on Tuesday, May 20, 2014, in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, at which Councilmember Adams, Mayor Pro Tem Shevlin, and Mayor Lutz were present, Councilmembers Spicer and Blackburn were excused, to discuss the 2014-2015 Fiscal Year Budget, with a focus on facilities maintenance projects, the Water and Sewer Funds, Storm Drain/Clean Water Act, park and parkway maintenance, street resurfacing projects, and disposition of Housing Authority and Successor Agency properties. Mayor Lutz adjourned the meeting at 5:36 p.m.

**CLOSED SESSION:** Mayor Mary Ann Lutz convened the Closed Session Meeting of the Monrovia City Council at 6:00 p.m. on Tuesday, May 20, 2014, in City Council Chambers, at which Councilmember Adams, Mayor Pro Tem Shevlin, and Mayor Lutz were present, Councilmembers Spicer and Blackburn were excused, to discuss the following Closed Session item: CS-1 Conference with Real Property Negotiator pursuant to Government Code §54956.8; 1109 South Myrtle Avenue and 102, 116, 120-124, 132 and 140 West Huntington Drive; Successor Agency Negotiator: City Attorney; Negotiating Party: Mt. Sierra College, Inc.; Under Negotiation: Price and Terms of Payment; CS-2 Conference with Labor Negotiator pursuant to Government Code §54957.6; Agency Negotiator: Danielle Tellez; Group Employees: All Groups; CS-3 Public Employee Appointment Pursuant to Government Code §54957: City Manager. Mayor Lutz adjourned the meeting at 7:25.

**CONVENE:** Mayor Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, May 20, 2014, at 7:30 p.m. in City Council Chambers. In attendance were Acting City Manager Steve Sizemore, City Attorney Craig A. Steele, and City Clerk Alice D. Atkins.

**INVOCATION:** Reverend Neil Tadken led the invocation.

**PLEDGE OF ALLEGIANCE:** Councilmember Tom Adams led the Pledge of Allegiance.

**ROLL CALL:** In attendance were Councilmember Tom Adams, Mayor Pro Tem Becky A. Shevlin, and Mayor Mary Ann Lutz. Councilmembers Alexander C. Blackburn and Larry J. Spicer were excused.

**REPORT OF CLOSED SESSION:** City Attorney Craig Steele stated that the City Council met in closed session to discuss the items on the posted agenda and there was no reportable action.

**PRESENTATIONS/PROCLAMATIONS:** None

**STUDENT GOVERNMENT REPRESENTATIVE REPORT:** Student Liaison Kevin Lee was excused.

**ORDER OF BUSINESS:** Acting City Manager Steve Sizemore stated there were requests to pull Consent Calendar items CC-10 and CC-12. The items would be heard following adoption of the Consent Calendar.

**CONSENT CALENDAR:** It was moved by Mayor Pro Tem Shevlin, seconded by Councilmember Adams, to approve the consent calendar, excepting items CC-10 and CC-12. The motion carried unanimously. The Consent Calendar consisted of the following Agenda items:

**CC-1 Unadopted Minutes of the May 6, 2013, Special and Regular Meetings of the Monrovia City Council:** The City Council adopted the Minutes of the May 6, 2013, Special and Regular Meetings.

**CC-2 Payroll No. 10 in the Net Amount of \$457,519.97, and Warrant Register Dated May 1, 2014 in the Total Amount of \$1,278,774.02:** The City Council approved Payroll No. 10 in the net amount of \$457,519.97, and Warrant Register dated May 1, 2014, in the total amount of \$1,278,774.02.

**CC-3 Purchase and Installation of Three (3) Zetron Max-Dispatch Radio Consoles and Supporting Equipment from Advanced Electronics in the Amount of \$150,667.82:** The City Council approved the purchase and installation of three (3) Zetron Max-Dispatch radio consoles and supporting equipment from Advanced Electronics in the amount of \$150,667.82.

**CC-4 Award of Contract to Creative Contractors Corporation for the Julian Fisher Park Play Equipment and Rubberized Surface Installation, Project No. G-867, with a Total Project Budget in the Amount of \$136,500.00:** The City Council awarded a contract to Creative Contractors Corporation for the Julian Fisher Park Play Equipment, Project No. G-867 in the amount of \$136,500.00, including approval of \$5,000.00 for unforeseen contingencies, and authorized the City Manager to execute the necessary documents.

**CC-5 Agreement between the City of Monrovia and the State of California Department of Transportation for Maintenance of Landscape Area within State Highway Right-of-Way, Resolution No. 2014-26:** The City Council adopted Resolution No. 2014-26.

**CC-6 Amendment to Contract with William Marino Enterprises, Inc., for Graffiti Removal Services, Extending the Term for a One-Year Period Ending June 30, 2015, with an Increase Based on the Consumer Price Index (CPI):** The City Council approved an amendment to contract with William Marino Enterprises, Inc., for Graffiti Removal Services, extending the term for a one-year period ending June 30, 2015, with an increase based on the Consumer Price Index (CPI), and authorized the City Manager to execute the necessary documents

**CC-7 Fire Station No.2-Training Facility Site and Foundation, Project No. C-3064; Acceptance of Work, Notice of Completion and Release of Retention to E.C. Construction, Inc.:** The City Council accepted the work as completed, directed the City Clerk to file the Notice of Completion, and authorized the release of retention to E.C. Construction, Inc., in the amount of \$2,716.82, for a total project amount of \$54,336.40.

**CC-8 Updated Sewer System Management Plan (SSMP) in Compliance with the Statewide General Waste Discharge Requirements (WDRs) for Sanitary Sewer Systems Pursuant to Water Quality Order No. 2006-0003:** The City Council approved the updated Sewer System Management Plan (SSMP).

**CC-9 Agreement with Digital EMS Solutions, Inc., in the Amount of \$12,221.90 for Electronic Patient Care Reporting for the period ending June 30, 2017:** The City Council approved an agreement with Digital EMS Solutions, Inc., in the amount of \$12,221.00 for the period ending June 30, 2017, and authorized the City Manager to execute the necessary documents.

**CC-10 Fiscal Year 2014-2015 Citywide Lighting and Landscaping Maintenance Assessment District; Approval of Engineer's Report, Resolution No 2014-22; and Intention of Public Hearing on June 17, 2014, Resolution No. 2014-23:** The item was pulled from the Consent Calendar for discussion.

**CC-11 Fiscal Year 2014-2015 Park Maintenance Assessment District; Approval of Engineer's Report, Resolution No 2014-24; and Intention of Public Hearing on June 17, 2014, Resolution No. 2014-25:** The City Council adopted Resolution Nos. 2014-24 and 2014-25.

**CC-12 Amendment to Title 8 (Health & Safety) of the Monrovia Municipal Code, Adding Chapter 8.44 Regulating the Use of Plastic Carryout Bags and Recyclable Paper Bags and Promoting the Use of Reusable Bags, Adoption of Ordinance No. 2014-02:** The item was pulled from the Consent Calendar for discussion.

The following items were heard out of order:

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

**CC-10 Fiscal Year 2014-2015 Citywide Lighting and Landscaping Maintenance Assessment District; Approval of Engineer's Report, Resolution No 2014-22; and Intention of Public Hearing on June 17, 2014, Resolution No. 2014-23**

Mark Alvarado, Director of Administrative Services, reviewed the Agenda Report.

Public Input

1. Gwendolyn Jones, Monrovia, spoke with concerns about landscape maintenance in certain areas

**It was moved by Councilmember Adams, seconded by Mayor Pro Tem Shevlin to adopt Resolution Nos. 2014-22 and 2014-23. The motion carried unanimously.**

**CC-12 Amendment to Title 8 (Health & Safety) of the Monrovia Municipal Code, Adding Chapter 8.44 Regulating the Use of Plastic Carryout Bags and Recyclable Paper Bags and Promoting the Use of Reusable Bags, Adoption of Ordinance No. 2014-02**

Mayor Lutz explained that the item had been pulled from the Consent Calendar to allow those present an opportunity to speak, stating that the item would be voted on at the next meeting. At the request of Councilmember Adams, City Attorney Steele confirmed that the City Council could take action tonight if desired.

Public Input:

1. Ray Morford, Monrovia, spoke in opposition of adopting the ordinance
2. Genia Mills, Monrovia, spoke in opposition of adopting the ordinance
3. Hal Leavens, Monrovia, spoke in opposition of adopting the ordinance
4. Pam Fitzpatrick, Old Town Merchant, spoke in opposition of adopting the ordinance
5. Dorothy Kelty, Monrovia, spoke in opposition of adopting the ordinance
6. Laurie Beyer, Monrovia, spoke in favor of adopting the ordinance

Discussion ensued, with Mayor Pro Tem Shevlin stating her intent to pull the item from the Consent Calendar before learning of Councilmember Blackburn's absence, and reiterating her concerns regarding litter in general. Also discussed were the State's proposed regulations that would regulate the manufacturing of plastic bags and not result in complete elimination, support for education rather than regulation, the purpose and process of first and second readings for ordinances, and comments received in opposition from members of the public by Councilmembers since the last meeting.

**It was moved by Councilmember Adams, seconded by Mayor Pro Tem Shevlin to not adopt Ordinance No. 2014-02.** Mayor Lutz stated that she had received nothing but comments of support since the previous meeting, recognized that the discussion had a balanced number of people on both sides, and opined that the vote should be postponed until the next meeting when all members of the City Council who were present for vote to introduce the ordinance would be present to vote on its adoption. In opposition to the original motion, **Mayor Lutz made a substitute motion to not vote on the item and reagendaize the item for the next council meeting with all five members who had discussed and gone over the item several meetings in the past.** Councilmember did not accept the substitute motion and called for the question on the first motion. The motion to not adopt Ordinance No. 2014-02 was carried on the following roll call vote: **AYES:** Councilmember Adams, Mayor Pro Tem Shevlin. **NOES:** Mayor Lutz. **ABSENT:** Councilmembers Blackburn, Spicer.

**PUBLIC INPUT:**

1. Gwendolyn Jones, Monrovia
2. Pam Fitzpatrick, Old Town Merchant
3. Dorothy Kelty, Monrovia
4. Kahlil Bradley and Ares Torres, Monrovia High School Students

In response to comments made during Public Input, City Attorney Steele provided clarification on the years-long process to date with respect to the Cloverleaf access point for the Wilderness Preserve and current discussions with private property owners. If it became necessary for the City to acquire any easements, it would be through a public process in an action proposed by the City Council.

**PUBLIC HEARINGS / MEETINGS:** None

**REPORTS OF CITY MANAGER AND STAFF**

**RCM-1 Review of Monrovia's May 7, 2014, letter to Congresswoman Chu regarding Monrovia's inclusion in NRA and support of NRA:** Acting City Manager Sizemore stated that at the City Council's request at the prior City Council meeting, Staff had prepared and mailed a letter to Congresswoman Chu, with a copy to the San Gabriel Valley Council of Governments, regarding the proposed National Recreation Area legislation. Councilmembers expressed concern regarding the tone of the letter and the City's ability to opt out and maintain local control, also expressing concerns that the City Council was not provided a draft of the letter before it was mailed. Councilmember Adams read a letter he had drafted, stating the Congresswoman Chu had made a promise to him that she would respect local control.

**Councilmember Adams made a motion to send his letter.** Discussion continued regarding the letter more closely representing City Council intent and questions regarding access issues should Monrovia be included in the NRA boundaries. Mayor Lutz did not have an issue with the letter Councilmember Adams, but suggested they get a transcript of what the motion was and how it was said prior to sending another letter. Mayor Pro Tem Shevlin was not necessarily in support of the proposed letter, supported the entire City Council signing a letter that clarifies the position, and asked that the letter include a request for response from Congresswoman Chu acknowledging Monrovia's withdrawal from the NRA. Councilmember Adams denied the amendment and the motion died for lack of second.

Mayor Lutz asked that an item be placed under her report the following month to have a transcript of the motion and discuss verbiage from the letter, including discussion on requesting a response from the Congresswoman, noting that the bill was still in draft form and the response might be in the form of the revised form of the bill. Acting City Manager Sizemore commented that the concern seemed to be the wording of the letter, with Mayor Pro Tem Shevlin stating the focus seemed to be on the Wilderness Preserve rather than all properties in Monrovia.

**It was moved by Councilmember Adams that the letter be changed to say exactly what the motion said and have it signed by the Council and forwarded on to the Congresswoman.** Mayor Lutz recommended an amended motion to re-write the letter with using verbatim transcript and add what Mayor Pro Tem Shevlin asked for. Discussion continued regarding approved minutes versus verbatim transcript and including request for response from Congresswoman Chu. The motion died for lack of a second.

**It was moved by Mayor Pro Tem Shevlin, seconded by Mayor Lutz, to redraft the letter to include the actual motion that was made on May 6 from verbatim transcript records and that additional verbiage be included requesting that the City receive a response from her via the City Council's request.** For clarification, Acting City Manager Sizemore asked, as part of the official transcripts, if the City Council would like to see a draft letter also, to which Mayor Pro Tem Shevlin responded yes, signed by the Councilmembers. The motion carried on the following roll call vote: **AYES:** Councilmember Adams, Mayor Pro Tem Shevlin, Mayor Lutz. **NOES:** None **ABSENT:** Councilmembers Blackburn, Spicer.

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

- (a) Upcoming Memorial Day event

**RCC-2 Mayor Pro Tem Becky A. Shevlin**

- (a) Recent and upcoming events in the community
- (b) Upcoming Foothill Transit meeting and her bid to serve on the Executive Board
- (c) Recent attendance with Councilmember Spicer and Staff at the International Conference of Shopping Centers conference in Las Vegas
- (d) **Request that City Staff Analyze and Provide Report to Council on Current Drafts of Proposed Federal Wild and Scenic Rivers and Wilderness Designation bills:** Mayor Pro Tem Shevlin requested this item be placed on the agenda in light of a May 30 public input deadline and her understanding it would be going before the San Gabriel Valley Council of Governments. Mayor Lutz reported that due to the need for more education on the subject and trouble with scheduling, the SGVCOG did not have the topic scheduled for discussion; in light of this information, Mayor Pro Tem Shevlin stated she did not want to overburden staff at this time.

(e) Request that the Acting City Manager Send a Letter to Congresswoman Chu and San Gabriel Valley Council of Governments (SGVCOG) Asking That They Take No Action on Remaining Federal Legislation Until After the Affected Cities Review and Take a Position: **It was moved by Mayor Pro Tem Shevlin, seconded by Councilmember Adams to request that the Acting City Manager send a letter to Congresswoman Chu and the San Gabriel Valley Council of Governments (SGVCOG) asking that they take no action on remaining Federal Legislation until after the affected cities review and take a position.** Acting City Manager confirmed that it would be signed by the City Council and circulated before it was sent out. The motion carried unanimously.

**RCC-3 Councilmember Tom Adams:**

(a) **Request for Letter Expressing City's Support of Assembly Bill AB 2534 Related to Housing of Inmates in Los Angeles County Jails:** Councilmember Adams provided a brief overview, including the County's desire to contract with private jails to accommodate prisoners as a result of realignment legislation, and Supervisor Michael Antonovich's request for support of AB 2534. **It was moved Councilmember Adams, seconded by Mayor Pro Tem Shevlin, to send a letter of support to Assemblymember Matthew Dababneh with a copy to Supervisor Antonovich.** The motion carried unanimously.

**RCC-4 Councilmember Alexander C. Blackburn** was excused.

**RCC-5 Councilmember Larry J. Spicer** was excused.

**ADMINISTRATIVE REPORTS:** None


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

**ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED:** Taken out of order above.

**SCHEDULED MEETINGS:** The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, June 3, 2014, 7:30 p.m., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

**ADJOURNMENT:** At 9:17 p.m., Mayor Lutz adjourned the meeting in memory of Louis Quinteros, lifetime Monrovia resident.

ATTEST:

  
Alice D. Atkins, CMC, City Clerk

APPROVED:

  
Mary Ann Lutz, Mayor