

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, MAY 1, 2007, 7:30 P.M.**

CONVENE: Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, May 1, 2007, at 7:37 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. The Study Session preceding the City Council Meeting regarding the Retiree Medical Program was cancelled.

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

INVOCATION: City Clerk Linda Proctor led the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Garcia led the Flag Salute.

PRESENTATIONS/PROCLAMATIONS

PR-1 Proclaiming the Month of May 2007 as "Older Americans' Month:" In recognition of the contributions of the senior citizens of Monrovia, Mayor Hammond proclaimed the month of May 2007 as "Older Americans' Month." Community Services Commissioner and Senior Liaison Gloria Crudginton accepted the proclamation from the Mayor.

PR-2 Recognition of the 2007 Older American of the Year Sue Campo: Community Services Commissioner and Senior Liaison Gloria Crudginton assisted the Mayor and City Council in recognizing the 2007 Older American of the Year Sue Campo. Mayor Hammond reported that at the recent annual Volunteer Luncheon, Executive Director Pattie Tellez presented him with a check in the amount of \$694,000.00 depicting the monetary value of the volunteer hours given to the community.

PR-3 Recognition of Elena Medo, Founder and President of Prolacta BioScience, as a Winner of the 2007 Entretch PricewaterhouseCoopers 4th Annual Entrepreneurship Award: Public Information Officer Dick Singer assisted the Mayor and City Council in recognizing Elena Medo, Founder and President of Prolacta BioScience, a winner of the 2007 Entretch Pricewaterhouse Coopers 4th Annual Entrepreneurship award. Ms. Medo accepted the Certificate of Recognition.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Liaison Rachel Jamieson was excused. However, student Rachael Cornwall reported that "Thoroughly Modern Millie" was being presented at Monrovia High School, and distributed flyers regarding the dates and times of the production.

CONSENT CALENDAR: It was moved by Councilmember Lutz, seconded by Councilmember Garcia, to approve the Consent Calendar. Mayor Pro Tem Kirby abstained from voting on the Minutes as he had not been in attendance at the Meeting. There were no objections. The Consent Calendar consisted of the following Agenda items:

CC-1 Unadopted Minutes of the April 17, 2007 Monrovia City Council Meeting

CC-2 Payroll No. 8 in the Amount of \$508,379.26 and Voucher Nos. 142993 through 143210 in the Amount of \$494,424.96

CC-3 Amendment of Title 2, Chapters 2.46, 2.48, and 2.52, of the Monrovia Municipal Code Relating to Residency Requirements for Commissions and Boards; Second Reading and Adoption of Ordinance No. 2007-06: This was the second reading and final adoption of Ordinance No. 2007-06 amending Title 2 of the Monrovia Municipal Code, relating to residency requirements for Commissions and Boards. Staff continued to recommend approval of this ordinance.

CC-4 License Agreement with the Metro Gold Line Foothill Extension to Authorize the Use of the Station/Railroad Depot Site for a Temporary Parking Facility: The City partnered with Foothill Transit

and MTA to complete Phase 1, Temporary Parking Facility, for the anticipated Gold Line Foothill Extension. On opening day of Gold Line operations, the City would be required to provide a parking facility with a minimum of 350 parking spaces. The Phase 1 project provided 205 parking spaces. The license agreement formalized the use of the MTA station/depot property as a temporary parking facility. The costs of future maintenance activities were eligible for funding through Proposition A & C funds.

CC-5 Agreement with Access Services for Participation in the Consolidated ADA Paratransit Plan, Resolution No. 2007-19: The proposed resolution addressed adopting a resolution authorizing City participation in the Los Angeles County Coordinated Transit Plan. The Americans with Disabilities Act (ADA) required that each fixed route transit operator provide complimentary paratransit service to disabled individuals, prepare a plan for implementation and allow the preparation and submittal of a single coordinated paratransit plan among the operators of fixed route transit service with overlapping and contiguous service areas. Access Services would be responsible for the administration of Access Paratransit and would be committed to improving the mobility on public transit of persons with disabilities, while complying with Federally mandated ADA law. Access Services continued to take the lead in development and review of the Los Angeles County Coordinated Transit Plan. As a fixed route operator, the City of Monrovia was obligated to comply with Federal ADA Regulation. By participating in the Los Angeles County Coordinated Transit Plan, Monrovia would now become compliant with Federal mandated Americans with Disabilities Act. Furthermore, the responsibility for providing Federal mandated ADA complimentary paratransit services became the primary responsibility of Access Services.

CC-6 Amendment to Title 5, Chapter 5.48, of the Monrovia Municipal Code Adding Section 5.48.140 Titled "Consumer Protection and Service Standards," Section 5.48.150 Titled "Fee For Support Of Local Cable Usage," and Section 5.48.160 Titled "Special Provisions Applicable to Holders of State Video Franchises"; Second Reading and Adoption of Ordinance No. 2007-07: This was the second reading and final adoption of Ordinance No. 2007-07 amending Title 5 of the Monrovia Municipal Code relating to consumer protection and service standards, fees for support of local cable usage and special provisions applicable to holders of State video franchises. Staff continued to recommend approval of this ordinance.

CC-7 Amendment to Title 12, Chapter 12.48, of the Monrovia Municipal Code Adding Section 12.48.060 Relating to Appeals to the City Council; Second Reading and Adoption of Ordinance No. 2007-08: This was the second reading and final adoption of Ordinance No. 2007-08 amending Title 12 of the Monrovia Municipal Code relating to appeals to the City Council. Staff continued to recommend approval of this ordinance.

The following item was taken out of order:

REPORTS OF CITY COUNCILMEMBERS AND SUBCOMMITTEES:

RCC4 Councilmember Garcia reported that:

(a) Funding for Wildrose Historic District: He stated that the City had over 100 homes designated as historic but no historic district; that while many blocks would qualify the most noticeable was the Wildrose district which was composed of 17 properties. He reviewed the pictures of historic landmarks and described each. He proposed that the Wildrose Historic District be reviewed by the Historic Preservation Commission and presented to the City Council for its approval. He stated that the signage would be at each end of the district, and that it first had to be reviewed and approved. The costs would be discussed and ultimately discussed with the homeowners. He stated he wished to announce this new district to the community at this time and would use his discretionary funds to fund the district.

PUBLIC INPUT:

1. Marvin Cummings, Monrovia
2. Shirley Manning, Monrovia
3. Bill Beebe, Monrovia
4. Scott Austin, Monrovia
5. Hal Leavens, John Zuk, Monrovia
6. Richard Parris, Monrovia
7. Chuck Keene, Monrovia

Mayor Hammond and Councilmember Adams responded to various speakers' remarks.

PUBLIC HEARINGS/MEETINGS: There were none.

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

MRA CONVENE: Chairman Rob Hammond convened the Regular Meeting of May 1, 2007 of the Monrovia Redevelopment Agency Board of Directors at 8:41 P.M. in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting.

MRA ROLL CALL: Those in attendance were Boardmembers Tom Adams, Joe Garcia, Mary Ann Lutz, Vice Chairman Dan Kirby, and Chairman Rob Hammond.

MRA CONSENT CALENDAR: It was moved by Boardmember Adams, seconded by Boardmember Garcia, to approve the Consent Calendar. Vice Chairman Kirby abstained as he had not been in attendance at the Meeting. There were no objections. The Consent Calendar consisted of the following Agenda item:

MRA CC-1 Unadopted Minutes of the April 17, 2007 Regular Meeting

MRA PUBLIC HEARINGS/MEETINGS: There were none.

MRA REPORTS: There were none.

MRA ADJOURNMENT: Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 8:42 P.M. and the City Council Meeting continued.

RECONVENE MONROVIA CITY COUNCIL MEETING

REPORTS OF CITY COUNCILMEMBERS AND SUBCOMMITTEES:

RCC1 Mayor Hammond reported that:

- (a) He thanked all the members of the Police Department who stayed at home during the Baker to Vegas Relay Race and congratulated the team who competed.
- (b) He announced that the last day to return applications for membership on the City's Boards and Commissions was May 14, 2007.

RCC2 Mayor Pro Tem Kirby reported that:

- (a) He congratulated the Police Department officers for their participation in the Baker to Vegas Relay Race, and stated that he wanted the community to know what stellar young people worked for the City of Monrovia.

RCC3 Councilmember Adams reported that:

- (a) The Ninth Annual Don Montgomery Memorial Golf Tournament would be held on Friday, May 18, 2007, benefiting the YMCA and Mary B. Thorne Club at Monrovia High School.
- (b) He requested that Staff investigate the traffic problems on Myrtle Avenue where drivers seemed to be ignoring normal traffic regulations. Merchants were complaining about speeding and people not paying attention to pedestrians.
- (c) **Water Capital Improvement Project Update:** He called upon Utilities and Streets Division Manager Ron Bow who gave a detailed report on the water capital improvement project.

RCC4 Councilmember Garcia reported that:

- (a) **Funding for Wildrose Historic District:** This matter was taken out of order prior to "PUBLIC INPUT" above.

RCC5 Councilmember Lutz reported that:

- (a) She congratulated all who participated in the American Cancer Society's Relay for Life in Library Park. Nineteen teams participated for 24 hours and earned \$86,847.00 in donations.

REPORTS OF STAFF MEMBERS: There were none.

ADMINISTRATIVE REPORTS:**AR-1 2006-2007 Sewer Main Replacement, Project No. C2981, Award of Contract to Tomovich and Associates in the Amount of \$287,620.00**

Ron Bow, Utilities and Streets Division Manager, reviewed the Staff Report.

The 2006-2007 Sewer Main Replacement Program included the installation of approximately 2,470 feet of 8" vitrified clay pipe (VCP) replacing 6 inches of deteriorated sewer mains including the construction of eight (8) sewer manholes and the replacement of approximately 85 sewer lateral connections to the property lines. The cost for the new sewer line on Primrose and Colorado for the Colorado Commons Project would be shared by the developer and the City based on materials quantities used.

On April 11, 2007 nine bids were received and opened by the City Clerk. Bids ranged from \$287,620.00 to \$622,180.00. The apparent low bidder was Tomovich & Associates. Staff reviewed the apparent low bidder and found all documents to be in order. References were contacted, with satisfactory recommendations. Funds for the project were available in the Sanitation Fund.

It was moved by Councilmember Garcia, seconded by Mayor Pro Tem Kirby, to adopt award a contract to Tomovich & Associates in the amount of \$287,620.00 for the 2006-2007 Sewer Main Replacement Program, and reject all other bids. There were no objections.

AR-2 Amendment of Title 5, Chapter 5.36, of the Monrovia Municipal Code Relating to Membership Requirements for the Old Town Advisory Board; Introduction and First Reading of Ordinance No. 2007-10

City Clerk Linda Proctor reviewed the Staff Report.

As there might have been the opportunity for doubt that a proposed member of the Old Town Advisory Board would or would not be required to pay the necessary assessments and charges to be appointed, this ordinance clearly defined the intended requirement. A condition of appointment and continued membership on the Board was that the member had to be current with the payment of charges and assessments imposed by the chapter. This ordinance would also delete mention of the Mayor's Advisory Committee (MAC) and remove the membership requirements of the MAC. It removed language in the area of business license fees which were no longer applicable.

Staff recommended adoption of the ordinance relating to membership on the Monrovia Old Town Advisory Board.

It was moved by Councilmember Lutz, seconded by Councilmember Garcia, to introduce, waive further reading, and read by title only Ordinance No. 2007-10.

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

City Attorney Steele read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, AMENDING TITLE 5, CHAPTER 5.36 OF THE MONROVIA MUNICIPAL CODE RELATING TO THE BUSINESS IMPROVEMENT DISTRICT.**AR-3 Proposal for the Monrovia Police Department to Provide Animal Control Services for the City of Monrovia**

Captain Rick Miglia reviewed the Staff Report.

The Financial Officer for the San Gabriel Valley Animal Control Authority (SGVACA) indicated that the increased cost to Monrovia for the next fiscal year would be \$43,000.00. Based on the information obtained during the Administrative Committee Meeting, the Police Department evaluated the various options available for animal control services in the San Gabriel Valley. It appeared that a more effective

option for animal control field services (other than with San Gabriel Valley Humane) would rest with Monrovia itself at this time.

If Monrovia chose to provide the service itself, the cost to the general fund annually would be approximately \$86,000.00, with a one-time start cost of \$70,000.00. Taking into account the total cost of the program and Monrovia's retention of all of their revenues for dog licensing, this would result in a savings to the City of \$60,128.00.

Discussion ensued. **It was moved by Councilmember Adams, seconded by Councilmember Lutz, to approve the proposal for the Monrovia Police Department to provide Animal Control Services for the City of Monrovia and report back to the City Council half way through the first year of the program to see how it was serving the community.**

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

SCHEDULED MEETINGS: The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, May 15, 2007, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Salute to Service, 7:00 PM, Council Chambers..

PUBLIC INPUT, CONTINUED, IF NEEDED: There was no public input.

ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED: There were no items pulled from the Consent Calendar.

ADJOURNMENT TO CLOSED SESSION: At 9:20 P.M., Mayor Hammond announced that the City Council would adjourn to Closed Session regarding the following items, and would reconvene in Council Chambers concluding the Closed Session to report any reportable action taken:

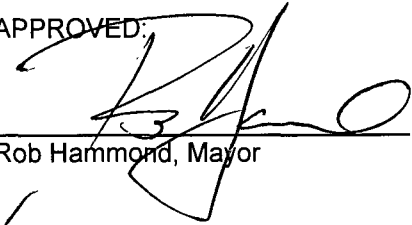
ACS-1 Conference with Legal Counsel; Pending Litigation, Government Code §54956.9(a), Kathryn Reece-McNeill v. City of Monrovia, et al, Case # BC365470
ACS-2 Conference with Legal Counsel, Pending Litigation, Government Code §54956.9(a), Michael Solarez v. City of Monrovia, Case # GC036344

RECONVENE AND REPORT OF CLOSED SESSION: Closed Session convened at 9:25 P.M. and adjourned at 10:05 P.M. City Attorney Steele reported the following:

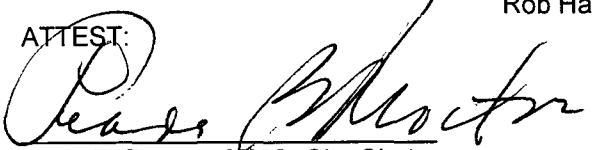
RCS-1 Conference with Legal Counsel; Pending Litigation, Government Code §54956.9(a), Kathryn Reece-McNeill v. City of Monrovia, et al, Case # BC365470 - No reportable action taken.
RCS-2 Conference with Legal Counsel, Pending Litigation, Government Code §54956.9(a), Michael Solarez v. City of Monrovia, Case # GC036344 - Non-Disclosure of otherwise reportable action taken was authorized under §54957.1 as negotiations were not complete.

ADJOURNMENT: The Meeting was adjourned by Mayor Hammond 10:05 P.M. in memory of Jose Gallardo, Father-in-Law of Public Works Employee Julie Gallardo, and Marjorie Doris Edwards, long-time resident of Monrovia.

APPROVED:


Rob Hammond, Mayor

ATTEST:


Linda B. Proctor, MMC, City Clerk