

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, DECEMBER 4, 2007, 7:30 P.M.**

CONVENE: Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, December 4, 2007, 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 Deputy City Clerk Alice D. Atkins.

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

INVOCATION: Youth Pastor Ulises Gutierrez led the Invocation.

PLEDGE OF ALLEGIANCE Councilmember Joe Garcia led the Flag Salute.

OTHER: Santa Claus made a special appearance. Santa's helper was Community Services Staff member Kerri Zessau who announced the various holiday events, including the Santa Tours covering the entire City the evenings of December 17 through 21, 2007.

PRESENTATIONS/PROCLAMATIONS:

Mayor Hammond introduced Marilyn Vernon of the Ladies Auxiliary of the Veterans of Foreign Wars, who gave an overview membership, programs and projects that support the American troops, veterans, and their families, and encouraged those eligible in the audience and the community to join the organization.

PR-1 Introduction of Pearl Harbor Survivors Anthony George Mark and Paul Perrault

This week the nation was commemorating the 66th anniversary of the December 7, 1941 attack on Pearl Harbor that plunged the United States into World War II. Monrovia residents Paul Perrault and Anthony Mark were serving in the US Navy at Pearl Harbor the morning of that attack, survived the battle and went on to serve their nation throughout the war. It was appropriate that the community thank and honor both Mr. Perrault and Mr. Mark for their service.

Mayor Hammond and the City Council presented Mr. Mark and Mr. Perrault with framed proclamations recognizing their service during World War II. Mark Harmsen presented a certificate of recognition from Congressman David Dreier, and Marilyn Vernon made a presentation from the Ladies Auxiliary of the Veterans of Foreign Wars.

PR-2 Recognition of Monrovia Recycles Calendar Contest Winners

For five years, the City of Monrovia had conducted the Monrovia Recycles Calendar Contest. The contest was held in conjunction with America Recycles Day, celebrated annually on November 15, 2007. Its purpose was to educate students on the importance of recycling. This program was funded by the City's Beverage Container Grant received from the California Department of Conservation.

Approximately 150 entries were received from fifth grade students in the Monrovia Unified School District and 12 were selected based upon the recycling message, creativity, and artistry.

Heather Maloney, Management Analyst II, assisted the Mayor and City Council in recognizing the winning entries.

PR-3 Introduction of Newly Hired Community Development Department Senior Code Enforcement Officer R.D. Gonzalez

Director of Community Development Alice Griselle introduced newly hired Senior Code Enforcement Officer R. D. Gonzalez to the Mayor, City Council and the community.

PR-4 Introduction of Newly Hired Human Resources Management Trainee Leonor Sanchez-Smallwood

Management Analyst II Danielle Tellez introduced newly hired Human Resources Management Trainee Leonor Sanchez-Smallwood to the Mayor, City Council and the community

PR-5 Introduction of Newly Hired Police Department Employees Officer Sarah Bushmeyer and Police Services Representative Maria Torres

Police Captain Jim Hunt introduced newly hired Police Department employees Officer Sarah Bushmeyer and Police Services Representative Maria Torres to the Mayor, City Council and the community.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Liaison Rachel Jamieson reported on events at Monrovia High School.

CONSENT CALENDAR. It was moved by Mayor Pro Tem Kirby, seconded by Councilmember Garcia, to approve the Consent Calendar. There were no objections

The Consent Calendar consisted of the following Agenda items:

CC-1 Unadopted Minutes of the November 20, 2007 Regular Meeting of the Monrovia City Council

CC-2 Payroll No. 24 in the Amount of \$585,429.33 and Voucher Nos. 147010 through 147301 in the Amount of \$1,245,227.33

CC-3 Amendment to Title 8 (Health and Safety) of the Monrovia Municipal Code Pertaining to Fire Hazards Relating to Vegetation and Other Conditions or Activities; Second Reading and Adoption of Ordinance No. 2007-22: This was the second reading and adoption of Ordinance No 2007-22 amending Title 8 of the Monrovia Municipal Code pertaining to fire hazards. Staff continued to recommend approval of this ordinance

CC-4 Amendment to Title 1 (General Provisions) of the Monrovia Municipal Code Relating to General Penalties; Second Reading and Adoption of Ordinance No. 2007-18: This was the second reading and adoption of Ordinance No 2007-18 amending Title 1 of the Monrovia Municipal Code relating to general penalties. Staff continued to recommend approval of this ordinance

CC-5 Amendment to Title 1 (General Provisions) of the Monrovia Municipal Code Adopting the Administrative Fine Ordinance; Second Reading and Adoption of Ordinance No. 2007-19: This was the second reading and adoption of Ordinance No 2007-19 amending Title 1 of the Monrovia Municipal Code regarding an Administrative Fine Ordinance. Staff continued to recommend approval of this ordinance

CC-6 Amendment to Title 8 (Health and Safety) of the Monrovia Municipal Code Relating to Property Maintenance; Second Reading and Adoption of Ordinance No. 2007-20: This was the second reading and adoption of Ordinance No 2007-20 amending Title 8 of the Monrovia Municipal code relating to property maintenance. Staff continued to recommend approval of this ordinance.

CC-7 Final Tract Map No. 65151, Re-subdivision of Property Located at 911 Royal Oaks Drive by San Blas Development Corporation: Tentative Tract Map No. 65151 was for the re-subdivision of property into 4 single-family, two-story Planned Unit Development (PUD.) The map created 5 lots with a common lot for ingress, egress, drainage and utilities. The tentative subdivision map was approved by the Planning Commission at its meeting of January 12, 2006 and was approved by the City Council on February 21, 2006. 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

The Final Tract Map was checked by the City's consultant and was found to conform to the approved tentative map and was technically correct and conforms to the requirements of the State Subdivision Map

Act and the City's Subdivision Ordinance. The Covenants, Conditions and Restrictions would be finalized as part of the air-space subdivision map as project construction neared completion. The Final Map conformed to the Tentative Map as conditionally approved by the Planning Commission and the City Council.

CC-8 Set for Public Hearing on December 18, 2007; Amendment to Title 17 (Zoning) of the Monrovia Municipal Code Consolidating the HCD/O (Historic Commercial Downtown/Office) Zone and Rezoning All Affected Properties to HCD (Historic Commercial Downtown); Zone Change ZC2007-04 and Ordinance No. 2007-16: The Historic Commercial Downtown/Office (HCD/O) Zone was created in 1987 for the purpose of allowing five buildings in the HCD zone with storefronts on Myrtle Avenue and also on the side streets of Old Town to be regulated similar to other properties on the side streets. However, the additional zoning district had caused these five properties to have dual zoning.

The Planning Commission reviewed the proposed ordinance at its meeting of November 14, 2007. At the close of the Public Hearing, the Commission adopted Resolution No. 2007-15 recommending approval of Ordinance No. 2007-16 to the City Council. Staff recommended that the City Council set December 18, 2007 as the date of the Public Hearing.

CC-9 Set for Public Hearing on December 18, 2007; Tentative Tract Map TTM 069456/Conditional Use Permit CUP2007-17 to Construct a Nine-unit, Two-story Residential Condominium Development in the RH (Residential High Density) Zone at 706 West Duarte Road by Amedeo Costantino, Developer: On November 14, 2007, the Planning Commission reviewed an application to construct a nine-unit two-story condominium development, consisting of 15,444 square feet of building on a 21,780 square foot lot at 706 West Duarte Road. At the close of the Public Hearing, the Planning Commission voted to recommend approval of the proposal to the City Council. Staff recommended that the City Council set December 18, 2007 as the date of the Public Hearing.

CC-10 Amend Personnel Rules and Regulations to Provide for Compensation and Supplemental Benefits Effective Fiscal Year 2007-08 for Hourly Employees, Appendix "F" Resolution No. 2007-63: Effective January 1, 2008, the State of California Department of Industrial Relations was increasing the California minimum wage to \$8.00 per hour. Currently, the first step of the salary range for some of the hourly classifications was below \$8.00 per hour. The proposed adjustment provided for a modest salary increase for three hourly classifications within the hourly classifications. Staff recommended that City Council adopt Resolution No. 2007-63.

CC-11 Tire-Derived Products Grant Application to California Integrated Waste Management Board for Fiscal Year 2007-08; Resolution No. 2007-62: The California Integrated Waste Management Board offered the Tire Derived Product (TDP) Grant Program to encourage activities that reduced the number of waste tires going to landfills by promoting markets for recycled-content products derived from waste tires generated in California. The City's participation in the TDP grant application required a signed resolution from the agency's governing body authorizing the submittal of the grant application, the application, resolution, and the applicants Recycled-Content Purchasing Policy or Directive.

The City was submitting an application request in the amount of \$26,375.00 to cover a portion of the costs for approximately 10,000 square feet of new rubberized playground surfacing at Library Park after the construction of the new play area, and for 65 wheel stops at a cost of \$650.00. The grant would cover approximately 25% of the costs for the identified projects. If selected, the City would need an additional \$55,000.00 in funding to complete the proposed projects. Additional funding would be obtained from capital funds in the Library Park Play Equipment Project and the Public Works Yard Renovation Project fund.

Staff recommended approval of Resolution No. 2007-62, authorizing the submittal of FY 2007-08 Tire Derived Products Grant to the California Integrated Waste Management Board and authorizing the Public Works Director to execute all necessary documents to secure grant funds.

CC-12 Ratification of Action to Close Monrovia Canyon Park on November 23 and November 24, 2007: Monrovia Canyon Park was closed by the Fire Department November 23 and 24, 2007 in the interest of public safety, due to the Malibu wild fires engine deployment and extreme weather conditions. Staff recommended ratification of the Fire Department's decision to close Monrovia Canyon Park.

November 23 and 24, 2007, in accordance with the Monrovia Municipal Code, Paragraph 17 of Section 12.32.030 of Chapter 12 32 of Title 12.

CC-13 Denial of Liability Claim; Verizon vs. City of Monrovia: Verizon alleged that on July 27, 2007, City personnel damaged a Verizon underground cable while performing excavation work. The excavation work was performed by a private contractor. The City of Monrovia was covered as an additional insured by the private contractor for the work performed. Therefore, the City bore no responsibility in this matter and Staff recommended that Council deny this claim.

CC-14 Denial of Liability Claim; Kathy Romo vs. City of Monrovia: Ms. Romo alleged that on September 10, 2007, her vehicle sustained damage due to a deep ditch in the roadway. The location of the incident was the roadway adjacent to the exit of a parking lot. In order to sustain the damage indicated in the claim, the vehicle would have to be traveling at an excessive rate of speed while exiting that parking lot. In addition, the ramp from the parking lot appears to be at a steep angle which could contribute to vehicles "bottoming out" at the front end. Therefore, the City bore no responsibility in this matter and Staff recommended that Council deny this claim.

CC-15 Legislative Bulletin: This report highlighted and summarized pending State legislation that could be 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.

PUBLIC INPUT

1. Samuel Dixon, Lyndon LaRouche Political Action Committee

PUBLIC HEARINGS/MEETINGS:

PH-1 Adoption of Ordinance No. 2007-17; Adopting by Reference the 2007 California Fire Code and the 2006 International Fire Code With Local Amendments, Amending Title 15 of the Monrovia Municipal Code

Fire Chief Chris Donovan reviewed the Staff Report.

The California Building Standards Commission had adopted the California Fire Code based on the 2006 International Code with California amendments. The 2007 California Fire Code represented the most current requirements for best practices as they related to enforcement of the Fire Code for fire and life safety. The purpose of the code adoption was to establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosions or dangerous conditions in new and existing buildings, structures and premises and to provide safety to firefighters and emergency responders during emergency operations.

At its regular Meeting of the Monrovia City Council held November 6, 2007, the title of Ordinance No. 2007-17 was read and a Public Hearing was set for December 4, 2007 to adopt the 2007 California Fire Code with Local Amendments by reference, amending Title 15 Chapter 15 20 of the Monrovia Municipal Code.

No fiscal impact was anticipated. Staff recommended that the City Council adopt the proposed Ordinance No. 2007-17 relating to the 2007 California Fire Code with Local Amendments.

PUBLIC HEARING OPENED AND CLOSED: Mayor Hammond opened and closed the Public Hearing as there was no one who wished to speak for or against the matter.

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Kirby, to adopt Ordinance No. 2007-17.

ROLL CALL:

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

The following items were taken out of order

PH-3 Historic Landmark HL-119 and Mills Act Contract MA-113 for the Property Located at 153 Highland Place by Craig & Renee Davis; Resolution No. 2007-59

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

This single story, single family dwelling was built J.E. McIntyre in 1920 for William A. Chess based on City permit records. The house had a steeply-pitched, cross-gabled roof without overhanging eaves and could be classified as an English Revival. Chess was listed in the *Monrovia-Duarte Community Book* as "one of Monrovia's first bankers and an early settler closely identified with all civic activities." His civic involvements included two terms as City Treasurer (1894-99), and serving on both the Park and Library Commissions.

At its meeting of November 28, 2007, the Historic Preservation Commission determined that the house meets Criteria Number 1 (significant person) and Criteria Number 4 (architecture) and voted to recommend approval of historic designation and a Mills Act Contract to the City Council

PUBLIC HEARING OPENED AND CLOSED: Mayor Hammond opened and closed the Public Hearing as there was no one who wished to speak for or against the matter.

It was moved by Mayor Pro Tem Kirby, seconded by Councilmember Lutz, to adopt Resolution No. 2007-59 designating the property at 153 Highland Place as the William A. Chess House as Historic Landmark 119, and approve entering into a Mills Act Contract with the conditions of approval. There were no objections

PH-4 Historic Landmark HL-120 and Mills Act Contract MA-114 for the Property Located at 248 West Scenic Drive by Richard & Wendy Yee; Resolution No. 2007-60

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

This home was built in 1936 and was characteristic of the Colonial Revival style as it was interpreted in the 1930's. The house was irregularly shaped and had tongue and groove redwood siding with brick foundation and wood was used on the front face to mimic masonry – common to Colonial Revival style houses of this period. The house was in good condition as seen from public view so the set standards and conditions would be applied and monitored through the bi-annual review.

At its meeting of November 28, 2007, the Historic Preservation Commission determined that the house met Criteria #1 in that the home was that of Dr. Robert Earl Crusan, a prominent local physician and surgeon, and Criteria #4 in that the house was an example of Colonial Revival architecture of the 1930's, and voted unanimously to recommend approval of Historic Landmark status and execution of a Mills Act Contract

PUBLIC HEARING OPENED AND CLOSED: Mayor Hammond opened and closed the Public Hearing as there was no one who wished to speak for or against the matter

It was moved by Mayor Pro Tem Kirby, seconded by Councilmember Lutz, to approve Resolution No. 2007-60 designating the property at 248 West Scenic Drive as the Dr. R. E. Crusan House as Historic Landmark Number 120, and approve entering into a Mills Act Contract with the conditions of approval. There were no objections.

PH-2 Amendment to the 700 South Myrtle Avenue Specific Plan, Amendment to Tentative Tract Map TTM 063146 and Amendment to Conditional Use Permit CUP2005-22 to Allow a Modification of the Previously Approved Project Including 163 Dwelling Units and a 404 Space Parking Structure at 700 South Myrtle Avenue by Urban Housing Group; Resolution No. 2007-54

Mayor Hammond recused himself from discussion or voting on this matter due to his business in the area and exited City Council Chambers at 8:23 P.M.

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

The *700 South Myrtle Avenue Specific Plan* was originally adopted in November 2005 as part of the entitlements for a mixed-use development on the Neff property on the southeast corner of Myrtle and Olive Avenues and was developed to be consistent with the concepts presented by Urban Land Institute (ULI) for the Old Town Extension. The next year, the applicant came forward with a modification which required an amendment to the Conditional Use Permit. The current proposal required an amendment to the Specific Plan, Tentative Tract Map, and CUP. Overall, the architectural framework of the project remained the same. The changes were primarily driven by the shift from a podium design to a structured parking design which involved the relocation of the parking area. Additionally, the live/work units had been eliminated and there was an increase in number of dwelling units proposed. This proposal also increased the number of dwelling units to 163, 82 one-bedroom units and 81 two-bedroom units.

Based on the changing housing market, Urban Housing Partners was proposing to create apartment units. A condominium map was still being processed which gave the owner the ability to sell units separately in the future.

Overall, 421 new parking spaces would be provided by the development. The majority of the parking would be accommodated in a four level, 404-space parking structure. Of those, 329 spaces would be gated off for exclusive use of the residents and 75 parking spaces would be available for common use by the residents, their guests, the commercial uses and for shared general public parking for Old Town. The additional 17 new spaces would be along Myrtle Avenue in a combination of angled and parallel spaces. As a result of the street improvements, Olive, Walnut and the west side of Myrtle Avenues would provide 39 parking spaces, of which 17 would be new. The inclusion of street parking towards meeting the parking requirements was encouraged by ULI for the Old Town Extension area.

At its meeting of October 23, 2007, the Planning Commission adopted Resolution No. 2007-14 recommending approval of the amendment to the 700 South Myrtle Avenue Specific Plan, amendment to the Tentative Tract Map and Conditional Use Permit.

PUBLIC HEARING OPENED AND CLOSED: Mayor Pro Tem Kirby opened the Public Hearing.

Those in favor. Daniel Deibel, Director of Development, Urban Housing Group.

Discussion ensued regarding the viability of luxury apartments and market research performed by Urban Housing Group, potential traffic issues and mitigation measures, clarification of set backs and other visual impacts, as well as the concern that the development tie in with the downtown even though it is not officially in the Historic District.

City Attorney Steele stated for the record that Mayor Pro Tem Lutz and Councilmember Kirby had attended a field trip to evaluate some of Urban Housing Groups other developments. Mayor Pro Tem Kirby and Councilmember Lutz shared their impressions with respect to maintenance, fit with neighboring areas, construction and design detail, and architectural designs that minimized impact of multi-story buildings.

Mayor Pro Tem Kirby closed the Public Hearing.

It was moved by Councilmember Adams, seconded by Councilmember Garcia, to adopt Resolution No. 2007-54 approving the amendment to the 700 South Myrtle Avenue Specific Plan, approve the amendment to Tentative Tract Map No. 063146, amendment to Conditional Use Permit CUP2005-22, addendum to the Mitigated Negative Declaration and adopt the Mitigation Monitoring Plan subject to the attached data sheets, direct the Developer to work with Staff to ensure that the design is consistent with historic overlay, and review traffic patterns six months after construction. There were no objections.

Mayor Hammond returned to Council Chambers at 9:10 P M.

PH-3 Historic Landmark HL-119 and Mills Act Contract MA-113 for the Property Located at 153 Highland Place by Craig & Renee Davis; Resolution No. 2007-59

This matter was taken out of order (see above)

PH-4 Historic Landmark HL-120 and Mills Act Contract MA-114 for the Property Located at 248 West Scenic Drive by Richard & Wendy Yee; Resolution No. 2007-60

This matter was taken out of order (see above)

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

MRA CONVENE: Chairman Rob Hammond convened the Regular Meeting December 4, 2007 of the Monrovia Redevelopment Agency Board of Directors at 9.10 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

CONSENT CALENDAR: It was moved by Boardmember Garcia, seconded by Vice-Chairman Kirby, to approve the Consent Calendar. There were no objections.

The Consent Calendar consisted of the following Agenda items:

MRA CC-1 Unadopted Minutes of the November 20, 2007 Regular Meeting of the Monrovia Redevelopment Agency

MRA CC-2 Request to Enter into a Lease Agreement with Cary Pasternak for Real Property Located at 166 West Pomona Avenue: In August 2007, the Agency Board authorized an extension of the Agency's Exclusive Negotiating Agreement with Samuelson & Fetter, LLC for the first phase of the Station Square Study Area. This area was generally located north of Duarte Road, east of Magnolia Avenue, south of Evergreen Avenue and west of Myrtle Avenue.

One of the areas that the Agency was contemplating acquiring was the Hamby Park Industrial Park, located on the south side of the 100 block of West Pomona Avenue. The complex contained 28 separate ownership interest, and would require a corresponding number of relocations. It had recently come to Staff's attention that one of the units was vacant, and the owner was interested in securing a new tenant. When the decision was made to acquire the site, possession of the leasehold interest would eliminate the need to undertake a tenant relocation. As tenant relocation could cost as much as \$20,000.00 or more, Staff believed it made economic sense for the Agency to secure possession of the premises and avoid the obligation to relocate a tenant in the future.

Staff recommended that the Agency Board grant approval to enter into a Lease Agreement with Cary Pasternak for real property located at 166 west Pomona Avenue.

MRA PUBLIC HEARINGS:

MRA PH-1 Open and Continue to December 18, 2007; Request to Enter into a Disposition and Development Agreement with Jack Robinson concerning Real Property located at 601 South Myrtle Avenue, Resolution No. 14-2007

It was moved by Boardmember Garcia, seconded by Vice-Chairman Kirby, to open and continue the Public Hearing to December 18, 2007. There were no objections.

MRA ADMINISTRATIVE REPORTS: There were none

MRA ADJOURNMENT: Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 9:11 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) **Letter of Support for Gold Line Foothill Extension.** Congresswoman Grace Napolitano was going to be meeting with Transportation Secretary Peters in an effort to convince the FTA to consider an 80/20 split for matching contributions from local agencies. It was moved by Mayor Pro Tem Kirby, Seconded by Councilmember Lutz, to send a letter of support for the Gold Line Foothill Extension to Transportation Secretary Peters regarding City of Monrovia's position on the Gold Line.
- (b) at the recent Gold Line Phase II Joint Powers Authority (JPA) meeting, he convened an ad hoc committee headed by City Manager Ochoa, Chairman of the Technical Advisory Committee, to discuss the proposed Toll HOV Lane and ultimately express one strategic concern on behalf of the San Gabriel Valley, specifically the 210 Corridor. The ad hoc committee would be reporting back to the JPA in early December, as time was of the essence.
- (c) on Wednesday, December 5, 2007, at 7.30 A.M., Monrovia Works would be attending an assembly at the High School with more than 60 representatives from local business and professions to give examples to the students of different career choices and the educational paths they would need to take.
- (d) a ground breaking for the new library was scheduled for December 5, 2007 at 4.00 P.M.

RCC2 Mayor Pro Tem Kirby reported that:

- (a) he hoped to see everyone at the Holiday Parade on Thursday.

RCC3 Councilmember Adams had no report at this time

RCC4 Councilmember Garcia reported that

- (a) on November 30, 2007, he attended the League Leaders Meeting for the League of California Cities in San Jose, where a lively ensued as they moved forward to adopt the resulting strategic focus goals. He reviewed the four League strategic goals that came from that meeting. Mayor Hammond expressed his appreciation to Councilmember Garcia for his level of participation in representing the City.

RCC5 Councilmember Lutz reported that

- (a) **Consideration of a letter of support to allow fair competition in restoring and making more reliable the region's supply of drinking water:** She withdrew her request as the matter has progressed to the leadership level for further discussion and it would be premature to write a letter at this time
- (b) she reminded everyone that on Thursday, December 6, 2007, at 7:00 P.M. there would be the Annual Holiday Parade on Myrtle Avenue, preceded by the Tree Lighting at 6.00 P.M. at the corner of Ivy and Lime Avenues
- (c) she asked everyone to remember Old Town Monrovia when shopping for the holidays

REPORTS OF STAFF MEMBERS: There were none

ADMINISTRATIVE REPORTS:

AR-1 Annual Service Rate Adjustments for Collection of Commercial/Industrial Solid Waste from the Old Town Franchise Area Pursuant to the Exclusive Franchise Agreement between the City of Monrovia and Athens Services; Resolution No. 2007-61

City Attorney Steele stated that the rate adjustments would affect all of the customers downtown the same and as such there would be no need for any members to recuse themselves

Heather Maloney, Management Analyst II, reviewed the Staff Report.

On November 10, 1998, the Monrovia City Council awarded an exclusive commercial waste collection franchise to Athens Services for the majority of the Old Town business district. The Exclusive Franchise Agreement between the City of Monrovia and Athens Services was executed effective December 16, 1998, extended by the City Council on November 21, 2006, and was scheduled to expire on December 16, 2008

The new rate adjustment request was submitted by Athens Services on November 14, 2007 to be effective February 1, 2008. The rate adjustment request included the standard annual rate adjustment for changes in the Consumer Price Index and landfill disposal costs allowed per the Exclusive Franchise Agreement.

Per the Agreement, Athens was eligible for a Standard Annual Service Rate Adjustment upon a satisfactory performance review. Staff found Athens performance satisfactory. Staff had reviewed Athens' Standard Annual Service Rate Adjustment request and had determined that the increases were equal with the Rate Adjustment formula in the Franchise Agreement. The Service Rate Adjustment represented an overall increase in service rates of 3.74%. This incorporated an increase of 2.56% in the Consumer Price Index as of August 20, 2006 and a 7.29% increase in landfill tipping fees for 2007 for the last year. No increase in the franchise fee percentage rates were requested by the City at this time.

The increase in service rates in Old Town would result in an increase in franchise fees paid to the City as the fees are based on a percentage of Athens' gross receipt. Franchise fees paid to the City were expected to increase by approximately \$685.00 for contract year 2008. Customer rates would be adjusted by a 3.74% increase, effective February 1, 2008.

It was moved by Councilmember Garcia, seconded by Councilmember Lutz, to adopt Resolution No. 2007-61. There were no objections.

AR-2 General Plan Update; Progress Report on General Plan Amendment for Revisions to the Land Use and Circulation Elements and the Accompanying Draft Environmental Impact Report; Receive and File

Steve Sizemore, Planning Division Manager, reviewed the Staff Report.

The City was nearing the end of a planning process that was intended to manage growth in the City for the next 30 years. The construction of the Gold Line Light Rail Line from Union Station to East Pasadena and its planned expansion to the eastern cities of the San Gabriel Valley started a planning process that began in 1993 with adoption of the City's current general plan. The current General Plan designated the property south of Myrtle Avenue adjacent to the abandoned Santa Fe Railroad Depot as a future Transit Village. The Transit Village was seen as a chance to combine residential, commercial and retail uses centered around a light rail mass transit system.

In 2002, the plan began to be implemented when the City's redevelopment agency amended its boundaries by including the proposed Transit Village Area. The following year, the City Council invited the Urban Land Institute to perform an independent assessment of the proposed Transit Village project and to make suggestions regarding its connectivity to the rest of Monrovia. The Urban Land Institute interviewed scores of community leaders, local business leaders, development professionals and other stakeholders to gather feedback and insights. Ultimately, Urban Land Institute published a booklet on the proposed Transit Village, in which it recommended naming the new neighborhood "Station Square," and that the proposed mixed-use project incorporate both sides of Myrtle Avenue, between Evergreen Avenue and Duarte Road, increasing the total proposed project size.

Since then, the City had initiated work on updates of its Land Use and Circulation Elements to develop the appropriate land use controls and at the same time examine the environmental impacts to the community associated with build-out of the planning areas. The Land Use update directed growth away from the existing neighborhoods towards the transportation corridors. A Draft Environmental Impact Report had been prepared that analyzed the impacts of future growth in these areas.

Staff recommended that the City Council receive and file the General Plan update.

It was moved by Councilmember Adams, seconded by Councilmember Lutz, to receive and file the General Plan update. There were no objections.

AR-3 Memorandum of Understanding; Amend Personnel Rules and Regulations to Provide for Compensation and Supplemental Benefits Effective Fiscal Year 2007-08 for Certain Fire Employees, Appendix A, Resolution No. 2007-64

Theresa St. Peter, Director of Human Resources, reviewed the Staff Report.

It had been the City's practice, going back to the late 1970's, to endeavor to compensate its employees at a competitive rate. Staff surveyed fourteen of the neighboring cities to determine salary and benefit levels provided to their employees. The proposed adjustments provided salary and benefit adjustments that were in parity with the total compensation of the survey cities, as well as appropriate internal adjustments.

The latest Memorandum of Understanding (MOU) with the Monrovia Firefighters' Association (MFA) expired June 30, 2007. The proposed MOU would provide salary and benefit adjustments to be effective through June 30, 2008. An average salary increase of 4.7% was recommended. Additionally, the MOU would call for Paramedic-duty pay of \$100 per month for all employees not assigned as Paramedics who maintain their Paramedic certification as well as \$100 per month for employees who had obtained Fire Officer certification.

Staff recommended that City Council adopt Resolution No. 2007-64

It was moved by Councilmember Lutz, seconded by Councilmember Garcia, to adopt Resolution No. 2007-64. There were no objections.

SCHEDULED MEETINGS: Mayor Hammond announced that the next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, December 18, 2007, 7.30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California. He noted that the Regular City Council Meeting of January 1, 2008 had been cancelled.

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

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

ADJOURNMENT TO CLOSED SESSION

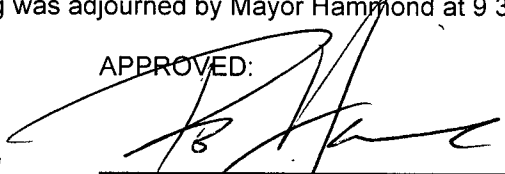
ACS-1 Conference with Labor Negotiator Pursuant to Government Code §54957.6; Agency Negotiator: Theresa St. Peter; Group Employees: Monrovia Firefighters Association and Monrovia Police Officers Association. This Closed Session was cancelled.

RECONVENE AND REPORT OF CLOSED SESSION

RCS-1 Conference with Labor Negotiator Pursuant to Government Code §54957.6; Agency Negotiator: Theresa St. Peter; Group Employees: Monrovia Firefighters Association and Monrovia Police Officers Association. This Closed Session was cancelled.

ADJOURNMENT: The Meeting was adjourned by Mayor Hammond at 9:33 P.M.

APPROVED:



Rob Hammond, Mayor

ATTEST



Linda B. Proctor, MMC, City Clerk