



CITY COUNCIL AGENDA REPORT



DEPARTMENT: Administration

MEETING DATE: January 17, 2012

PREPARED BY: Alice D. Atkins, City Clerk

AGENDA LOCATION: CC-1

TITLE: Unadopted Minutes of the December 1, 2011, Special Meeting, the December 6, 2011 and December 20, 2011, Regular Meetings, and the January 11, 2012 Special Meeting of the Monrovia City Council.

OBJECTIVE: To adopt the Minutes of the December 1, 2011, Special Meeting, the December 6, 2011, and December 20, 2011 Regular Meetings, and the January 11, 2012, Special Meeting of the Monrovia City Council.

BACKGROUND: The purpose of the Minutes is to record the actions taken by the legislative body.

RECOMMENDATION: Staff recommends that the City Council adopt the Minutes of the December 1, 2011, Special Meeting, the December 6, 2011 and December 20, 2011, Regular Meetings, and the January 11, 2012, Special Meeting of the Monrovia City Council.

COUNCIL ACTION REQUIRED: If the City Council concurs, the appropriate action would be a motion to adopt the Minutes of the December 1, 2011, Special Meeting, the December 6, 2011, and December 20, 2011, Regular Meetings, and the January 11, 2012, Special Meeting of the Monrovia City Council.

CC-1

**MINUTES OF THE SPECIAL MEETING OF THE
MONROVIA CITY COUNCIL
HELD THURSDAY, DECEMBER 1, 2011, 4:00 P.M.**

CONVENE: Mayor Mary Ann Lutz convened the Special Meeting of the Monrovia City Council of Thursday, December 1, 2011, at 4.00 P.M., Monrovia Fire Department Training Room, 141 East Lemon Avenue, Monrovia, California. In attendance were City Manager Scott Ochoa and Deputy City Clerk Rachael Hughes.

ROLL CALL: In attendance were Councilmembers Tom Adams, Becky A. Shevlin, Mayor Pro Tem Joe Garcia, and Mayor Mary Ann Lutz. Excused: Councilmember Clarence R. Shaw

ADMINISTRATIVE REPORTS

Review and Consideration of proposed 2011 Park Capital Project List, and Purchase of 601 Los Angeles Avenue for Development of a Pocket Park

Scott Ochoa, City Manager, reviewed the Staff Report.

Discussion ensued, including arguments for and against the purchase of the property for a pocket park, common minimum standards for lot size, lack of park space in southern Monrovia, concerns about diminishing funds available for existing projects on Park Capital Project List, whether or not use of reserve funds was appropriate, maintaining rehabilitation of Julian Fisher Park as a priority, attendance at and outcome of community meetings held previously, and plans for a larger southern community park as part of Gold Line and Station Square projects

PUBLIC INPUT:

1. Gwendolyn Jones

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Garcia, to accept review of the proposed 2011 Parks Capital Improvement List and authorize the purchase 601 Los Angeles Street for development of a pocket park. The motion failed on the following vote: **AYES:** Councilmember Adams, Mayor Pro Tem Garcia. **NOES:** Councilmember Shevlin; Mayor Lutz. **ABSENT:** Councilmember Shaw.

City Manager Ochoa explained that with no action taken, the 2010 Park Capital Project List would remain in effect.

Councilmember Adams requested that an item be placed on the December 6, 2011, agenda to consider filling Councilmember Shaw's seat for the balance of his absence so that there is a way to break a tie vote. Mayor Pro Tem Garcia requested information on the legal aspect of both filling the seat temporarily and input from Councilmember Shaw regarding his ability to participate when needed via teleconference or other means.

City Manager Ochoa stated that the item related to parks was already on the December 6 agenda, that the Special Meeting was called due to timing related to 601 Los Angeles Street. On December 6, the City Council could, if it was their pleasure, separate out the two items for consideration.

PUBLIC INPUT:

1. Gwendolyn Jones
2. Larry Spicer
3. Betty Thomas

ADJOURNMENT: At 5:05 p.m., Mayor Lutz adjourned the Meeting.

APPROVED:

ATTEST.

Mary Ann Lutz, Mayor

Alice D Atkins, CMC, City Clerk

**MINUTES OF THE REGULAR MEETING OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, DECEMBER 6, 2011, 7:30 P.M.**

CLOSED SESSION: Mayor Mary Ann Lutz convened the Closed Session Meeting of the Monrovia City Council at 6:30 p.m. on Tuesday, December 6, 2011, in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, at which all Councilmembers were present, with the exception of Councilmember Clarence R. Shaw who was excused, to discuss the following Closed Session items: CC-1 Public Employee Appointment Pursuant to Government Code §54957: Interim City Manager. The meeting adjourned at 7:20 p.m.

CONVENE: Mayor Mary Ann Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, December 6, 2011, at 7:30 p.m. in City Council Chambers. In attendance were City Manager Scott Ochoa, City Attorney Craig A. Steele, and City Clerk Alice D. Atkins.

INVOCATION: Police Chaplain Terrence Brown led the invocation

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

ROLL CALL: In attendance were Councilmembers Tom Adams, Becky A. Shevlin, Mayor Pro Tem Joe Garcia, and Mayor Mary Ann Lutz. Clarence R. Shaw was excused.

OTHER: Santa Claus made a special appearance to assist Recreation Supervisor Kerri Zessau with the announcement of various holiday events, including the Santa Tours covering the entire City the evenings of December 12 through 16, 2011.

PRESENTATIONS/PROCLAMATIONS:

PR-1 Proclaiming the Month of November 2011 as "Pulmonary Hypertension Awareness Month": Mayor Lutz proclaimed the month of November 2011 as "Pulmonary Hypertension Awareness Month" in the City of Monrovia and presented the certificate to Joannie Yuille.

PR-2 Recognition of the 125th Anniversary of United Methodist Church: The Mayor and City Council presented a Certificate of Recognition to Pastor Alena Uhamaka of the United Methodist Church, in celebration of their 125th anniversary.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Liaison Kevin Greenwood reviewed past and upcoming events at Monrovia High School.

REPORT OF CLOSED SESSION: City Attorney Craig A. Steele stated that the City Council chose to appoint Director of Administrative Services Mark Alvarado as Interim City Manager, effective December 28, 2011.

ORDER OF BUSINESS: City Manager Scott Ochoa stated that there were no changes to the order of business

CONSENT CALENDAR: It was moved by Councilmember Adams, seconded by Councilmember Shevlin, to approve the consent calendar. The motion carried unanimously. The Consent Calendar consisted of the following Agenda items:

CC-1 Unadopted Minutes of the November 15, 2011, Regular Meeting of the Monrovia City Council: The City Council adopted the Minutes as presented.

CC-2 Payroll No. 24 in the Amount of \$543,726.56 and Voucher Nos. 174646 through 174971 (Checks) and 19 through 28 (EFT) in the Total Amount of \$1,058,071.57: The City Council approved the Payroll and Vouchers as presented.

CC-3 Denial of Liability Claim filed by Paul Martinez: The City Council denied the claim filed by Paul Martinez against the City of Monrovia.

CC-4 Ratification of Proclamation of Existence of a Local Emergency by the Emergency Services Director, Resolution No. 2011-53: The City Council adopted Resolution No. 2011-53.

PUBLIC INPUT

1. Gloria Alvarez, Azusa
2. Pam Fitzpatrick, Monrovia
3. Cyrus Kemp, Monrovia

At the request of Mayor Lutz, City Manager Ochoa responded to comments made by speakers 1 and 3.

Director of Public Works Director Ron Bow provided an update on the severe windstorm that occurred on December 1, 2011, and the subsequent clean-up efforts. Mayor Lutz requested that an update be given at following City Council Meeting.

PUBLIC HEARINGS / MEETINGS: None.

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

MRA CONVENE: Chairman Mary Ann Lutz convened the Meeting of December 6, 2011, of the Monrovia Redevelopment Agency Board of Directors at 8:38 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, Becky A. Shevlin, Vice-Chairman Joe Garcia and Chairman Mary Ann Lutz. Boardmember Clarence R. Shaw was excused.

MRA CONSENT CALENDAR: **It was moved by Vice Chairman Garcia, seconded by Boardmember Shevlin, to approve the Consent Calendar.** The motion carried unanimously. The Consent Calendar consisted of the following Agenda item:

MRA CC-1 Unadopted Minutes of the November 15, 2011, Regular Meeting of the Monrovia Redevelopment Agency: The Agency Board adopted the Minutes as presented.

MRA PUBLIC HEARINGS/MEETINGS: None.

MRA ADMINISTRATIVE REPORTS: None.

MRA ADJOURNMENT: Chairman Lutz adjourned the Meeting at 8:38 p.m.

RECONVENE MONROVIA CITY COUNCIL MEETING

REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

RCC-1 Mayor Lutz:

- (a) Appointment to Fill the Unexpired Term of James Read on the Monrovia Old Town Advisory Board (MOTAB): **It was moved by Mayor Lutz, seconded by Councilmember Shevlin, to appoint Kevin Mercado to the Monrovia Old Town Advisory Board to fill the unexpired term of James Read ending June 30, 2012.** The motion carried unanimously.
- (b) The City received the Southern California Edison Energy Wise Silver Level Energy Leader Award
- (c) Upcoming Holiday Parade.

RCC-2 Mayor Pro Tem Garcia:

- (a) Upcoming Holiday Parade
- (b) Participation by the Monrovia High School football team in the upcoming CIF championship game.

RCC-3 Councilmember Adams:

- (a) Proclaimed March 7, 2012, as "Arbor Day"

(b) Consideration of Temporary Replacement of Councilmember Clarence R. Shaw during Active Military Duty: Councilmember Adams shared his thoughts on making a temporary appointment to fill Councilmember Shaw's seat while on active duty. **It was moved by Councilmember Adams to appoint the next runner up at the past election. Mayor Pro Tem Garcia seconded the motion** and asked the City Attorney to address any legal issues with such an appointment. City Attorney Steele reviewed briefly the Military and Veterans Code, reiterating that a temporary appointment would last only until Councilmember Shaw's return or the end of his term, whichever came first.

Discussion ensued regarding proper representation, a recent split vote, a need for consensus and ability to break a tie vote, questions regarding Councilmembers Shaw's availability to participate via teleconference, and suggestions for other potential appointees. Mayor Lutz questioned the need for making a temporary appointment at this time and asked the City Clerk to read a letter received from Councilmember Shaw on the subject.

Following further discussion, **the motion failed by majority on the following vote: AYES: Councilmember Adams. NOES: Councilmember Shevlin; Mayor Pro Tem Garcia; Mayor Lutz. ABSENT: Councilmember Shaw.** Mayor Lutz directed City Manager Ochoa to bring back a clear determination from Councilmember Shaw on whether he would be prohibited from participating at any time during active duty or whether he would have the ability to schedule something on his own time.

Public Input:

1. Cyrus Kemp, Monrovia

RCC-4 Councilmember Shaw was excused.

RCC-5 Councilmember Shevlin:

- (a) Upcoming events in the community.
- (b) Disaster preparedness

ADMINISTRATIVE REPORTS:

AR-1 Amendment No. 5 to the Exclusive Franchise Agreement between the City of Monrovia and Athens Services for the Collection of Commercial/Industrial Waste from the Old Town Franchise Area

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

It was moved by Councilmember Adams, seconded by Councilmember Shevlin, to approve Amendment No. 5 to the Exclusive Franchise Agreement between the City of Monrovia and Athens Services for the collection of commercial/industrial waste from the Old Town franchise area. The motion carried unanimously.

AR-2 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. 2011-52

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

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Garcia, to adopt Resolution No. 2011-52.

AR-3 Review and Consideration of Proposed 2011 Parks Capital Improvement List and Purchase of 601 Los Angeles Avenue for Development of a Pocket Park

City Manager Scott Ochoa reviewed the Staff Report, focusing on elements of the report that Council had discussion on at the recent special meeting.

Public Input:

1. Gwendolyn Jones, Monrovia
2. Larry Spicer, Monrovia

City Manager Ochoa provided clarification in response to questions raised by speaker no. 1 on the life-span of the Park Capital Master Plan, costs associated with developing criteria for Monrovia Pocket Parks, and opportunities for the community to participate in the discussion

Following discussion, **it was moved by Mayor Pro Tem Garcia, seconded by Councilmember Shevlin, to approve the Park Capital Improvement list recommended by the Community Services Commission.** The motion carried on the following vote. **AYES:** Councilmember Shevlin; Mayor Pro Tem Garcia; Mayor Lutz. **NOES:** Councilmember Adams. **ABSENT:** Councilmember Shaw.

PUBLIC INPUT, CONTINUED, IF NEEDED: None.

ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED: None.

SCHEDULED MEETINGS: The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, December 20, 2011, 7:30 p.m., City Council Chambers, 415 South Ivy Avenue, Monrovia, California. The January 3, 2012, Regular Meeting had been cancelled

ADJOURNMENT: At 10:02 p.m., Mayor Lutz adjourned the meeting in memory of Patricia "Pat" Rostker, lifetime advocate of equality, longtime resident, and mother of Parking Control Officer Vivion Rostker, and Jesus "Jess" Berrios, grandfather of Administration Intern Amber Berrios.

APPROVED:

Mary Ann Lutz, Mayor

ATTEST:

Alice D. Atkins, CMC, City Clerk

**MINUTES OF THE REGULAR MEETING OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, DECEMBER 20, 2011, 7:30 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, December 20, 2011, in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, at which all Councilmembers were present, with the exception of Councilmember Clarence R. Shaw who was excused, to discuss the following Closed Session items: CC-1 Public Employment Pursuant to Government Code §54957: City Manager. The meeting adjourned at 6:45 p.m.

CONVENE: Mayor Mary Ann Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, December 20, 2011, at 7:30 p.m. in City Council Chambers, preceded by a reception honoring departing City Manager Scott Ochoa, and in honor of Tayler Sidney Barnett Lehner, born December 14, 2011, to Tatum Barnett and Stefan Lehner. In attendance were City Manager Scott Ochoa, City Attorney Craig A. Steele, and City Clerk Alice D. Atkins.

INVOCATION: Pastor Dorothy Scott led the invocation.

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

ROLL CALL: In attendance were Councilmembers Tom Adams, Becky A. Shevlin, Mayor Pro Tem Joe Garcia, and Mayor Mary Ann Lutz. Councilmember Clarence R. Shaw was excused.

REPORT OF CLOSED SESSION: City Attorney Craig A. Steele stated that no reportable action was taken.

PRESENTATIONS/PROCLAMATIONS:

PR-1 Recognition of Winners for the 2011 "Holiday Home Decorating Contest": Recreation Supervisor Lisa Hansberger assisted the Mayor and City Council in recognizing the winners of the annual Holiday Home Decorating Contest.

PR-2 Recognition of Pokrajac Construction and CERT Members for their Volunteer Efforts Related to the Recent Wind Storm: The Mayor and City Council presented Certificates of Appreciation to Pokrajac Construction and CERT (Community Emergency Response Team) Members for their extraordinary volunteer efforts immediately following the recent wind storm disaster.

Director of Public Works Ron Bow and Fire Chief Chris Donovan provided an update regarding the declaration of disaster and cleanup efforts.

PR-3 – Recognition of the 100th Anniversary of The Leven Oaks: The Mayor and City Council presented a certificate of appreciation to Lisa Magno, Director, for the service provided to the community over the past century.

The following item was taken out of order:

REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

RCC-1 Mayor Lutz

(b) Bob Machuca, Senior Regional Manager, and Carrie Rogers from the Los Angeles Economic Development Corporation reviewed the LAEDC mission statement and purpose of the EDDY awards, and presented a proclamation from the Board of Supervisors in recognition of Monrovia receiving the "Most Business Friendly City" award.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Liaison Kevin Greenwood was excused.

ORDER OF BUSINESS: City Manager Scott Ochoa stated that there were no changes to the order of business.

CONSENT CALENDAR: Consent Calendar item CC-1 was pulled and rescheduled to the January 17, 2012, Regular Meeting. **It was moved by Councilmember Adams, seconded by Councilmember Shevlin, to approve the consent calendar.** The motion carried unanimously. The Consent Calendar consisted of the following Agenda items:

CC-1 Unadopted Minutes of the December 1, 2011, Special Meeting and the December 6, 2011, Regular Meeting of the Monrovia City Council: This item was pulled.

CC-2 Payroll No. 25 in the Amount of \$561,024.47 and Voucher Nos. 174972 through 175151 (Checks) and 29 through 31 (EFT) in the Total Amount of \$771,367.18: The City Council approved the Payroll and Vouchers as presented.

CC-3 Approval of the 2012 Local Appointments List and Designation of the Monrovia Public Library to Receive a Copy of the List: The City Council approved the Local Appointments List for 2012 and designated the Monrovia Public Library to receive a copy.

CC-4 Set for Public Hearing on January 17, 2012; Proposed 38th Year (FY 2012-2013) Community Development Block Grant (CDBG) Programs: The City Council set January 17, 2012, as the date for the Public Hearing.

CC-5 Award of Contract to Hogle-Ireland, Inc., in the Amount of \$38,262.00 for the Preparation of a Supplemental Environmental Impact Report to the Monrovia Land Use and Circulation Element EIR to Address Alternative Locations for a Public Parking Structure: The City Council awarded a contract to Hogle-Ireland, Inc., in the amount of \$38,262.00 for the preparation of a Supplemental Environmental Impact Report to the Monrovia Land Use and Circulation Element to address alternative locations for a public parking structure, and authorized the City Manager to execute the necessary documents.

PUBLIC INPUT

1. Gwendolyn Jones and Elizabeth Gergely, Monrovia

PUBLIC HEARINGS / MEETINGS: None.

CONVENE MONROVIA REDEVELOPMENT AGENCY MEETING WITHOUT ADJOURNING CITY COUNCIL MEETING

MRA CONVENE: Chairman Mary Ann Lutz convened the Meeting of December 20, 2011, of the Monrovia Redevelopment Agency Board of Directors at 8:33 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, Becky A. Shevlin, Vice-Chairman Joe Garcia and Chairman Mary Ann Lutz. Boardmember Clarence R. Shaw was excused.

MRA CONSENT CALENDAR: Consent Calendar item CC-1 was pulled and rescheduled to the January 17, 2012, Regular Meeting. **It was moved by Vice-Chairman Garcia, seconded by Boardmember Shevlin, to approve the Consent Calendar.** The motion carried unanimously. The Consent Calendar consisted of the following Agenda items:

MRA CC-1 Unadopted Minutes of the December 6, 2011, Regular Meeting of the Monrovia Redevelopment Agency: This item was pulled.

MRA CC-2 Annual Report of Financial Transactions to the State Controller, Fiscal Year 2010-2011: The Agency Board approved the State Controller Report and directed the Executive Director to execute the appropriate documents.

MRA PUBLIC HEARINGS/MEETINGS: None.

MRA ADMINISTRATIVE REPORTS: None.

MRA ADJOURNMENT: Chairman Lutz adjourned the Meeting at 8:34 p.m.

RECONVENE MONROVIA CITY COUNCIL MEETING

REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

RCC-1 Mayor Lutz:

- (a) Update on Windstorm Recovery: This item was taken out of order and heard during Presentations above.
- (b) LAEDC Most Business Friendly City – Los Angeles County Board of Supervisors Recognition: This item was taken out of order and heard during Presentations above.
- (c) Tzu-chi Foundation Appreciation Luncheon and Disaster Aid Efforts
- (d) Monrovia Boys Republic and Girls Republic
- (e) Wished everyone Happy Holidays

RCC-2 Mayor Pro Tem Garcia:

- (a) Wished everyone Happy Holidays

RCC-3 Councilmember Adams:

- (a) Wished everyone Happy Holidays
- (b) Consideration of Temporary Replacement of Councilmember Clarence R. Shaw during Active Military Duty: **Councilmember Adams moved to consider Bob Bartlett as temporary replacement.** Mayor Lutz suggested hearing the report from Staff under item AR-8 before making a decision. The motion failed for lack of a second.

RCC-4 Councilmember Shaw was excused.

RCC-5 Councilmember Shevlin:

- (a) 2011 Holiday Parade Award Recipients
- (b) First Annual New Year's Eve Celebration
- (c) Upcoming Job Seekers Event at the Monrovia Public Library
- (d) Wished everyone Happy Holidays

ADMINISTRATIVE REPORTS:

AR-1 Temporary Salary Adjustment for Interim City Manager Mark Alvarado

City Manager Scott Ochoa reviewed the Staff Report.

Following brief discussion, **it was moved by Mayor Pro Tem Garcia, seconded by Councilmember Shevlin, to award a temporary salary increase of 10% to Administrative Services Director/Assistant City Manager Mark Alvarado during his assignment as Interim City Manager.** The motion carried on the following vote: **AYES:** Councilmember Shevlin; Mayor Pro Tem Garcia; Mayor Lutz. **NOES:** Councilmember Adams. **ABSENT:** Councilmember Shaw.

AR-2 Evaluation of 2011 Friday Night Live Program

Lauren Vasquez, Management Analyst II, reviewed the Staff Report.

Public Input:

- 1. Pam Fitzpatrick, Old Town Merchant
- 2. Gwendolyn Jones, Monrovia

Following discussion, **it was moved by Councilmember Shevlin, seconded by Councilmember Adams, to authorize the City Manager to execute an agreement with the YMCA for the 2012 Friday Night Live Program, inclusive of the recommendations detailed in the Staff Report and funding as detailed under Option 3.**

AR-3 2011-12 Mid-Year Budget Review, Resolution No. 2011-55

Mark Alvarado, Director of Finance, reviewed the Staff Report.

It was moved by Councilmember Adams, seconded by Councilmember Shevlin, to adopt Resolution No. 2011-55. The motion carried unanimously.

Mayor Lutz called a 15 minute recess at 9:55 p.m. The meeting reconvened at 10:02 p.m.

Presentation of the following two items, AR-4 and AR-5, was combined.

AR-4 Approval of a New Business Recycling Program and Execution of Related Non-Exclusive Franchise Agreements with Arakelian Enterprises, Inc. (dba Athens Services), Burrtec Waste Services, LLC, and Consolidated Disposal Service, LLC**AR-5 Amendment to Title 8 (Health & Safety), Chapter 8.10 of the Monrovia Municipal Code Relating to Collection and/or Disposal of Commercial and Industrial Waste and Recyclable Materials; Introduction and First Reading of Ordinance No. 2011-07**

Heather Maloney, Sr. Management Analyst, reviewed the Staff Reports.

Extensive discussion ensued regarding a customer's ability to continue with existing contract as long as it did not extend past the term of the proposed franchise, versus all contracts having to be renewed, even if terms remained the same. Analyst Maloney explained the intent of putting the burden on the hauler to contact customers and establish new contracts to be sure businesses were aware of options available under the new franchise.

Following further discussion, **It was moved by Councilmember Adams, seconded by Councilmember Shevlin, to approve the Business Recycling Program and authorize the City Manager to execute non-exclusive franchise agreements with Arakelian Enterprises, Inc. (dba Athens Services), Burrtec Waste Services, LLC, and Consolidated Disposal Service, LLC., including language that businesses may verbally opt out of a new agreement and continue with their current agreement so long as they currently contract with an approved franchise hauler, that the current term does not extend beyond the term of the franchise, and that the current agreement complies with AB 341 and the proposed ordinance.** The motion carried unanimously.

It was moved by Councilmember Adams, seconded by Councilmember Shevlin, to introduce, waive further reading, and read by title only Ordinance No. 2011-07. The motion carried unanimously.

City Attorney Steele read the title of Ordinance No. 2011-07 as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, AMENDING CHAPTER 8.10 OF TITLE 8 COLLECTION AND/OR DISPOSAL OF COMMERCIAL AND INDUSTRIAL WASTE AND RECYCLABLE MATERIALS**AR-6 Three-Year Exclusive Franchise Agreement with Family Festival Productions, Inc. (FFPI) for Production of a Weekly Street Faire in Old Town**

Dan Bell, Management Analyst II, reviewed the Staff Report.

Public Input:

1. Pam Fitzpatrick, Old Town Merchant

It was moved by Mayor Pro Tem Garcia, seconded by Councilmember Shevlin, to approve a three-year exclusive franchise agreement with Family Festival Productions, Inc.

AR-7 Six-Month Pilot Program for Rental Housing Inspections

Steve Sizemore, Community Development Director, and Sheila Spicer-Batice, Neighborhood Services Manager, reviewed the Staff Report.

Discussion ensued regarding process for citing and correcting violations and benefits of the program, with a strong focus on complaints related to the existing Code Enforcement and Administrative Fine Programs, including perceptions of abuse and focus on generation of revenue.

Mayor Lutz directed Staff to bring back an evaluation of the Administrative Fine program in order to move past that and to reconsider the rental housing inspection program after that discussion.

AR-8 Consideration of Options Regarding the Seat of Councilmember Clarence R. Shaw While on Active Military Duty

City Manager Scott Ochoa, reviewed the Staff Report.

Public Input:

1. Pam Fitzpatrick

Following discussion of the options available, **it was moved by Mayor Pro Tem Garcia, seconded by Councilmember Shevlin, to appoint Larry Spicer as a temporary replacement for Councilmember Shaw during his deployment on active duty.** The motion carried on the following vote: **AYES:** Councilmember Shevlin; Mayor Pro Tem Garcia; Mayor Lutz. **NOES:** Councilmember Adams **ABSENT:** Councilmember Shaw.

PUBLIC INPUT, CONTINUED, IF NEEDED: None.

ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED: None.

SCHEDULED MEETINGS: The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, January 17, 2012, 7:30 p.m., City Council Chambers, 415 South Ivy Avenue, Monrovia, California. The January 3, 2012, Regular Meeting was cancelled.

ADJOURNMENT: At 11:52 p.m., Mayor Lutz adjourned the meeting, congratulating City Manager Ochoa and wishing him the very best in his new position at the City of Glendale.

APPROVED:

Mary Ann Lutz, Mayor

ATTEST:

Alice D. Atkins, CMC, City Clerk

**MINUTES OF THE SPECIAL MEETING OF THE
MONROVIA CITY COUNCIL
HELD WEDNESDAY, JANUARY 11, 2012, 8:00 A.M.**

CONVENE: Mayor Mary Ann Lutz convened the Special Meeting of the Monrovia City Council of Thursday, January 11, 2012, at 8.00 A.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California. In attendance were Interim City Manager Mark Alvarado, City Attorney, Craig A. Steele, and City Clerk Alice D. Atkins.

PLEDGE OF ALLEGIANCE: Councilmember Becky A. Shevlin led the pledge of allegiance.

ADMINISTRATION OF OATH OF OFFICE TO COUNCILMEMBER LARRY SPICER: City Clerk Alice Atkins administered the Oath of Office.

ROLL CALL: In attendance were Councilmembers Tom Adams, Becky A. Shevlin, Larry Spicer, Mayor Pro Tem Joe Garcia, and Mayor Mary Ann Lutz.

PUBLIC INPUT:

1. Robert Silverstein, Silverstein Law Firm, on behalf of George Brokate and Excalibur Properties, reviewed the objections he submitted in writing for the record.

ADMINISTRATIVE REPORTS

AR-1 City Determination to Serve as Successor Agency to the Monrovia Redevelopment Agency Pursuant to Part 1.85 of Division 24 of the California Health and Safety Code, Resolution No. 2012-03.

Darlene Sanchez, Senior Project Manager, reviewed the Staff Report.

City Attorney Steele responded to points raised by Mr. Silverstein, noting that the proposed resolution cites the applicable law that would control subsequent actions of Staff and the successor agency, and that there would be additional review by an oversight board.

It was moved by Councilmember Adams, seconded by Councilmember Shevlin, to adopt Resolution No. 2012-03. The motion carried unanimously.

SCHEDULED MEETINGS: The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, January 17, 2012, 7:30 p.m., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

ADJOURNMENT: At 8:12 a.m., Mayor Lutz adjourned the Meeting.

APPROVED:

ATTEST:

Mary Ann Lutz, Mayor

Alice D. Atkins, CMC, City Clerk