

**MINUTES OF THE REGULAR MEETING OF THE  
MONROVIA CITY COUNCIL  
HELD TUESDAY, APRIL 7, 2009, 7:30 P.M.**

**CONVENE:** Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, April 7, 2009, at 7:44 P.M., preceded by the Monrovia Area Partnership (MAP) Neighborhood Leadership Academy Graduation at 7:00 P.M., in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, in honor of Newborn Travis James Burkhart born February 25, 2009 to Parents James and Heather Burkhart. In attendance were City Manager Scott Ochoa, Interim City Attorney Roxanne Diaz, and City Clerk Linda B. Proctor.

**INVOCATION:** Youth Pastor Ulises Gutierrez gave the Invocation.

**PLEDGE OF ALLEGIANCE:** Councilmember Tom Adams led the Flag Salute.

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

**NEW BUSINESS:** At Mayor Hammond's request, Police Chief Johnson reported that of the 400 gang members arrested in the past months; a number of cases had been reviewed, with the District Attorney filing charges. On March 26, 2009, 262 individuals were in custody. Various felons were facing up to six life terms.

**PRESENTATIONS/PROCLAMATIONS:**

**PR-1 Recognition of the Monrovia Area Partnership (MAP) Neighborhood Leadership Academy Graduates:** The graduates for the first Monrovia Area Partnership, Neighborhood Leadership & Development class were Frances Charles; Charles Cleveland; Chris Cote; Jessie Cote; Debara Depriest; Jorge Gamez; Verlie Garcia; Eloise Hart; Beverly Haynes; Gwendolyn Jones; Tonya King; Don Lechuga; Louise McClendon; Genia Mills; James O'Balles; Jackie Powell; Paul Ramirez; Larry Spicer; Sheila Spcier-Batice; Yvette Williams; James Yuille and Joannie Yuille. The concept of the Neighborhood Leadership Academy was to organize neighborhoods, develop neighborhood leaders, enhance public trust in municipal government, and establish open, two-way communication with City representatives.

**PR-2 Recognition of Monrovia Police Department Officers Sarah Bushmeyer, William Fowler and Jose Pacheco for their DUI Enforcement:** Police Chief Roger Johnson introduced to the Mayor and City Council Police Department Officers Sarah Bushmeyer, William Fowler and Jose Pacheco for their DUI Enforcement

**PR-3 Introduction of Newly Hired Monrovia Fire Department Employees, Firefighter/Paramedics Dustin Leddy, Anthony Gallegos and Nicholas Board:** Fire Chief Chris Donovan introduced newly hired Monrovia Firefighter/Paramedics Dustin Leddy, Anthony Gallegos and Nicholas Board to the Mayor, City Council and the community.

**PR-4 Proclaiming the Month of April as "Fair Housing Month":** The Mayor Hammond proclaimed the Month of April as "Fair Housing Month" in Monrovia. A representative from the Housing Rights Center Litigation accepted the proclamation.

**PR-5 Proclaiming the Week of April 12-18, 2009 as "Community Development Block Grant Week":** Mayor Hammond proclaimed week of April 12-18, 2009 as "National Community Development Week". Jennifer Blackwell, Program Manager from the CDBG Division of the CDC of the County of Los Angeles accepted the proclamation.

**PR-6 Proclaiming April 19-26, 2009 as "Days of Remembrance" Week, and April 21, 2009 as "Holocaust Remembrance Day":** Mayor Hammond proclaimed April 19-26, 2009 as "Days of Remembrance" Week, and April 21, 2009 as "Holocaust Remembrance Day." Barry Kustner, Congregation Shaarei Torah, Arcadia, accepted the proclamation.

**STUDENT GOVERNMENT REPRESENTATIVE REPORT:** There was no representative in attendance.

**CONSENT CALENDAR** It was moved by Councilmember Lutz, 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 March 17, 2009 Regular Meeting of the Monrovia City Council**, and amending the vote listed as 5-0 to 4-1, with Councilmember Adams voting "No" regarding Agenda Report AR-2

**CC-2 Payroll Nos 6 and 7 in the Amounts of \$592,333.26 and \$604,942.37, respectively, and Voucher Nos 157266 through 157648 in the Amount of \$2,855,929.44.**

**CC-3 Contract with Wildland Resource Management, Inc. to Conduct Fire Modeling and Evasive Vegetation Identification within the City of Monrovia High Fire Zone Including Wilderness Preserve in the Amount of \$35,000.00:** Development of a Community Wildfire Protection Plan (CWPP) consisted of fire modeling and vegetation identification which were critical components of a functional CWPP. Examples of data extracted for California fire and environmental risk assessment projects included structure construction materials (e.g. roof type), high resolution wildland fire fuel models, invasive species, sensitive species, ground permeability, and vegetation density and type. Wildland Resource Management, Inc., was a consulting firm that emphasized wildland fire management and had been involved in this arena for twenty-five years. Several projects entailed preparation of fire management plans for large landowners in areas of sensitive species and concerned communities. Other projects involved the use of state-of-the-art fire behavior prediction systems, or developed training programs. Contracting with Wildland Resource Management, Inc. would allow the City to combine fire modeling with invasive vegetation identification, thereby furthering the development of the CWPP along the guidelines established in the Resource Management Plan.

The total project cost was \$35,000.00. The funds would be combined from budgetary programs of \$15,000.00 from the Heritage Grant (received by the Fire Department), \$15,000.00 from the Wilderness Preserve Management Fund and \$5,000.00 from the Fire Department Budget.

**CC-4 Receive and File; Application for ABC Beverage License (Type 41 – On-Sale Beer and Wine) for Café Massilia, 110 East Lemon Avenue:** Notice was received from ABC that Les Duex Freres LLC dba Café Massilia submitted an application for a Type 41 – On-Sale Beer and Wine License. Based on the background investigation on the applicants, Staff found no reason to recommend any other action on this application. There was no fiscal impact.

**CC-5 Receive and File, Application for Federal Firearms License (Collector of Curios and Relics) for John Wayne Carlson (11/23/1963), 624 Ranchito Road:** Notice was received from the U.S. Department of Justice- Bureau of Alcohol, Tobacco, Firearms and Explosives that John Wayne Carlson at 624 Ranchito Road, Monrovia, CA 91016 submitted an application for a federal firearms license (Collector of Curios and Relics). Based on the background investigation on the applicant, Staff found no reason to recommend any other action on this application. There is no fiscal impact.

**CC-6 Receive and File. Application for ABC Beverage Application to Determine Qualifications of Manager/Lessee for General Manager Dhruv Bhandari at Red Lobster Restaurant, 928 West Huntington Drive:** Notice was received from ABC that Dhruv Bhandari, General Manager of Red Lobster Restaurant submitted an application to determine his qualifications as general manager for Red Lobster Restaurant. Based on the background investigation on the applicant, Staff found no reason to recommend any other action on this application. There was no fiscal impact.

**CC-7 Receive and File; Application for ABC Beverage Application to Determine Qualifications of Manager / Lessee for General Manager Gordon Mackay at Black Angus Restaurant, 560 West Huntington Drive.** Notice was received from ABC that Gordon Mackay, General Manager of Black Angus Restaurant submitted an application to determine his qualifications as general manager of Black Angus Restaurant. Based on the background investigation on the applicant, Staff found no reason to recommend any other action on this application. There was no fiscal impact.

**CC-8 Receive and File; Application for ABC Beverage License (Type 47 – On-Sale General Eating Place License) for N and D Restaurants, Inc., dba Red Lobster, 928 West Huntington Drive.** Notice was received from ABC that N and D Restaurants, Inc. dba Red Lobster submitted an application for a Type 47 – On-Sale General Eating Place License. Based on the background investigation on the

applicant, Staff found no reason to recommend any other action on this application. There was no fiscal impact.

**PUBLIC HEARINGS/MEETINGS:** None

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

**MRA CONVENE** Chairman Rob Hammond convened the Meeting of April 7, 2009, of the Monrovia Redevelopment Agency Board of Directors at 8:31 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-Chair Dan Kirby and Chairman Hammond.

**MRA 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 item:

**MRA CC-1 Unadopted Minutes of the March 17, 2009 Regular Meeting of the Monrovia Redevelopment Agency**

**MRA PUBLIC HEARINGS/MEETINGS**

**MRA PH-1 Joint Public Hearing, Disposition and Development Agreement with T Phillips, Incorporated, Regarding Property Located at 601 South Myrtle Avenue, City Resolution No. 2009-17 and Agency Resolution No. 3-2009**

**At 8:31 P.M., Chairman Hammond and Boardmember Lutz recused themselves from discussion due to the proximity of their properties and exited Council Chambers.**

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

On September 19, 2006, the Agency Board approved the acquisition of a vacant 6,000 square foot building at 601 S. Myrtle Avenue. Because it was located on one of the most prominent and visible locations in Old Town, it presented a negative impression that impacted all of the area. The Agency subsequently assumed responsibility for renovating the building and replaced all the stucco with brick, adding windows and a side entrance on Colorado and an interior front patio on Myrtle Avenue. The result was an impressive brick building that blended into and enhanced Old Town's unique character.

In January 2009, the Agency commenced discussions with a regional bar and grille operator/owner, T Phillips. The proposed Developer was an experienced, quality operator, who had similar successful establishments in Glendora and La Verne. Under the terms of the proposed DDA, the Developer would purchase the site from the Agency for its full appraised value of \$1.5 million dollars. The Agency would fund the purchase price, which would be repaid in full with interest, no later than seven years from the sale date. The DDA called for the Agency to contribute a total of \$250,000.00 towards construction of the interior tenant improvements, in exchange for which the Developer would agree to enter into a ten-year operating covenant. Once operational, the project would make a significant positive impact towards increasing foot traffic in the shopping district, especially during the weekend and evening hours.

**PUBLIC HEARING OPENED:** Vice-Chairman Kirby opened the Public Hearing.

Those opposed: None

Those in favor:

1 Mr. and Mrs. T Phillips

**PUBLIC HEARING CLOSED.** Vice-Chairman Kirby closed the Public Hearing as there was no one else who wished to speak for or against the matter.

It was moved by Boardmember Adams, seconded by Boardmember Garcia, to adopt City Resolution No. 2009-17 and Agency Resolution No. 3-2009, and authorize the Executive Director to execute any necessary documents.

**ROLL CALL** Ayes: Boardmembers Adams, Garcia, Vice-Chairman Kirby,  
Excused: Chairman Hammond and Boardmember Lutz  
Motion carried 3-0

At 8 45 P.M., Chairman Hammond and Boardmember Lutz returned to Council Chambers

**MRA ADMINISTRATIVE REPORTS.** None

**MRA ADJOURNMENT** Chairman Hammond adjourned the Meeting at 8 45 P M

### RECONVENE MONROVIA CITY COUNCIL MEETING

#### REPORTS OF CITY COUNCILMEMBERS AND SUB-COMMITTEES.

**RCC-1 Mayor Rob Hammond** reported that

- (a) **Update on Washington, D C., Lobbying Activity** The lobbying activities were well worth the time and effort for the City of Monrovia
- (b) **DAMAGE Update:** None
- (c) **Sanitation Districts Update.** None
- (d) **Election 2009 Eve** At Mayor Hammond's request, City Clerk Proctor reviewed the schedule of events for the night of the election at City Hall for the April 14, 2009 General Municipal Election
- (e) He requested photographs of the recent Library dedication at the next Meeting, noting that over 1900 people toured the Library after the dedication The mural painted by Helen Forbes as a WPA project of local Monrovia history found at the Post Office was now on display

**RCC-2 Mayor Pro Tem Dan Kirby** reported that:

- (a) **Update on the Rio Hondo College Wildland Hand Crew and Community Wildfire Protection Plan (CWPP)** Fire Chief Chris Donovan proved an update of the program
- (b) **Redevelopment Overview:** City Manager Ochoa provided a detailed report of the Redevelopment Agency and its many projects and successes for the community
- (c) He would be going to Denver on April 17, 2009 with Foothill Transit to check out buses with no emission to be purchased with the stimulus money from the federal government

**RCC-3 Councilmember Tom Adams** reported that

- (a) He proclaiming the Month of April, 2009 as "Sexual Assault Awareness Month" and April 22, 2009 as "Denim Day "
- (b) He proclaiming the Month of April, 2009 as "Child Abuse Prevention Month "

**RCC-4 Councilmember Joe Garcia** reported that

- (a) **Rosedale Property Update** Community Development Planning Division Manager Steve Sizemore reported that a remodel of the existing shopping center was underway with a 24 hour Walgreen's Pharmacy, Henry's Market and a number of inline shops in between
- (b) There was a recent League of California meeting at which the new federal government stimulus package was discussed

**RCC-5 Councilmember Mary Ann Lutz** reported that

- (a) **MAP Kick Off Event on April 25, 2009** The event would kick off at 11 00 A M in the 1300 Block of Sherman Avenue
- (b) She proclaimed, on behalf of the City Council, the month of April as "Fair Housing Month "

#### ADMINISTRATIVE REPORTS

**AR-1 Award of Contract to Abeam Construction Inc , for the Police Station HVAC and Roof Renovation in the Amount of \$698,700 00, and Equipment Room Conversion in the Amount of \$85,500 00, for the Total Amount of \$784,200.00**

Dan Iwata, Operations Division Manager, reviewed the Staff Report

The Monrovia Police Station was originally built in 1960 The underlying structure of the original roof was not properly sloped to effectively drain the water into the roof drains, and work completed in 1993 added new material to the upper layer of the roof However, it did not include the underlying roof structure The slope deficiency had led to extensive ponding and accelerated deterioration of the roof

During the 1993 expansion, several HVAC units were installed to serve the main floor of the station, the general basement area, dispatch center, jail, and basement data server areas. These systems operated 24 hours a day, 365 days per year, for over 15 years and had more than surpassed their mechanical life.

In 2003, Council approved the installation of an emergency generator for the Police Station and Fire Station 101. A new generator system was constructed in the Police parking lot, removing two smaller generators from a room within the station building. Staff requested the room be converted to an equipment room for the police officers.

With the aid of a Certified "Cool-Roof" consultant, a tapered insulating system was designed to significantly improve the slope of the roof to drain properly and will greatly improve the energy efficiency of the building.

The HVAC system was re-designed to spread equally across the station and provide more individualized heating and cooling comfort. The system would be controlled by an Energy Management System and increased the energy efficiency within the station. Upon completion of the project, the City would receive incentive rebates from Southern California Edison which complied with the City's Environmental Accords objectives.

The unused space had already been redesigned for use as an equipment room, but construction had not yet proceeded when the larger HVAC and Roof Renovation project design began. The decision was made to combine the projects as a cost saving measure.

On March 25, 2008, eight bids were received and opened by the City Clerk's office ranging from the total amount of \$784,200.00 to \$1,816,000.00. After evaluating each bid and verifying insurance and license requirements, Abeam Construction, Inc., appeared to be the lowest qualified bidder. HVAC/Roof Funding was available through the Capital Improvement Funds, Equipment Room Funding, if funds became available.

Discussion ensued including requesting the City Manager to report on the disposition of the conversion at the upcoming Budget Study Session.

**It was moved by Councilmember Adams, seconded by Mayor Pro Tem Kirby, to award a contract to Abeam Construction, Inc., for the Police Station HVAC and Roof Renovation in the amount of \$698,700.00, award a separate contingent contract to Abeam Construction, Inc., in the amount of \$85,500.00 for the Police Station Equipment Room Conversion, to be finalized and executed only if Staff identified an available source for the entire contract amount of funds within ninety (90) calendar days of award, and delegate to the City Manager the authority to determine the availability of such funds, and authorize the City Manager to execute both contracts. There were no objections.**

#### SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, April 21, 2009, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

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

**ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED: None**

**ADJOURNMENT:** At 9:41 P.M., Mayor Hammond adjourned the Meeting.

APPROVED

Rob Hammond, Mayor

ATTEST

Linda B. Proctor, MMC, City Clerk