

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, NOVEMBER 2, 2004, 7:30 P.M.**

CONVENE: Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, November 2, 2004 at 7 35 P M in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Study Session to discuss the Development Review Committee (DRC), City Council Chambers, 6 05 P M to 7 21 P M , Staff in attendance was City Manager Scott Ochoa, City Attorney Craig A Steele, and City Clerk Linda B Proctor

INVOCATION: City Clerk Linda B Proctor gave the Invocation

PLEDGE OF ALLEGIANCE: Councilmember Tom Adams led the Flag Salute

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

REPORT OF CLOSED SESSION(S): None

PRESENTATIONS:

1. Recognition of Sponsors for the 2004 Halloween Event "Pumpkins and Potions in the Park"

Kerri Zessau, Recreation Supervisor, assisted the City Council in recognizing the sponsors of the 2004 Halloween Carnival and Costume Contest, "Pumpkins and Potions in the Park," held October 30 2004 The main event sponsors included Mayor Rob Hammond, Supervisor Antonovich, Focus One Community Credit Union, Technolene-Making Technology Easier and SCE Credit Union

2. Introduction of Newly Hired Information Systems Division Employee Jason Jaurigue, Information Systems Analyst

Mitch Cochran, Information Systems Manager, introduced newly hired Information Systems Division employee Jason Jaurigue

3. Recognition of the Finance Department in Receiving the Certificate of Achievement for Excellence in Financial Reporting for the 2002-03 Fiscal Year

Terrence Beaman, Finance Division Manager, was presented the Certificate of Achievement for Excellence in Financial Reporting by Mayor Hammond

At the end of each fiscal year, after the City's financial records have been audited, the Finance Department submits the City of Monrovia's financial statements, known as the Comprehensive Annual Financial Report (CAFR), for national recognition For the twelfth consecutive year, the National Finance Officer's Association recognized Monrovia for excellence in financial reporting The financial reporting standards met were the highest standards set In addition, the independent audit recently completed stated the financial records were an accurate representation of the financial condition of the City, and were free of material misstatements

PROCLAMATIONS: None

STUDENT GOVERNMENT REPRESENTATIVE REPORT. Student Liaison Pamela Cheng reported on activities at Monrovia High School

A. CONSENT CALENDAR

It was moved by Councilmember Kirby, seconded by Councilmember Lutz, to approve the Consent Calendar consisting of Items *B, *I-1, *I-2, *I-3, *I-4, *I-5, *I-6, and *J. There were no objections Councilmember Adams abstained on item *B, Minutes

***B MINUTES:** The Minutes of the Regular Meeting of October 19, 2004 were approved by order of the Consent Calendar

C. ORAL COMMUNICATIONS:

1 Chris Ohrmund, Walnut, announced that Lions Club International was holding an Organizational Meeting on Thursday, November 18, 6 30 P M , at the Santa Anita Family YMCA, and encouraged all to attend

2 Chuck Keen, Monrovia, reminded all of the Veteran's Day Observance in Library Park, November 11, 11 00 A M

3 Cyrus Kemp, Monrovia, took issue with comments made by other residents at the last City Council Meeting

4 Steve Miller, Monrovia, urged residents to run for City Treasurer, and explained what he believed was responsible stewardship of hillside reserves

D. PUBLIC HEARINGS / MEETINGS

1 Historic Landmark HL-72 and Mills Act Contract MA-69 for Property Located at 224 North Encinitas Avenue by Owner Laura Martorana, Resolution No. 2004-60

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

This one and a half story Craftsman home was built in 1908-09 and had approximately 1,584 square feet A newly resided one-car garage is located on the rear south property line

The applicant also requested approval of a Mills Act Contract which would provide tax savings for the homeowner The City would lose a small portion of the property tax collected on the property This gave the City the ability to attach conditions to assure its preservation and enhancement Based on the applicant's Rehabilitation Plan, the Commission placed conditions on the Mills Act Contract that would fully restore the property within 10 years

At its meeting of September 22, 2004, the Historic Preservation Commission determined that the house met one of the required criteria for designation 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 Councilmember Kirby, seconded by Councilmember Adams, to adopt Resolution No 2004-60 designating the property at 224 North Encinitas Avenue as Historic Landmark HL-72 and approve entering into a Mills Act Contract with the conditions of approval. There were no objections

2 Historic Landmark HL-73 and Mills Act Contract MA-70 for Property Located at 149 Highland Place by Owners Kirk and Amy McGinnis, Resolution No. 2004-61

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

Built in 1924, the house was a prime example of Spanish Colonial Revival architecture. It incorporated many of the features typical of the style including smooth stucco walls, red tile roof, and arched openings on the porch. The Department of Parks and Recreation (DPR) form gives a full description of the structure. The Historic Preservation Commission determined that this property met three of the required criteria.

The applicant also requested approval of a Mills Act Contract which would provide tax savings for the homeowner. The City would lose a small portion of the property tax collected on the property. This gave the City the ability to attach conditions to assure its preservation and enhancement. Based on the applicants' Rehabilitation Plan, the Commission placed conditions on the Mills Act Contract that would fully restore the property within 10 years.

At its meeting of September 22, 2004, the Historic Preservation Commission determined that the house met the required criteria for designation 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 Councilmember Lutz, seconded by Mayor Pro Tem Garcia, to adopt Resolution No. 2004-61 designating the property at 149 Highland Place, the Dr. Frank E. McCann House as Historic Landmark HL-73 and approve entering into a Mills Act Contract with the conditions of approval. There were no objections.

3 Historic Landmark HL-74 for Property Located at 138 Highland Place by Owner Kathleen Fresquez, Resolution No. 2004-62

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

This one and a half story home was built in 1906 and had approximately 1,936 square feet. The home was part of the survey done in 1985, listing the home on the City's list of potential historic landmarks and thereby determining that it qualified as a City Landmark.

At this time, the applicant was applying for a Mills Act contract. If the applicant wished, an application for a Mills Act Contract could be submitted in the future.

At its meeting of September 22, 2004, the Historic Preservation Commission determined that the house met one of the required criteria for designation and voted unanimously to recommend approval of Historic Landmark status.

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 Councilmember Lutz, to adopt Resolution No. 2004-62 designating the property at 138 Highland Place as Historic Landmark HL-74. There were no objections.

4. Historic Landmark HL-75 and Mills Act Contract MA-71 for Property Located at 263 North Encinitas Avenue by Owner Kelsie Dore, Resolution No. 2004-63

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

The single story California Bungalow was built in 1914. The brick front porch had a side entry off of the driveway laid with a Flemish bond capped with concrete. The Historic Preservation Commission determined that this property meets one of the required criteria.

The applicant was also requesting approval of a Mills Act Contract which would provide tax savings for the homeowner. The City would lose a small portion of the property tax collected on the property. This gave the City the ability to attach conditions to assure its preservation and enhancement. The house was in very good condition and the set Standards and Conditions were applied.

At its meeting of September 22, 2004, the Historic Preservation Commission determined that the house met the required criteria for designation 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 Garcia, seconded by Councilmember Kirby, to adopt Resolution No 2004-63 designating the property at 263 North Encinitas Avenue as Historic Landmark HL-75 and approve entering into a Mills Act Contract with the conditions of approval. There were no objections.

5. Tentative Tract Map No. TTM 61477/Conditional Use Permit CUP2004-06/Variance V2004-10 for a Five Unit Condominium Conversion Located at 818 Alta Street by Applicants Lan-Yu/Susana Chan

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

The applicant requested approval of a Tentative Tract Map, Conditional Use Permit and Variance for the conversion of an existing 5-unit apartment building into a condominium project in the RM3500 (Residential Medium) Zone.

This 17,510 square foot property consisted of one lot located on Alta Street between Encino Avenue and the 210 Freeway. The zoning was RM3500 (Residential Medium) as were the surrounding properties to the east, west, and south, while the property to the north has a C-R/S (Commercial-Regional/Subregional) zoning (Oak Tree Motel).

On December 29, 1987, the Planning Commission approved Conditional Use Permit CUP88-1 for construction of the existing five attached apartment units. The existing development met the standards required for this type of development with the exception of the request for a variance to retain the deficient square footage of private yard area.

The Monrovia Municipal Code required the RM zone to provide a minimum of 40% of the unit's floor area in recreational space. Of this total, 20% could be private and the other 20% could be common. A variance was requested to allow the existing private yard area to remain at less than the minimum 20% required. The remaining yard area required was provided in the 3,395 square foot common area located in the rear.

The Planning Commission reviewed the conversion at their October 13, 2004 meeting and recommended approval to the City Council of the Tentative Tract Map, Conditional Use Permit and Variance subject to the Conditions outlined in the Staff Report.

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 Garcia, seconded by City Councilmember Lutz, to approve Tentative Tract Map No. 61477, Conditional Use Permit CUP2004-06 and Variance V2004-10 subject to the recommendations in the Staff Report. There were no objections

6. Tentative Tract Map No TTM 060103/Conditional Use Permit CUP2004-12 to Construct a Two and Three Story, 14-Unit Condominium Development Located at 1735 South Magnolia Avenue by Bowden Development.

Councilmember Adams exited Council Chambers at 8 27 P M , stating that he would abstain from voting and discussing this matter Steve Sizemore, Planning Division Manager, reviewed the Staff Report

The applicant requested approval of a Tentative Tract Map and Conditional Use Permit to allow construction of a 14-unit condominium development in the RH (Residential High Density) Zone The 29,760 square foot lot was located at the northwest intersection of Magnolia Avenue and Duarte Road in the RH (Residential High Density) Zone The project was Categorically Exempt from CEQA requirements

In November 2002, the Monrovia Redevelopment Agency approved a Disposition and Development Agreement with Bowden Development to develop the site with affordable residential housing The agreement required the developer to make 5 of the units affordable to low and moderate income households In addition, to encourage more affordable homeownership opportunities, the City of Monrovia established an affordable housing ownership incentive program codified in Section 17 44 020 of the Monrovia Municipal Code This code section encouraged affordable housing by offering exceptions for density, parking, recreation space, and setbacks

The applicant proposed to construct a craftsman style condominium housing development featuring 14 housing units located in three buildings and three structures for associated covered parking spaces Access to the site was by a single L-shaped private driveway 25 feet in width with ingress and egress points on Magnolia Avenue and Duarte Road Using a combination of two and three story structures, the applicant proposed a "Craftsman Style" building design The exterior was a combination of lap siding, stucco finish, craftsman style windows, solid wood doors, river rock veneer pilasters, wood corbels, and architectural grade composition roofing shingles The overall height of the structures ranged from 28 feet to 38 feet

At its meeting of October 13, 2004, the Planning Commission held a Public Hearing to review the proposed project It agreed with the recommendations of the Development Review Committee and made some additional recommendations based on the review of the submitted project plans Those recommendations, as discussed in the Staff Report, were incorporated into the conditions of approval With the inclusion of those conditions, the Planning Commission recommended approval of the project

PUBLIC HEARING OPENED AND CLOSED: Mayor Hammond opened the Public Hearing

Those in favor
1 Richard Tipping, applicant

Mayor Hammond closed the Public Hearing as there was no one else who wished to speak for or against the matter

After discussion, it was moved by Councilmember Lutz, seconded by Councilmember Kirby, to approve Tentative Tract Map No. TTM 060103/Conditional Use Permit CUP2004-12 subject to the conditions in the Staff Report. There were no objections

City Councilmember Adams returned to Council Chambers at 8 49 P M

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

CONVENE: Chairman Rob Hammond convened the Regular Meeting of November 2, 2004 of the Monrovia Redevelopment Agency Board of Directors at 8 49 P M in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting

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

A. CONSENT CALENDAR

It was moved by Mayor Pro Tem Garcia, seconded by Councilmember Kirby, to approve the Consent Calendar consisting of Item *B Boardmember Adams abstained There were no objections

***B MINUTES** The Minutes of the Regular Meeting of October 19, 2004 were approved by order of the Consent Calendar

MRA REPORTS. None

MRA ADJOURNMENT. Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 8 49 P M and the City Council Meeting continued

RECONVENE MONROVIA CITY COUNCIL MEETING

E BIDS. None

F. COMMUNICATIONS AND PETITIONS. None

G. REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES:

1. Mayor Hammond reported that

(a) There would be a very special program for Veteran's Day Observance, November 11, 2004, Library Park, 11 00 A M , and asked that the community to turn out in mass

2 Mayor Pro Tem Garcia reported that

(a) He would like Staff to bring back information at an upcoming City Council Meeting regarding a program, like a business development program, that might offer Agency loans to Old Town merchants He explained the premise

3 Councilmember Adams reported that

(a) November 15, 2004 was America Recycles Day He explained recycling opportunities and reported that a calendar contest would be held with 5th grade students in Monrovia, of which 12 will be chosen to e featured in a recycling calendar

4. Councilmember Kirby reported that

(a) There would be a Veteran's Day Observance in Library Park on November 11, 2004, 11 00 A M He encouraged everyone to attend

5 Councilmember Lutz reported that

(a) She had attended, with Monrovia Unified School District representatives, the State Superintendent's Summit in Sacramento last week, and reported on the days' events She

stated that she looked forward to working with the School District and embracing projects with them

- (b) The Old Town Merchants were getting prepared for its promotion of Candy Cane Lanes
- (c) She urged all to exercise their right to vote on this day

H. REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES None

I. ADMINISTRATIVE REPORTS

***1 Authorize the Director of Public Works and/or Designee to Execute All Subsequent Supplements to the Agency-State Agreements for Federally Funded Projects by the Department of Transportation, Resolution No. 2004-71**

This matter was approved by order of the Consent Calendar

The City would use Federal and State Transportation funds for the completion of projects ranging from the Depot Renovation to street resurfacing projects. These funds are administered by the State of California Department of Transportation (Caltrans). After completion of the project, the City would prepare and submit a final project accounting for processing and approval. As projects were approved, a reimbursement check is sent to the City.

The Master Agreement between the City and Caltrans provided the requirements which the City is to follow in order to utilize Federal and/or State funds for the Depot Renovation, street resurfacing project and/or other projects. The execution of the supplements to the Master Agreement was procedural and an administrative action. Funds reimbursed by Caltrans were returned to the appropriate Capital Improvement Project Fund.

Staff recommended the adoption Resolution No. 2004-71 authorizing the Director of Public Works and/or Designee to execute all subsequent supplements to the Master Agreement.

***2. Repair and Restoration of Well No. 6; Acceptance of Completed Work and Final Payment to Layne Christensen in the Amount of \$53,797.28**

This matter was approved by order of the Consent Calendar

Well No. 6 was the City's highest producing well providing approximately 25% of the City's water production. In April 2004, the City's Utility Plant Operators noticed unusually high temperatures on the motor and an unusual sound and vibration emitting from the well. City Staff contacted Layne Christensen who specialized in well rehabilitation. Due to the urgency and importance of Well No. 6, especially during the high water demand of the summer months, it was determined that the pump and motor be examined and necessary repairs be made immediately. Due to the lingering drought, a significant drop in the water table occurred and consequently the pump impeller had to be lowered an additional 80 feet.

The overall final project cost was \$53,797.28. The low bid for similar project (Well No. 3 Rehabilitation) in 2002 was approximately \$82,000.00. Funds were available in the water fund.

Staff recommended acceptance of the completed work and approval of payment in the amount of \$53,797.28 to Layne Christensen Company (11001 Etiwanda Avenue, Fontana, CA 92337).

***3. Purchase of New City Hall Copy Machine from IKON Machines, in the Amount of \$14,382.00**

This matter was approved by order of the Consent Calendar

The City utilized one high speed copy machine for most of City Hall departments' large volume print jobs. The current machine, purchased in 1999, was a Xerox 265ST, with a speed of 65 pages per minute. During the five years of its life, the machine had made over 3,000,000 copies, an average of 50,000 copies per month. The average life span of this particular machine was 2,500,000 copies.

Staff reviewed four copy machines as a possible replacement to the existing copier. Staff's goal was to increase the copy speed above the current 65 pages per minute, and focus on the reliability of the hardware so that downtime was kept to a minimum.

Staff recommended approval of the acquisition of a new Ricoh Aficio 1075 copy machine from IKON Machines in the amount of \$14,382.

***4. Set for Public Hearing on November 16, 2004; Historic Landmark HL-69 and Mills Act Contract MA-65 for Property Located at 346 Stedman Avenue by Owners Robert Posen and Judith Aguilera-Posen**

This matter was approved by order of the Consent Calendar.

On October 27, 2004, the Historic Preservation Commission reviewed an application for historic landmark designation and a Mills Act Contract for the property at 346 Stedman Avenue. At the close of the Public Hearing, the Commission forwarded the Nomination Statement and recommended approval to the City Council of landmark status and execution of a Mills Act.

Staff recommended setting November 16, 2004 as the date for the Public Hearing.

***5 Set for Public Hearing on November 16, 2004; Historic Landmark HL-76 and Mills Act Contract MA-68 for Property Located at 221 East Greystone Avenue by Owner Lana Scheff**

This matter was approved by order of the Consent Calendar.

On October 27, 2004, the Historic Preservation Commission reviewed an application for historic landmark designation and a Mills Act Contract for the property at 221 East Greystone Avenue. At the close of the Public Hearing, the Commission forwarded the Nomination Statement and recommended approval to the City Council of landmark status and execution of a Mills Act.

Staff recommended setting November 16, 2004 as the date for the Public Hearing.

***6 Set for Public Hearing on November 16, 2004, Historic Landmark HL-77 and Mills Act Contract MA-72 for Property Located at 444 North Ivy Avenue by Owners Miguel and Carmen Ortiz-Marroquin**

This matter was approved by order of the Consent Calendar.

On October 27, 2004, the Historic Preservation Commission reviewed an application for historic landmark designation and a Mills Act Contract for the property at 444 North Ivy Avenue. At the close of the Public Hearing, the Commission forwarded the Nomination Statement and recommended approval to the City Council of landmark status and execution of a Mills Act.

Staff recommended setting November 16, 2004 as the date for the Public Hearing.

***J PAYROLL & VOUCHERS:** Payroll No 22 in the net amount of \$453,061.07, and Voucher Numbers 121786 through 122062 non-sequentially in the amount of \$740,308.32 was approved by order of the Consent Calendar.

K. SCHEDULED MEETINGS:

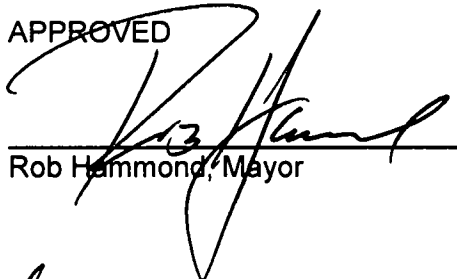
The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, November 16, 2004, 7 30 P M , City Council Chambers, 415 South Ivy Avenue, Monrovia, California

L ORAL COMMUNICATIONS, CONTINUED, IF NEEDED. None

M. CLOSED SESSION: None

N ADJOURNMENT: Mayor Hammond adjourned the Meeting at 9 00 P M in memory of Sylvia Bell Polk, Gilbert L Biggle and Colette Biggle

APPROVED



Rob Hammond, Mayor

ATTEST



Linda B Proctor, MMC, City Clerk