

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, MAY 3, 2005, 7 30 P M**

CONVENE. Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, May 3, 2005 at 7 32 P M in City Council Chambers, 415 South Ivy Avenue, Monrovia, California. Staff in attendance was City Manager Scott Ochoa, City Attorney Craig A Steele, and City Clerk Linda B Proctor

INVOCATION. Police Chaplain Bill Ripley gave the Invocation

PLEDGE OF ALLEGIANCE. Councilmember Adams led the Flag Salute

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

PRESENTATIONS

1. Recognition of Monrovia Police Department's Challenge Cup Relay Race Team

The Mayor and City Council recognized and congratulated Team Captain Jim Hunt, organizer Nick Manfredi, and other members of the Challenge Cup Relay Race, for their efforts and accomplishments in coming in 6th in the grueling Baker to Las Vegas race on April 30 and May 1, 2005. This was the 21st Annual Challenge Cup Relay Race, and the third Relay Race run solely with members of the Monrovia Police Department. Until three years ago, when Officer Manfredi organized the first MPD team, the officers ran with several larger police departments and not as an individual team. The MPD team finished 2 hours and 20 minutes sooner than last year, when they came in 10th.

2. Introduction of Newly Hired Building Division Manager Encarnacion "Chon" Cervantes

Alice Griselle, Director of Community Development, introduced and presented background information on the newly hired Building Division Manager, Encarnacion "Chon" Cervantes. The Mayor and City Council welcomed him to the City of Monrovia.

PROCLAMATIONS

Taken out of order

G. REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

Councilmember Garcia and the City Council proclaimed the Month of May 2005 as National Historic Preservation Month, "Restore America Communities at a Crossroads." The proclamation was accepted by John Zuk, President of the Monrovia Old House Preservation Group.

1. Proclaiming the Month of May, 2005 as "Elder Abuse Prevention Month"

Mayor Hammond proclaimed the month of May, 2005 as "Elder Abuse Awareness Month." Lisa Magno, Elder Abuse Prevention Committee Chairman, accepted the proclamation on behalf of the Area Agency on Aging.

STUDENT GOVERNMENT REPRESENTATIVE REPORT Student Liaison Pamela Cheng was not in attendance

A CONSENT CALENDAR. It was moved by Councilmember Kirby, seconded by Mayor Pro Tem Lutz, to approve the Consent Calendar consisting of Items *B, *F-1 and *J

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

*with the exception of the Minutes who had been excused from that Meeting

***B MINUTES.** The Minutes of the Regular Meeting of April 19, 2005 were approved by order of the Consent Calendar

C ORAL COMMUNICATIONS

Those speaking were

- 1 Anne McIntosh, Monrovia
- 2 John Volk, Monrovia
- 3 Julianne Hines, Field Representative for Assemblywoman Carol Liu
- 4 Chuck Keen, Monrovia

Mayor Hammond called a recess from 8:16 P M. until 8:21 P M.

D PUBLIC HEARINGS/MEETINGS.

1 General Plan Amendment GPA2005-01, Resolution No 2005-17, and Zone Change ZC2005-01 to Change the General Plan and Zoning Designations From Residential to Hillside Wilderness Preserve (HWP) on Two Recently Purchased Hillside Properties (Sartwell, APN 8501-012-011, and Emigh, APN 8501-012-010), Introduction and First Reading of Ordinance No 2005-04

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

As a result of the hillside planning process, the Hillside Wilderness Preserve (HWP) and Hillside Recreation (HR) Land Use Designations were created and added to the General Plan and the HWP and HR zones were added to the Zoning Ordinance. The intent of these designations was for the preservation of open space. The HWP designation, specifically, was created to be applied to hillside property owned and acquired by the City in the future for this purpose.

In February 2005, the City acquired two more properties for the Hillside Wilderness Preserve: the 20-acre "Sartwell" property (APN 8501-012-011) and the 5-acre "Emigh" property (APN 8501-012-010). The properties were in the Madison Specific Plan and Cloverleaf Canyon Specific Plan, respectively. Both lots were designated with a residential density designation of 1 dwelling unit/10 acres. The proposed General Plan Amendment and Zone Change would change the residential land use and zoning designations of these properties to Hillside Wilderness Preserve (HWP).

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 Lutz, to adopt Resolution No 2005-17 approving General Plan Amendment GPA2005-01 changing the residential density designation to Hillside Wilderness Preserve, introduce and waive

further reading of Ordinance no 2005-04, and read by title only Ordinance No. 2005-04 changing the residential zoning designation of the subject properties to HWP

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

City Attorney Steele read as follows

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, AMENDING TITLE 17 (ZONING), SECTION 17.04.040, THE OFFICIAL ZONING MAP, OF THE MONROVIA MUNICIPAL CODE.

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

CONVENE: Chairman Rob Hammond convened the Regular Meeting of May 3, 2005 of the Monrovia Redevelopment Agency Board of Directors at 8 24 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, Joe Garcia, Dan Kirby, Vice-Chairman Mary Ann Lutz, and Chairman Rob Hammond

A. CONSENT CALENDAR:

It was moved by Boardmember Garcia, seconded by Boardmember Kirby, to approve the Consent Calendar consisting of Item *B. There were no objections Boardmember Adams abstained as he had been excused from that Meeting

***B. MINUTES:** The Minutes of the Regular Meeting of April 19, 2005 were approved by order of the Consent Calendar

MRA REPORTS:

1. Authorization to Acquire Real Property Located at 1622 South Magnolia Avenue from Joan Parker and Richard Parker for the Total Consideration of \$2,500,000 00, Resolution No. 4-2005

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

While the Station Square project was in a conceptual phase, the development, as currently envisioned, was comprised of approximately 40 acres, and consisted of numerous ownership interests While property acquisitions were generally planned to be the responsibility of a private development entity, the Agency had acquired a few important parcels adjacent to the Santa Fe Depot The property under consideration for acquisition was closely located to the previously acquired Agency holdings, and made a logical first phase for the project

Recently, the Agency was contacted by the owners of the property who indicated they were considering relocating their business to another location, and were interested in ascertaining whether the Agency was interested in acquiring the property The discussions with the owners were positive, with both parties seeking to find a financial arrangement that would best meet the needs of each side Under the terms that were offered by the owners, the Agency would acquire title to the property for the total consideration of \$2,500,000 00 Of this sum, \$500,000 00 would be due at the close of escrow, and the owners would take back a fully amortized 10-year promissory note for the balance at 6% interest

Staff recommended that the Agency Board adopt Resolution No 4-2005, authorizing the Executive Director to acquire 1622 South Magnolia Avenue

It was moved by Boardmember Garcia, seconded by Vice-Chairman Lutz, to adopt Resolution No 4-2005, and authorize the Executive Director to execute any required documentation

**ROLL CALL: Ayes Boardmembers Adams, Garcia, Kirby, Vice-Chairman Lutz, and Chairman Hammond
Motion carried 5-0**

2 Award of Grants Pursuant to Old Town Business Development Program

Chairman Hammond and Vice-Chairman Lutz recused themselves from discussion or voting on this matter due to the proximity of their businesses in Old Town They exited City Council Chambers at 8 31 P M Boardmember Adams presided

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

At the Agency Board meeting held on December 7, 2004, an Old Town Business Development Assistance Program ("Program") was considered by the Board Following discussions of the proposed program, Staff was directed to reformulate the program to ensure that the City and Agency receive greater assurance that a direct benefit was received from the program, either in increased business or in repayment of the grant These changes were incorporated into the program

The Business Development Assistance Program ("Program") provided funds to be used for the development and strengthening of existing businesses in Old Town The Program was a matching grant program in which the Agency granted 50% of the cost of the merchant's proposed business expansion program, in an amount not to exceed \$25,000 00 Marketing of the program resulted in the Agency receiving three applications-- Cafe Mundial, Sam's Deli, and Tidal Wave Restaurant All applicants submitted detailed descriptions of their projects, designs for improvements, and bids for the work The total approved budget for the programs was \$100,000 00 The amount requested by the three applicants was \$62,000 00, leaving approximately \$38,000 00 available for future grants

Staff recommended that the Agency Board award all three applicants with Old Town Business Development Assistance grants

Boardmember Adams stated that he could only vote on two of the applicants, as he had a business relationship with the third and would abstain from voting on the matter

It was moved by Boardmember Kirby, seconded by Boardmember Garcia, to award a grant to both Sam's Deli and Tidal Wave Restaurant and direct the Executive Director to issue a notice to proceed with each applicant

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

City Attorney Steele stated for the record that the City Council would be invoking the rule of necessity due to the recusal of a majority of Boardmembers, as Chairman Hammond and Vice Chairman Lutz had a conflict due to the location of their respective businesses in the proximity of the proposed grantee, and Boardmember Adams had a conflict of interest due to a business relationship with the proposed grantee He reported that he had prepared three straws and

(c) He thanked everyone for the prayers and kindness offered to him and his family after the passing of his brother

4 Councilmember Garcia reported that

(a) **Proclaiming the Month of May 2005 as National Historic Preservation Month, "Restore America Communities at a Crossroads"** This matter was taken under PROCLAMATIONS above

5 Councilmember Kirby reported that

(a) He announced that Community Media of the Foothills, KGEM-TV, would be holding its regular meeting on May 12, 2005, 7 00 P M , City Council Chambers, and would be recognizing volunteers who had given many, many hours to the community

(b) Monrovia Today carried a great section regarding the Wilderness Preserve which would assist interested parties in understanding the total process

(c) Monrovia Today also carried mosquito abatement tips to alleviate West Nile Virus outbreaks

H REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES None

I ADMINISTRATIVE REPORTS

1. Approval of Parking Structure Acquisition Agreement with Colorado Commons, LLC, Regarding Real Property Located Near the Northeast Corner of Primrose Avenue and Colorado Boulevard, Resolution No 2005-21

At 8 49 P M , Mayor Hammond and Mayor Pro Tem Lutz recused themselves from discussion and voting on this matter due to the proximity of their respective business properties to the project and exited Council Chambers Councilmember Adams presided

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

On March 1, 2005, the Agency Board approved a Disposition and Development Agreement with Colorado Commons, LLC, which called for the sale and redevelopment of real property located near the northeast corner of Primrose and Colorado Boulevard The proposed project was a loft style housing development containing 67-75 dwelling units, as well as approximately 7,000 square feet of commercial space Seven of the units would be reserved for sale to families that qualified as moderate income The project promised to supply much-needed reasonably priced for-sale housing, and would serve to increase pedestrian traffic in the Old Town shopping district

A portion of the site to be conveyed was City Parking Lots 9 and 10, which, when combined, provided 130 public parking spaces To replace these spaces, the Agency would use land sale proceeds to construct a parking structure Since the structure would be located in close proximity to the housing development, the parties agreed that the most efficient method would be to have the Developer construct the structure on behalf of the City at the same time they developed their project The cost to build the structure would be deducted from the land sale proceeds due To ensure that each party received fair consideration for its contribution to the project, an independent appraisal was made of the land value conveyed and the cost to construct the parking structure

The appraiser determined that the value of the Agency's real property was \$5,152,000, verses a value of \$4,885,000 00 for the structure Due to the disparity, the Developer would pay the Agency the difference of \$267,000 00 at the close of escrow The Parking Structure Acquisition Agreement set out the terms and conditions under which the parking structure would be

constructed Staff recommended that the City Council approve the Parking Structure Acquisition Agreement with Colorado Commons, LLC

After discussion, it was moved by Councilmember Garcia, seconded by Councilmember Kirby, to adopt Resolution No. 2005-21

ROLL CALL.

**Ayes. Councilmembers Adams, Garcia, Kirby
Excused. Mayor Pro Tem Lutz, Mayor Hammond
Motion carried 3-0**

At 8 59 P M , Mayor Hammond and Mayor Pro Tem Lutz returned to Council Chambers

***J. PAYROLL & VOUCHERS** Payroll No 8 in the net amount of \$488,659 45, and Voucher Numbers 47033 and 125159 through 125435 non-sequentially in the amount of \$673,144 75 were approved by order of the Consent Calendar

K SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, May 17, 2005, 7 30 P M , City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Study Session to discuss the Fiscal Years' 2005-07 Budget, 6 00 P M to 7 15 P M , City Council Chambers


L ORAL COMMUNICATIONS, CONTINUED, IF NEEDED None

M. CLOSED SESSION None

N. ADJOURNMENT TO CLOSED SESSION. None

O ADJOURNMENT Mayor Hammond adjourned the Meeting at 9 00 P M in memory of Darlene Adams

APPROVED



Rob Hammond, Mayor

ATTEST



Linda B Proctor, MMC, City Clerk