

**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.

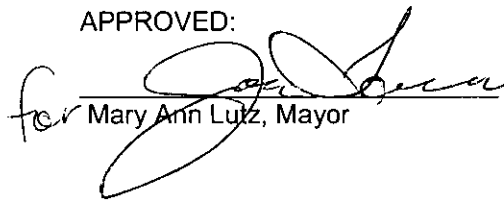
PUBLIC INPUT, CONTINUED, IF NEEDED: None.

ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED: None.

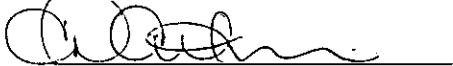
SCHEDULED MEETINGS: The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, December 20, 2011, 7:30 p.m., City Council Chambers, 415 South Ivy Avenue, Monrovia, California. The January 3, 2012, Regular Meeting had been cancelled

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:


for Mary Ann Lutz, Mayor

ATTEST:


Alice D. Atkins, CMC, City Clerk