

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, SEPTEMBER 5, 2006, 7:30 P.M.**

CONVENE: Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, September 5, 2006 at 7:30 P.M. in City Council Chambers, 415 South Ivy Avenue, Monrovia, California (preceded by a Study Session at 6:15 P.M., Council Chambers, to discuss Capital Project Financing Options at which all City Councilmembers were in attendance; further discussions were scheduled for a later Study Session.) Staff in attendance was City Manager Scott Ochoa, City Attorney Craig A. Steele and City Clerk Linda B. Proctor.

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

INVOCATION: City Clerk Linda B. Proctor presented the Invocation.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Lutz led the Flag Salute.

ADDED TO THE AGENDA:

Mayor Hammond requested Chief Roger Johnson to report on recent gang activities in the southeast end of Monrovia and the county area. Chief Johnson explained the Monrovia DAMAGE Program with the City of Duarte and the Los Angeles County Sheriff Department working together to curtail gang activity as well as the DISARM program to identify and target probation violators. Many arrests had been made and they were seeing a plateau and slowing of activities over past weeks. Mayor Hammond announced the need for community members, who were the eyes and ears of their neighborhoods, to help by calling the Police Department, and to take back their neighborhoods. The Police Department was commended by the City Council.

PRESENTATIONS:

1. Introduction of Newly Hired Police Officers John Donchig, Michael Konstantakos, Joshua Mittmann, and Thomas Montes

Captain Jim Hunt introduced newly hired Police Officers John Donchig, Michael Konstantakos, Joshua Mittmann and Thomas Montes to the Mayor, City Council and the community.

2. Introduction of Newly Promoted Police Captain Jim Hunt, Lieutenant Alan Sanvictores, and Sergeant Dan Verna

Police Chief Roger Johnson introduced newly promoted Police Captain Jim Hunt, Lieutenant Alan Sanvictores and Sergeant Dan Verna to the Mayor, City Council and the community.

3. Introduction of Newly Hired Fire Battalion Chief Chris Fabrizio

Fire Chief Chris Donovan introduced newly hired Fire Battalion Chief Chris Fabrizio to the Mayor, City Council and the community.

4. Introduction of Newly Promoted Fire Battalion Chief Scott Haberle, Fire Captain Brad Dover, Fire Captain Brian Patrick, and Fire Engineer Jeremy Sanchez

Fire Chief Chris Donovan introduced newly promoted Fire Battalion Chief Scott Haberle, Fire Captain Brad Dover, Fire Captain Brian Patrick and Fire Engineer Jeremy Sanchez to the Mayor, City Council and the community.

PROCLAMATIONS

1. Proclaiming the Week of September 22-29, 2006 as "Childhood Injury Prevention Week"

Mayor Hammond proclaimed the week of September 22-29, 2006 as "Childhood Injury Prevention Week." The County of Los Angeles, Department of Health Services/Public Health began the "Child Health & Disability Prevention Program" as a preventive health care program for infants, children, teens, and young adults in 1976, and again requested that the City Council proclaim the week of September 22-28, 2006 as "Childhood Injury Prevention Week." The proclamation will be mailed to the County of Los Angeles.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Liaison Rachel Jamieson reported on activities at Monrovia High School.

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, *F-2, *F-3, *I-4, *I-5, *I-6, *I-7, and *J. Mayor Hammond and Councilmember Garcia abstained on *B, as they had not been in attendance, and Councilmember Adams abstained on *I-7, due to a former relationship with the developer so as to avoid appearance of impropriety. There were no other objections.

***B. UNADOPTED MINUTES:** The unadopted Minutes of the Regular Meeting of August 1, 2006 and Special Meeting of August 11, 2006 were adopted by order of the Consent Calendar as noted above.

C. ORAL COMMUNICATIONS:

Those speaking:

1. Becky Shevlin, Monrovia
2. Chris Ziegler, Monrovia

TAKEN OUT OF ORDER: Mayor Hammond took the following Administrative Report out of order:

I. ADMINISTRATIVE REPORTS

1. Consideration of Monrovia Public Library's Floor Plan, Resolution No. 2006-52

Deputy City Manager Tito Haes reviewed the Staff Report.

On January 17, 2006, the City Council directed Staff to begin work with Library Consultant Linda Demmers and Architect Gonzalez & Goodale to develop design documents for a new 28,000 square foot Library Building. The first step in this process was developing a floor plan for the building. After several meetings between Staff, architect, and library consultant to fine tune the proposed floor plan, a plan was presented that provided the best use of the available space.

The attached resolution adopted Monrovia's Local Implementation Report, including the Deficiency Status Summary Report for the reporting period of June 1, 2005 to May 31, 2006. The resolution would be submitted to the Los Angeles County Metropolitan Transportation Authority for their consideration in January, 2007.

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 Garcia, seconded by Mayor Pro Tem Lutz, to adopt Resolution No. 2006-48 and direct Staff to submit the required report to the Metropolitan Transportation Authority. There were no objections.

CONVENE MONROVIA REDEVELOPMENT AGENCY MEETING WITHOUT ADJOURNING CITY COUNCIL MEETING

CONVENE: Chairman Rob Hammond convened the Regular Meeting of September 5, 2006 of the Monrovia Redevelopment Agency Board of Directors at 8:51 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 Mayor Pro Tem Lutz, seconded by Councilmember Kirby, to adopt the Consent Calendar consisting of Agenda Item *B. Councilmember Garcia and Chairman Hammond abstained as they had not been in attendance at the Meeting. There were no objections.

***B. UNADOPTED MINUTES:** The unadopted Minutes of the Regular Meeting of the Monrovia Redevelopment Agency of August 1, 2006 were approved by order of the Consent Calendar as noted above.

MRA REPORTS

1. Joint Public Hearing; Disposition and Development Agreement with HM Crossing, LLC, a California Limited Liability Company, Regarding Property Located at 1109 S. Myrtle Avenue and 102, 116, 120-124, 132 and 140 West Huntington Drive; City Resolution No. 2006-50 and Agency Resolution No. 8-2006

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

In accordance with its Implementation Plan, the Agency acquired title to a medical clinic, gas station, tire store, liquor store, and vacant lot that comprise the development site. A total of ten separate parcels were acquired, and a total of \$3,737,645.00 was invested to secure the 76,709 square foot site.

Following an extensive RFP process, the Agency received three proposals. Proposals were received from Samuelson & Fetter, Bowden Development, and HM Crossing, LLC. Of the three, HM Crossing's proposal most closely matched the City and Agency's vision for the corner. In addition, their proposal offered the most consideration for the site.

As part of their proposal, HM Crossing submitted plans for a 46,006 square foot upscale office project that included a three-story 13,077 square foot restaurant pad located at the corner of Myrtle Avenue and Huntington Drive. Their concept also included a parking structure. Under

the proposed agreement, the Agency would sell the development site to the developer for the total consideration of \$4,218,995.00 and would commit to funding \$300,000.00 in off-site improvements. The cost to the Agency to acquire the site was \$3,737,645.00. After the off-site contribution was made, the Agency would receive a net profit of \$181,350.00 for the sale of the site.

Staff recommended approval of the proposed Disposition and Development Agreement between the Monrovia Redevelopment Agency and HM Crossing, LLC., and adoption of the Negative Declaration.

Discussion ensued including dialogue of ways to begin the project earlier than the mid-2008.

JOINT PUBLIC HEARING OPENED: Chairman Hammond opened the Public Hearing.

Those speaking against: None

Those speaking for:

1. Jim Barth, Principal, Huntington/Myrtle Crossing, LLC (and also Huntington Crossing at Huntington Drive and Fifth Avenue) spoke in favor of the project, noting that the mid-2008 worked for them, but that they would be very motivated to start it earlier. Councilmember Garcia asked for signs using the rendering that would create interest in the project.

JOINT PUBLIC HEARING CLOSED: Chairman Hammond closed the Public Hearing as there was no one else who wished to speak regarding the matter.

It was moved by Mayor Pro Tem Lutz, seconded by Councilmember Kirby, to adopt City Council Resolution No. 2006-50 and Agency Resolution No. 8-2006, authorize the Executive Director to execute any documentation required as part of the transaction, and a friendly amendment by Boardmember Adams and accepted by Vice-Chair Lutz and Boardmember Kirby to speed up the process if possible.

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

2. Joint Public Hearing; First Amendment to the Disposition and Development Agreement with Envision Community Development, LLC, an California Limited Liability Company, Regarding Property Located at 417 and 425 Monrovista Avenue, 1814, 1820 and 1822 South California Avenue, 410 and 414 East Duarte Road; City Resolution No. 2006-51 and Agency Resolution No. 9-2006

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

On March 21, 2006, the Agency Board approved a Disposition and Development Agreement (DDA) with Envision Community Development, LLC, for the development of twenty-eight attached units on Monrovista Avenue, Duarte Road and California Avenue. As part of this original agreement, five of the units (or twenty percent of the project) would be sold to moderate income households at an affordable housing cost.

The developer requested an amendment to the original agreement to allow for a less dense housing development with larger single family units ranging from 1,500-1,700 square feet and to reduce the number of affordable units from five (5) to four (4), maintaining 20% of the units as affordable.

Staff recommended approval of the proposed Amendment to the Disposition and Development Agreement between the Monrovia Redevelopment Agency and Envision Community Development, LLC.

It was moved by Boardmember Garcia, seconded by Boardmember Kirby, to adopt City Council Resolution No. 2006-51 and Agency Resolution No. 9-2006, and authorize the Executive Director to execute the Amendment.

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

MRA ADJOURNMENT: Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 9:12 P.M.

RECONVENE MONROVIA CITY COUNCIL MEETING

E. BIDS:

1. Old Town Myrtle Avenue Street Improvement Project; Award of Contract to Pima Corporation in the Amount of \$3,002,738.00

At 9:12 P.M., Mayor Pro Tem Lutz and Mayor Hammond exited Council Chambers, stating they would not discuss or vote on the matter due to the proximity of their respective businesses to the project.

Director of Public Works David Fike reviewed the Staff Report.

The project included demolition of the existing curbs, gutters and sidewalks; installation of new sidewalk with 30" standard scored squares, decorative stamped concrete at the crosswalks, intersections and mid-block crosswalks, curbs, gutters, decorative street lighting, electrical transformers at each tree, new landscaping, irrigation, signage and striping.

Staff had been in communication with the business owners and MOTAB regarding the project schedule. It was requested that the contractor provide pedestrian access to the businesses on Myrtle Avenue during construction.

The construction would begin on Myrtle Avenue at Olive Avenue and progress to Myrtle Avenue at Foothill Boulevard in two block intervals. Construction was anticipated to take approximately six months with an emphasis to minimize construction impacts during the holidays. An additional temporary, full-time inspector exclusively for this project would be hired to provide a direct link for the business owners and contractor operations. To minimize the parking impacts, 130 new parking stalls in the downtown area were added.

On August 22, 2006, seven (7) bids were received and opened by the City Clerk. Bids ranged from \$3,002,738.00 to \$7,123,865.00. The apparent low bidder was Pima Corporation in the amount of \$3,002,738.00. Staff reviewed the apparent low bidder and found all documents to be in order. The MTA Grant was providing \$1,882,000.00 and \$1,120,738.00 would come from Prop. C funds.

It was moved by Councilmember Kirby, seconded by Councilmember Garcia, to award a contract to Pima Corporation, in the amount of \$3,002,738.00; and reject all other bids.

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

At 9:21 P.M., Mayor Pro Tem Lutz and Mayor Hammond returned to Council Chambers.

2. Engineering and Traffic Surveys for Speed Limits; Award of Contract to Harzog and Crabill, Inc., in the Amount of \$28,100.00

City Engineer Doug Benash reviewed the Staff Report.

In accordance with procedures established by the State of California Vehicle Code, the City of Monrovia was required to perform an "Engineering and Traffic Survey for Speed Limits" every five years on streets where the City intended to establish speed limits different than the 25 miles per hour (mph). The speed survey must be performed if the use of radar was to be employed by the Police Department to enforce speed limits. If such a survey was not performed, evidence using radar would not be admissible in court. The current surveys were set to expire in 2007.

Staff solicited and received three proposals for the project for bids ranging from \$28,100.00 to \$42,750.00. The apparent low bidder was Hartzog & Crabill, Inc., who currently provided contractual traffic engineering services for the City and could complete the survey. Funds were available through the Engineering budget.

Staff recommended awarding a contract to Hartzog & Crabill, Inc., to complete the engineering and traffic survey for speed limits in the amount of \$28,100.00.

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Lutz, to award a contract to Hartzog & Crabill, Inc., in the amount of \$28,100.00. There were no objections.

3. Traffic Signal Installation on Bradoaks Avenue/Royal Oaks Drive in the Amount of \$122,000.00, and Two Audible Pedestrian Signals at the Intersections of Magnolia Avenue/Foothill Boulevard and Magnolia Avenue/Huntington Drive in the Amount of \$7,200.00; Award of Contract to Christopher R. Morales, Inc., in the Total Amount of \$129,200.00

City Engineer Doug Benash reviewed the Staff Report.

The new 47-unit development at 950 Royal Oaks, as part of the conditions of approval, required the implementation of traffic mitigation measures as determined by the Traffic Safety Committee. The Committee determined that the installation of a traffic signal at the intersection of Bradoaks and Royal Oaks would help mitigate the concerns of the residents on Royal Oaks Drive. Staff notified the residents of the proposed signal prior to the bidding process to address any concerns they may have. To date, no concerns were received regarding the project.

On August 22, 2006, seven bids were received and opened by the City Clerk. Bids ranged from \$129,200.00 to \$158,023.00. The apparent low bidder was Christopher R. Morales, Inc., with a bid of \$129,200.00. Staff reviewed their bid and found all documents to be in order.

The project was funded through a \$100,000.00 contribution from the 950 Royal Oaks developer with the remaining \$29,200.00 from the Street Maintenance Fund.

The Traffic Safety Committee recommended that the City Council award a contract to Christopher R. Morales, Inc., in the amount of \$129,200.00.

It was moved by Councilmember Adams, seconded by Councilmember Garcia, to award a contract to Christopher R. Morales, Incorporated, in the amount of \$129,200.00, and reject all other bids. There were no objections.

4. Purchase of a Chevrolet Tahoe Fire Prevention/Arson Investigation Vehicle; Award of Bid to Sierra Auto Cars, Inc., in the Amount of \$31,613.88

Fire Chief Chris Donovan reviewed the Staff Report.

The Fire Department had replaced command and staff vehicles on a five-year rotational basis. The staff vehicle was part of the Department's fleet of vehicles that responded to emergency calls on a regular basis. The purchase of this vehicle would be utilized by the Fire Marshal in the capacity of fire prevention related activities, brush mitigation services, arson investigations and emergency operation responses.

It was moved by Mayor Pro Tem Lutz, seconded by Councilmember Adams, to approve the purchase of a new Chevrolet Tahoe Fire Prevention vehicle from Sierra Auto Cars, Inc., in the amount of \$31,613.88. There were no objections.

5. Purchase of "Telestaff" Staffing Program from Principle Decisions Solutions, Inc. (PDSI), and Computer Server from GovConnect, Inc., Not to Exceed a Total of \$30,000.00

Fire Chief Chris Donovan reviewed the Staff Report.

Unlike most positions within the City, if a member of the Fire Department was absent from work, his position had to be filled to maintain appropriate staffing levels for emergency response. Currently daily staffing of fire personnel was currently performed manually; utilizing Fire Department Company Officers to accept leave usage requests, process the requests, determine availability of personnel to fill vacancies and contact said personnel for assurance of constant staffing mandates. This was a time-consuming, complex, difficult and at times objective process that had been known to take up to four hours a day to accomplish, taking valuable time away from company officers whom otherwise would be focused on more productive work practices such as training, fire prevention activities and administrative responsibilities.

The software program called "Telestaff" would automate the Fire Department staffing process and streamline the practices to take just minutes instead of hours. "Telestaff" was an innovative software solution designed to help automate and manage staffing needs by combining the power of the computer with the simplicity of the telephone to help ensure that the Fire Department was accurately and fairly staffed. Moreover, the system was customizable, thereby allowing the current rule sets of hiring found in the Firefighter's Memorandum of Understanding (MOU) to be applied to the system. A seamless transition, using current methodology to fill vacancies, while saving hundreds of staff hours annually would be the end result.

It was moved by Councilmember Garcia, seconded by Mayor Pro Tem Lutz, to approve the purchase of the hardware and software required to operate the "Telestaff" system for a sum not to exceed \$30,000.00. There were no objections.

F. COMMUNICATIONS AND PETITIONS:

***1. Denial of Liability Claim; Margarita Sotelo vs. City of Monrovia**

This matter was approved by order of the Consent Calendar.

Ms. Sotelo alleged that on December 10, 2005, she was unlawfully arrested and detained and excessive force was exercised.

The City of Monrovia Police personnel handled this incident in an appropriate manner and followed proper procedures. Therefore, the City bore no responsibility in this matter. Staff recommended that Council deny this claim.

***2. Denial of Liability Claim; Elizabeth Jordan (J&B Properties) vs. City of Monrovia**

This matter was approved by order of the Consent Calendar.

Ms. Jordan alleged that on June 6, 2006, a water pipe on her property burst due to roots from a City tree. As a result, a portion of her parking lot had to be dug and replaced in order to fix the pipe.

The City of Monrovia had no prior notice of the issue. The evidence submitted did not support the position that the pipe burst. Additionally, the claimant was seeking damages from the City for repairs to faucets in the business which appeared to be unrelated to the tree root claim. Therefore, the City bore no responsibility in this matter. Staff recommended that Council deny this claim.

***3. Receive and File; Application for ABC Beverage License (Type 18/12-Distilled Spirits Distributor) for Sunset Spirits, Inc., Located at 360 Hill Street**

This matter was approved by order of the Consent Calendar.

Notice was received from ABC that Adam and Yvonne Waggoner submitted an application for a Type 18/12 – Distilled Spirits Distributor. 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. Staff recommended that the City Council receive and file the application.

G. REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES:

1. **Mayor Hammond** reported that:

(a) **Announcement of Program to Recognize Monrovia's Newest Citizens:** He called upon Public Information Officer Dick Singer to explain the new program which was the recognition of newborns to residents of the City. Reports may be made through the website or directly to City Hall or the City Clerk's Office. Each newborn and his parents would be recognized on the City Council Agenda.

(b) **Appointment of Board of Directors to the Monrovia Public Library Foundation:** Following the formation of the Monrovia Library Foundation, he proposed the Board of Directors to consist of Charlotte Schamadan, Gail LaBau, Peter Hoffman, Mary Ann Lutz, and Rob Hammond. **It was moved by Councilmember Kirby, seconded by Councilmember Garcia, to appoint Charlotte Schamadan, Gail LaBau, Peter Hoffman, Mary Ann Lutz, and Rob Hammond to the Foundation Board.** There were no objections.

2. **Mayor Pro Tem Lutz** reported that:

(a) **"Build It Green Brochure":** She called upon Community Development Director Alice Griselle who gave a report regarding Green Buildings along with a brochure used by the City of Monrovia for prospective building construction.

3. **Councilmember Adams** reported that:

(a) He had no report per se but would be touring a couple of historic downtowns in the state.

4. **Councilmember Garcia** reported that:

(a) He and others from the City would be attending the League of California Cities Annual Conference September 6-9, 2006, where the theme was "All Politics are Local." Of the 480 cities that the League requested pictures of to appear in the Conference brochure, a picture of Mayor Hammond and the Monrovia Reads Program was included in the program, which showed how participatory Monrovia was.

5. Councilmember Kirby reported that:

(a) As the sun was very much a hazard for east bound traffic in the mornings, he cautioned drivers to be aware of children walking to school.

H. REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES: There were none.

I. ADMINISTRATIVE REPORTS**1. Consideration of Monrovia Public Library's Floor Plan, Resolution No. 2006-52**

This item was taken out of order following **PROCLAMATIONS** above.

2. Amending the Personnel Rules and Regulations, Appendices "D" and "H" to Provide for the Establishment and Amendment of Classifications and Corresponding Changes to Salary Schedules "D" and "H" in Relation to the Matrix Study; Resolution No. 2006-49

City Manager Scott Ochoa reviewed the Staff Report.

Earlier this year, the City retained the consulting firm the Matrix Group to perform an independent organizational audit of the City of Monrovia. The City last conducted this kind of study in 1992. Instead of viewing this exercise as a "downsizing" of the organization, the purpose of the Matrix study was to help determine the optimum organizational size and structure as the City heads into a period of growth. With the many new and exciting projects on the horizon for Monrovia, which Staff anticipated would generate new revenue to meet the new demands of our customers, making an unqualified assessment of the health of the organization was a logical and important step.

The Matrix group undertook a multi-pronged evaluation process. All of this work was encapsulated in the final Matrix Group report, which was on file with the Office of the City Clerk and which summarized below.

Overall, the City was well-organized and well run. The recommendations contained in the Matrix Group's final report contained both areas where they felt change were warranted, as well as areas where they contemplated changes but ultimately felt that the status quo was more effective than any other alternative model. City Staff, in turn, took these recommendations and crafted reorganization models that would implement the Matrix Group's ideas, and yield a significant cost savings to the City.

The highest profile recommendations included:

- The Matrix Group recommended that the Monrovia Redevelopment Agency operation be moved into the Department of Community Development. However, this move should be delayed until a number of the pressing redevelopment projects that Staff was currently working on were well underway.
- Recognize the professional expertise required of a modern City Clerk by creating an appointed management position, Chief Deputy City Clerk. The Matrix Group agreed that the electorate would not see the benefit of making the elected City Clerk into an appointed professional City Clerk. However, the professional certifications obtained by the existing City Clerk warrant, along with the rigors of the position, that this management classification be created.
- Move the operation of Canyon Park from the Parks Division to the Community Services Department. Community Services handled the programming of activities in all other City parks. Also, the Community Services Department was responsible for the creation and implementation of the Wilderness Preserve Management Plan.

- Consolidate the balance of the Parks Division with the Facilities Division, and create a new Operations Division. This Division would be responsible for all maintenance functions at City parks and facilities. Also, the Solid Waste Management functions (contract administration, public education and outreach, reporting) would be wrapped into this Division as well. This consolidation would allow the Department to eliminate two positions – Facilities Division Manager and a Facilities Maintenance Worker II.
- Consolidate the Streets Division and Utility Division. Currently, the Streets Division was under the responsibility of the City Engineer. By consolidating with the Utility Division, greater efficiency could be achieved in coordinating street projects, scheduling, equipment usage, and other factors.
- The Matrix Group found that the Police Department's shift and unit management and supervision systems should not change.
- The Matrix Group did recommend that responsibility for the Special Enforcement Team move from the Detective Bureau to the Operations Division. Yet, although the SET Team worked on street level gang and narcotics problems, most of their operations emanate from Detective Bureau investigations. Thus, Staff recommended that this change not be made.
- The Matrix Group contemplated the break up of the Community Services Department into a Recreation Department and Library Department. Ultimately, they recommended maintaining the existing structure in recognition of the amount of coordination required between these functions, as well as the problems associated with adding another direct report to the City Manager. However, the Matrix Group did recommend revisiting this issue once the new Library was constructed.
- Reduce the number of Battalion Chief positions from four to three. At the outset of this current fiscal year, Staff had frozen the existing fourth BC position. However, in the interest of succession planning and smooth transition during the coming six months, the fourth BC position was filled for the time being as an "over-hire". It is anticipated that by the end of next spring, the number of BC's would drop back to three and Staff would monitor staffing needs going forward.

The cost-savings associated with implementing the personnel changes listed above totaled \$386,050.00, as is indicated below.

Elimination of Facilities Division Manager and Facilities Maintenance Worker positions; classification and compensation upgrades for Operations Division Manager/Deputy Public Works Director, Utilities/Streets Division Manager/Deputy Public Works Director and Chief Deputy City Clerk; additional cost savings derived from current Staff attrition; additional compensation upgrades attributed to increased responsibilities for existing Staff; and potential savings attributed to the reduction of one Battalion Chief position.

Because the implementation of these staffing changes required a change in the City's Personnel Rules and Regulations, the Council's consideration of Resolution No. 2006-49 was necessary. Staff recommended adopting Resolution No. 2006-49 and implementing personnel changes contained therein.

After discussion, it was moved by Councilmember Adams, seconded by Mayor Pro Tem Lutz, to adopt Resolution No. 2006-49. There were no objections.

3. Legislative Bulletin

Deputy City Manager Tito Haes reviewed the Staff Report.

This report highlighted and summarized pending State legislation that could be important to Monrovia and provided a brief analysis of the potential impacts to the City. The recommendations made by Staff reflected the City's priorities and programs, as well as the direction taken by the League of California Cities, as follows: Support, AB1387, SB1798,

SB2158, AB2483, AB3042, ACA30, AB2468, SB1407; Watch, SB1210, AB2922, AB2015; Oppose, SB1206, AB2987, SCA20, ACA22, SB1507, AB1990, SB1177

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Lutz, to approve the Legislative Bulletin and direct Staff to contact Monrovia's elected representatives for their support. There were no objections.

***4. Final Tract Map No. 062936 for Re-subdivision of Property Located at 222-224 East Chestnut Avenue by K & J Construction**

This matter was approved by order of the Consent Calendar.

Tentative Tract Map No. 62936 was the re-subdivision of property located in the Residential Medium/Residential High (RM/RH) Zone being re-subdivided into 4 single family, two-story Planned Unit Development (PUD). The tentative subdivision map was approved by the Planning Commission at the meeting of June 15, 2005 and was approved by the City Council on July 5, 2005. The Final Tract Map was in order and on file with the City Clerk, Community Development Department Planning Division, and the Department of Public Works.

The project would improve property values and increase the tax base. Staff recommended that the City Council approve Final Tract Map No. 62936.

***5. Interim Ordinance Prohibiting the Establishment of Marijuana Dispensaries in any Zoning District Within the City of Monrovia; Second Reading and Adoption of Ordinance No. 2006-11**

This matter was approved by order of the Consent Calendar.

This was the second reading and final adoption of Ordinance No. 2006-11 prohibiting the establishment of marijuana dispensaries in any zoning district within the City of Monrovia. Staff continued to recommend approval of this ordinance.

***6. Set for Public Hearing on September 19, 2006; Consideration of Extension of Moratorium Prohibiting, the Establishment of Marijuana Dispensaries in Any Zoning District in the City**

This matter was approved by order of the Consent Calendar.

On August 17, 2006, the City Council adopted an interim moratorium for 45 days prohibiting the establishment of marijuana dispensaries throughout the city. The purpose of the moratorium was to allow City staff an opportunity to undertake a study and planning process to determine whether such uses should be considered and, if so, under what conditions and standards. Pursuant to state law, the City must conduct a Public Hearing during the 45 day period to consider the extension of the moratorium or to let it expire.

***7. Set for Public Hearing on September 19, 2006; Tentative Tract Map No. 67349/Conditional Use Permit CUP2006-15 to Construct a Detached Four-unit, Two-Story Planned Unit Development in the RM3500 (Residential Medium Density) Zone at 713 Montana Avenue by Bowden Development, Inc., Developer**

This matter was approved by order of the Consent Calendar.

On August 9, 2006, the Planning Commission reviewed an application to construct a detached four-unit, two-story Planned Unit Development in the RM3500 (Residential Medium Density)

Zone at 713 Montana Street. At the close of the Public Hearing, the Planning Commission voted to recommend approval of the project to the City Council.

***J. PAYROLL & VOUCHERS:** Payroll Nos. 16 and 17 in the net amount of \$531,806.50 and \$546,498.62 respectively, and; Voucher Numbers 138400 through 138635, and 138736 through 139013 in the amounts of \$931,851.14 and \$1,842,496.48 respectively were approved by order of the Consent Calendar.

K. SCHEDULED MEETINGS:

Mayor Hammond announced that the next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, September 19, 2006, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Salute to Service Program 7:00 P.M., City Council Chambers.

L. ORAL COMMUNICATIONS, CONTINUED, IF NEEDED: None

M. ADJOURNMENT TO CLOSED SESSION

At 10:02 P.M., Mayor Hammond announced that the City Council would adjourn to Closed Session to conference with Legal Counsel; Existing Litigation Pursuant to Government Code §54956.9(a), Name of Case: Otto Moses, Case No. CV05 2225 DDP (VBKx), and would report back in Council Chambers at the conclusion of the Closed Session.


N. REPORT OF CLOSED SESSION

At 10:15 P.M., City Attorney Steele announced that the City Council met to confer with Legal Counsel; Existing Litigation Pursuant to Government Code §54956.9(a), Name of Case: Otto Moses, Case No. CV05 2225 DDP (VBKx) and took no reportable action.

O. ADJOURNMENT


Mayor Hammond adjourned the Meeting memory of Harold Stueve, Councilmember, 1962-70, Mayor, 1968-70; Public Works Employee Niles Boyer's father-in-Law, Jack Lawrence Underwood.

APPROVED:



Rob Hammond, Mayor

ATTEST



Linda B. Proctor, MMC, City Clerk