

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, NOVEMBER 18, 2008, 7 30 P M**

CONVENE Councilmember Tom Adams convened the Regular Meeting of the Monrovia City Council of Tuesday, November 18, 2008, at 7 30 P M in City Council Chambers in honor of Wyatt Akira Kindred born July 23, 2008 to Parents Pamela and Justin Kindred In attendance were City Manager Scott Ochoa, City Attorney Craig A Steele and City Clerk Linda B Proctor

INVOCATION Youth Pastor Ulises Gutierrez gave the Invocation

PLEDGE OF ALLEGIANCE Councilmember Joe Garcia led the Flag Salute

ROLL CALL In attendance were Councilmembers Tom Adams, Joe Garcia, Mary Ann Lutz, and Mayor Rob Hammond (arrived at 8 02P M) Mayor Pro Tem Dan Kirby was excused

PRESENTATION/PROCLAMATION: None

STUDENT GOVERNMENT REPRESENTATIVE REPORT. Student Liaison David Zook reviewed the events at Monrovia High School

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 November 4, 2008 Regular Meeting of the Monrovia City Council

CC-2 Payroll No. 23 in the Amount of \$542,041 80 and Voucher Nos 154704 through 154990 in the Amount of \$2,234,871 60

CC-3 Receive and File; Application for Federal Firearms License (Collector of Curios and Relics) for Robert Anthony Ramirez (01/01/1987), 133 North Poppy. Notice was received from U S Department of Justice - Bureau of Alcohol, Tobacco, Firearms and Explosives that Robert Anthony Ramirez at 133 N Poppy, Monrovia, CA 91016 had 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 was no fiscal impact

CC-4 Destruction of Certain City Clerk, Police, and Public Works Records, Resolution No. 2008-63. On August 5, 2003, the City Council approved the Citywide Records Retention/Destruction Schedule, subsequently amended on October 7, 2008, setting into place the regulations covering the retention and destruction of citywide records There was no fiscal impact associated with this action

CC-5 Purchase of Signature Furniture and Heritage Room Casework for the Monrovia Public Library from Warren Hile Studio Inc , in an Amount not to Exceed \$125,235 67 . The City Council directed Staff at the April 15, 2008 City Council meeting to incorporate signature furniture into the new Library that reflected the historic housing stock in Monrovia The Warren Hile Studio was a furniture company located in Monrovia They produced fine replications from the American Arts & Crafts movement and were the manufacturers of heirloom quality mission oak furniture for the home and office since 1990 The areas selected for the Signature Furniture included the entry with benches designed specifically for the Monrovia Library by Warren Hile The periodical area was selected for two Eastwood chairs and a custom side table The final area was the Heritage Room where information on Monrovia's history and the donated book collection from the Monrovia Historic Preservation Group would be housed Warren Hile would design the cabinetry and two tables with 12 Gustav V-Back chairs for the Heritage Room The total amount of the bid was changed after the publishing of the Agenda to \$125,235 67 for an additional item to be built as a safety feature to the benches

CC-6 Award of Contract for the ADA Ramps, Sidewalk and Audible Traffic Signal Improvements, Project No C-3011, to Unique Construction, Inc. in the Amount of \$85,250 00, and Reject All Other Bids: ADA ramp construction improvements were on Foothill Boulevard, from Fifth to Myrtle Avenues, and the intersection of Lemon and Hacienda Avenues Sidewalk improvements were at 911 South

Monterey Avenue Audible pedestrian signals were at the intersections of Foothill Boulevard and Primrose, Myrtle and Ivy Avenues Locations were determined by local disabled residents

Bids for the project were opened by the City Clerk's Office on October 28, 2008 Eight bids were received ranging from \$85,250 00 to \$190,978 00 The Engineering estimate was \$70,000 00 After evaluating each bid, checking references, insurance and licenses, Unique Performance Construction, 1931 Newport Blvd , Suite D, Costa Mesa, CA 92627, appeared to be the lowest qualified bidder, with excellent references Project funding was provided by MTA Transportation Development Act and Prop 1B funds

CC-7 Receive and File, ABC Beverage Application to Determine Qualifications of Manager/Lessee for Assistant Manager Soren Loft at Domenico's Italian Restaurant, 236 West Huntington Drive Notice was received from ABC that Soren Loft, Assistant Manager of Domenico's Italian Restaurant, submitted an application to determine his qualifications as general manager of Domenico's Italian 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 and Staff recommends that the City Council receive and file the application

CC-8 Receive and File, Application for ABC Beverage License (Type 41 – On-Sale Beer and Wine License) for Moon Cat, 108 East Lime Avenue. Notice was received from ABC that Okitsumo Enterprises LLC dba Moon Cat has submitted an application for a Type 41 – On-Sale Beer and Wine 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 and Staff recommends that the City Council receive and file the application

CC-9 Receive and File; Application for ABC Beverage License (Type 47 – On-Sale General License) for Wang's Palace, 120 East Lemon Avenue Notice was received from ABC that Wen Ching Corp dba Wang's Palace has submitted an application for a Type 47 – On-Sale General 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 and Staff recommends that the City Council receive and file the application

PUBLIC INPUT

There was no public input

PUBLIC HEARINGS / MEETINGS

PH-1 Historic Landmark HL-124/Mills Act Contract MA-118 for the Property Located at 510 West Maple Avenue, Applicants Christina and Matthew Crabtree; Resolution No 2008-61

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

This 1,428 square foot Craftsman bungalow was built in 1915 and was representative of a style dubbed as "Cozycraft Bungalow" by the MacIntyre Building Company and had many Craftsman characteristics

The home was designed by noted architect Frank Eager In 1910, Frank and his older brother A Wesley Eager formed their own company of Eager and Eager and had many known architectural designs in Monrovia including the Mellenthin House at 168 Highland Place, the Leven Oaks Hotel at 120 South Myrtle, the Colborn House at 231 North Primrose and the Buttolph house at 345 North Alta Vista Avenue

The applicant also requested approval of a Mills Act Contract, which would provide a reduction in the property tax for the homeowner and in the City not realizing approximately \$711 00 per year in property tax revenues

At its meeting of October 29, 2008, the Historic Preservation Commission determined that the house met Criteria #1 (prominent architect significant in local history) and Criteria #4 (Architecture) and voted unanimously to recommend approval of Historic Landmark status and execution of a Mills Act Contract

It was moved by Councilmember Lutz, seconded by Councilmember Garcia, to approve Resolution No 2008-61 designating the property at 510 West Maple Avenue as Historic Landmark Number 124 and approve entering into a Mills Act Contract with the conditions of approval

ROLL CALL

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

PH-2 Historic Landmark HL-125 for the Property Located at 101 East Greystone Avenue, Applicant Carolyn K Young, Resolution No 2008-60

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

This 1,111 square foot Craftsman bungalow was built by architect Frank O Eager for himself in 1907 Born in 1878, little was known about Frank's early life but he was probably just beginning his architectural career when he moved to Monrovia in 1905 In 1910 the two Eager brothers formed their own company of Eager and Eager

The property had had a few additions between 1907 and 1927 In 1914, Eager built an attached garage that was now used as a bedroom and another addition was added to the rear between 1914 and 1927 that was now used as part of the kitchen The current layout of the home was the same as found in the 1927 Sanborn Maps In 1946, a detached garage was added to the north side of the property and in 2007, the current owner had the front porch removed and poured with the addition of two period-appropriate river rock columns built on either side of the front steps

At its meeting of October 29, 2008, the Historic Preservation Commission determined that the house met Criteria #1 (the home was identified with Frank O Eager, a prominent architect significant in local history) and Criteria #2 (the home was representative of the work of a notable architect, Frank O Eager)

It was moved by Councilmember Lutz, seconded by Councilmember Garcia, to adopt Resolution No 2008-60 designating the property at 101 East Greystone Avenue as the Frank O Eager House, Historic Landmark Number 125.

ROLL CALL

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

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

MRA CONVENE Boardmember Tom Adams convened the Regular Meeting of November 18, 2008 of the Monrovia Redevelopment Agency Board of Directors at 7 58 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, and Mary Ann Lutz Chairman Rob Hammond and Vice-Chairman Dan Kirby were excused

MRA CONSENT CALENDAR It was moved by Boardmember Garcia, seconded by Boardmember Lutz, to execute a Loan Agreement with Café Merengue in the amount of \$75,000.00 and authorize the Executive Director to execute the necessary documents. to approve the Consent Calendar There were no objections The Consent Calendar consisted of the following Agenda items

MRA CC-1 Unadopted Minutes of the November 4, 2008 Regular Meeting of the Monrovia Redevelopment Agency

MRA PUBLIC HEARINGS/MEETINGS

MRA PH-1 To be Opened and Continued to December 2, 2008, Joint Public Hearing, Disposition and Development Agreement with Miyachi Unitek Corporation Regarding Property Located at 1616 South California Avenue, City Resolution No 2008-52 and Agency Resolution No. 10-2008

PUBLIC HEARING OPENED AND CONTINUED: Boardmember Adams opened and continued the Joint Public Hearing to December 2, 2008

MRA ADMINISTRATIVE REPORTS None

MRA ADJOURNMENT Boardmember Adams adjourned the Meeting at 7:59 P.M.

RECONVENE MONROVIA CITY COUNCIL MEETING

REPORTS OF CITY COUNCILMEMBERS AND SUB-COMMITTEES

RCC-1 Mayor Rob Hammond (by Councilmember Adams) reported that

(a) **Election for Water Quality Authority (WQA) Boardmember Representing Cities with Prescriptive Pumping Rights, Casting its Votes for Councilmember Greg Nordbak, City of Whittier, Resolution No 2008-64.** It was moved by Councilmember Lutz, seconded by Councilmember Garcia, to adopt Resolution No 2008-64. There were no objections.

(b) **Update of State Financial Status:** City Manager Ochoa presented a brief review of Sacramento's financial condition, noting that nothing had happened legislators were being called in. \$27 billion had been projected in the hole, and more school, local government and redevelopment cuts were expected. The California Redevelopment Association had already begun a lawsuit due to Prop A which was now obviously not the case as the hole was monumentally huge and had been on a down spiral for some time. There would probably not be any action at this time as the new legislators would be taking office on December 1, 2008. The City's midyear adjustments were scheduled for the December 16, 2008 Agenda.

RCC-2 Mayor Pro Tem Dan Kirby was excused.

RCC-3 Councilmember Tom Adams reported that

(a) **Information to Tenants of Foreclosed Properties** Neighborhood Services Specialist Alexis Newell reviewed the information bulletin for tenants offering foreclosure assistance and information from the City. Staff had been monitoring foreclosure properties and was offering assistance to those tenants. Councilmember Adams announced that a Foreclosure Workshop was scheduled for Saturday, January 10, 2009, 10:00 A.M., and was open to all interested parties.

(b) He was tendering his resignation from the Monrovia City Council, and read the following prepared statement: "I will be tendering my resignation from the Monrovia City Council tonight, to be effective April 30, 2009. I make this announcement tonight to insure that any individual who may be interested in serving our community has adequate notice for the upcoming election. It is my understanding that by delivering this letter to the City Clerk that this decision may not be revoked. I find that after some 18 years of service, I have grown increasingly frustrated with some internal changes within the organization. I do know that these changes have placed me in a position where I feel I could no longer serve. Some may say I have grown impatient and that may be. I want to thank Monrovia for allowing me to serve in this capacity and trust that all will understand my need to move on. Thank you all, Tom Adams."

RCC-4 Councilmember Joe Garcia reported that

(a) There had been vandalism at the Skate Park and the City had felt it necessary to close it until further notice. He reported that when it was initially dedicated there was an honor system with residents and young people using it. He asked that the public respect what Staff was trying to do rather than being confrontational, to bear with Staff, and exercise common sense. He suggested going forward and opening the Skate Park on a trial basis to get a cooperative response from the public. Community Services Director April Soash provided the timeline of the gradual hours and days that it would be open.

RCC-5 Councilmember Mary Ann Lutz reported that

(a) She had attended the Golden Eagle Distinguished Educator Dinner last Friday where Monrovia Superintendent of Schools Louise Taylor was honored. She noted that it was an outstanding event.

Mayor Hammond arrived at 8:12 P.M.

ADMINISTRATIVE REPORTS

AR-1 Award of Contract for the Monrovia Public Library, Bid Group No. 6 for Bid Package ML-20, Library Signage, to Inland Building Construction Companies, Inc., in the Amount of \$69,900.00 and reject all other bids.

Ron Bow, Director of Public Works, reviewed the Staff Report.

On November 6, 2008, the City Clerk received and opened three (3) bids for the Library with the installation of the Library Signage ranging from \$69,900 00 to \$86,027 27 The Engineer's Estimate was \$76,000 00

After evaluating each bid, checking references, insurance and licenses, Inland Building appeared to be the lowest qualified bidder, with excellent references Funding for the project was being provided by the Library Bond proceeds

Mayor Hammond requested that Staff bring back to the December Council Meeting a Library Budget Report, including a contingency and overall savings to possibly return bond money to residents, which he had never recalled happening

It was moved by Councilmember Adams, seconded by Councilmember Lutz, to approve a contract for the Monrovia Public Library, Bid Group No. 6 for Bid Package ML-20, Library Signage, to Inland Building Construction Companies Incorporated, in the amount of \$69,900.00 and reject all other bids. There were no objections

AR-2 Award of Contract to Shaw & Associates, LLC to Develop an Application to the State of California for a State Enterprise Zone in the City of Monrovia, in an Amount not to Exceed \$103,000.00

Lauren Vasquez, Management Assistant, reviewed the Staff Report

Recently, Monrovia had been experiencing a higher than normal turn over by large tax generating corporations and businesses due to competition from neighboring cities These cities were able to provide tax credit incentives, currently not available in Monrovia, to attract these businesses In order for the City of Monrovia to be competitive, and to retain and attract these tax generating businesses, the City needed to be able to provide similar incentives One way the City can provide incentives was by establishing an Enterprise Zone (EZ)

Once an Enterprise Zone was established, any business that wishes to relocate or expand in the area would be eligible for substantial tax credits and benefits There were only 42 Enterprise Zones located throughout California Four of these zones would be available on this 2008-09 designation round

After researching other cities, past EZ designees, the State Department of Housing & Community Development, the Los Angeles County Economic Development Corporation, and the Enterprise Zone Association, Shaw and Associates came with the highest recommendations Staff reviewed the proposed consultant's references and credentials and found them to be extremely qualified

It was moved by Councilmember Adams, seconded by Councilmember Garcia, to authorize the City Manager to enter into a professional services contract with Shaw & Associates, LLC, in the amount not to exceed \$103,000.00, to develop an application to the State of California for a State Enterprise Zone.

**ROLL CALL: Ayes: Councilmembers Adams, Garcia, Lutz, Mayor Hammond
Excused: Mayor Pro Tem Kirby
Motion carried: 4-0**

SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, December 2 2008, 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

ADDED TO THE CLOSED SESSION AGENDA:

It was moved by Councilmember Adams, seconded by Councilmember Lutz, to find that there was a need for immediate action which could not reasonably wait for the next regularly scheduled Meeting, and that the need for such action came to the attention of Staff after the Agenda was

posted, and to add "ACS-3-Real Property Negotiations Pursuant to Government Code §54956.8; for Real Property generally located in the boundaries East of Magnolia Avenue, West of Myrtle Avenue, South of Evergreen Avenue, North of Duarte Road; Agency Negotiators, City Manager and City Attorney; Under Negotiation, Price and Terms of Payment" to the Closed Session Agenda.

ROLL CALL: Ayes: Councilmembers Adams, Garcia, Lutz, Mayor Hammond
Excused: Mayor Pro Tem Kirby
Motion carried: 4-0

ADJOURNMENT TO CLOSED SESSION: At 8 29 P M , Mayor Hammond announced that the City Council would meet in Closed Session to discuss the following matters and would announce the findings at the conclusion of Closed Session

ACS-1 Real Property Negotiations Pursuant to Government Code §54956.8; APN 8530-002-900, Agency Negotiators, City Manager and City Attorney; Under Negotiation, Price and Terms of Payment

ACS-2 Conference with Legal Counsel; Existing Litigation, Government Code §54956.9(a), Glenn Cobb vs. City of Monrovia, Case No. BC395483

ACS-3 Real Property Negotiations Pursuant to Government Code §54956.8; for Real Property generally located in the boundaries East of Magnolia Avenue, West of Myrtle Avenue, South of Evergreen Avenue, North of Duarte Road; Agency Negotiators, City Manager and City Attorney; Under Negotiation, Price and Terms of Payment

RECONVENE AND REPORT OF CLOSED SESSION: City Attorney Steele reported that no reportable action was taken on the following matters

RCS-1 Real Property Negotiations Pursuant to, Government Code §54956.8;APN 8530-002-900, Agency Negotiators, City Manager and City Attorney; Under Negotiation, Price and Terms of Payment

ACS-2 Conference with Legal Counsel; Existing Litigation, Government Code §54956.9(a), Glenn Cobb vs. City of Monrovia, Case No. BC395483

RCS-3 Real Property Negotiations Pursuant to Government Code §54956.8; for Real Property generally located in the boundaries East of Magnolia Avenue, West of Myrtle Avenue, South of Evergreen Avenue, North of Duarte Road; Agency Negotiators, City Manager and City Attorney; Under Negotiation, Price and Terms of Payment

ADJOURNMENT: Mayor Hammond adjourned the Meeting at 9 30 P M in memory of Purificacion Kagaoan, Mother-in-Law of Senior Utility Engineer Jun Cervantes

APPROVED


Rob Hammond, Mayor

ATTEST


Linda B Proctor, MMC, City Clerk