

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, FEBRUARY 19, 2008, 7:30 P.M.**

CONVENE: Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, February 19, 2008, at 7:35 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.

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

INVOCATION: Pastor Jim Connor led the Invocation.

PLEDGE OF ALLEGIANCE: Eagle Scout Frank Ray Pocino led the Flag Salute

PRESENTATIONS/PROCLAMATIONS:

PR-1 Recognition of Eagle Scout Frank Ray Pocino: Mayor Hammond recognized Frank Ray Pocino for his achievement of Eagle Scout status and introduced him to the City Council and the community.

PR-2 Introduction of Newly Hired Police Officer Kelly W. Smith: Captain Jim Hunt introduced newly hired Police Officer Kelly W. Smith to the Mayor, City Council and the community.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Liaison Rachel Jamieson reported on activities at Monrovia High School. Councilmember Lutz noted that Ms. Jamieson was the President of Youth in Government, a partnership with the YMCA to teach students how to run the government, and had done an outstanding job. She reported on the recent conference in Sacramento, the organization's 60th, and the challenges of the 2500 students in attendance. Ms. Jamieson reported that the bill written by her chapter was for vehicle codes relating to student drivers. It was written and conceived by high school students, and went as far as the Senate, where it died. Councilmember Lutz stated she was pleased to have been in attendance at the conference.

UPDATE ON RECENT ACTIVITIES RELATING TO GANGS: Mayor Hammond called upon Police Chief Roger Johnson who presented a brief update regarding gang activities, noting the ongoing relationships between the Monrovia Police Department and Los Angeles Sheriff's Department and agencies throughout San Gabriel Valley who were providing resources to curtail gang activities. He stated that he hoped the residents knew how much was being done to resolve this problem, and that there was much positivism. To date, 109 gang members had been arrested, with some going to jail. He stated that investigations were moving forward, and asked the community's patience as the Police Department moved forward. The recent crisis resulted in a most positive chain of events.

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 February 5, 2008 Regular Meeting of the Monrovia City Council

CC-2 Payroll No. 3 in the Amount of \$577,391.04 and Voucher Nos. 149106 through 149406 in the Amount of \$1,295,616.90

CC-3 Purchase of a New Chevrolet 2500HD 4-Wheel Drive Patrol Vehicle from Sierra Autocars, Inc., in the Amount of 35,175.88 to Replace an Existing Fire Patrol Vehicle: The Fire Patrol vehicle was used to patrol the city hillsides and wilderness preserve, and the current vehicle was now due for replacement. The 4-Wheel Drive Pick Up had proven to be a very effective and dependable patrol

vehicle for the Department Sierra Autocars, Inc , provided the lowest quote received for the vehicle, and the vehicle met Department specifications. Staff recommended approval of the purchase of a new Chevrolet 2500HD 4-Wheel Drive patrol vehicle from Sierra Autocars, Inc , in the amount of \$35,175.88.

CC-4 Amendment of Title 15 of the Monrovia Municipal Code Relating to Fire Sprinklers, Adoption of Ordinance No. 2008-03: This was the final adoption of Ordinance No. 2008-03 amending Title 15 of the Monrovia Municipal Code relating to fire sprinklers. Staff continued to recommend adoption of this ordinance.

CC-5 2008 Local Agency Biennial Notice and Amendment of Conflict of Interest Code to Include Positions That Must be Designated and Deleting Positions That no Longer Exist, Resolution No. 2008-07: California State Government Code Section 87200 required that every state and local government agency adopt a Conflict of Interest Code. The Code listed each position within the agency filled by individuals who made or participated in making governmental decisions, which could affect their personal financial interests. The Code also required individuals holding those positions to file annually disclosing certain personal interests. The State also required that each agency's Conflict of Interest Code be reviewed every other year in the even numbered year to be certain that the list of filers was consistent with government code.

The adoption of Resolution No. 2008-07 would bring Monrovia's Conflict of Interest Code current with respect to the Fair Political Practices Commission requirements by adding the positions of Deputy City Manager, Fire Marshall, and Deputy Fire Marshall, and by deleting the disbanded Wilderness Preserve Steering Committee. The resolution also incorporated by reference the standard Conflict of Interest Code prepared by the Fair Political Practices Commission (FPPC) and repealed the existing Conflict of Interest Code, Resolution No. 2006-12.

CC-6 Denial of Liability Claim; State Farm Insurance on behalf of Dianne Biggle vs. City of Monrovia: Ms. Biggle's insurer alleged that her vehicle was damaged when a City tree limb fell onto it on August 31, 2007. The tree showed no sign of visible disease or decay and had been regularly inspected and maintained. Therefore, the City bore no responsibility in this matter. Staff recommended that the City Council deny this claim.

CC-7 Initiation of Proceedings for the Levy and Collection of Assessment and Order the Preparation of the Engineer's Report for the 2008-09 Fiscal Year Citywide Lighting and Landscape Maintenance Assessment District, Resolution No. 2008-10: The Citywide Lighting and Landscape Maintenance Assessment District had been in existence since the early 1980's. It provided funding for the maintenance of public street lighting and traffic signals, maintenance of street trees, maintenance of landscaping of street median and parkway areas including Myrtle Avenue, Huntington Drive, Cypress Avenue and Maple Avenue, and maintenance of landscaping of parkway areas for the Gold Hills Development area.

CC-8 Initiation of Proceedings for the Levy and Collection of Assessment and Order the Preparation of the Engineer's Report for the 2008-09 Fiscal Year Park Maintenance Assessment District, Resolution No. 2008-11: The Park Maintenance District provided funding for the maintenance of Canyon, Library, Recreation, Rotary, Olive Avenue, Julian Fisher, and Grand Avenue Parks. As authorized by the City property owner voters when this District was formed in Fiscal Year 1997-98, the proposed assessments for Fiscal Year 2008-2009 could be changed from the assessments of Fiscal Year 2007-2008 by the federally calculated Consumer Price Index cost of Living Adjustment of an estimated increase of 4.2%. For those parcels of land that underwent subdivision or consolidation during the past year there would also be changes in assessments not requiring voter approval.

PUBLIC INPUT:

1. Cyrus Kemp, Monrovia
2. Robert Parry, Monrovia
3. Minister Jones, Enough is Enough, Monrovia
4. Chuck Keen, Monrovia

Mayor Hammond responded to Minister Jones' explanation of the organization to combat gang violence and activities. He reported on the rally held on February 18, 2008, where 500 people were in attendance.

He encouraged all who wished to become involved to call any of the organizations working towards these goals, the Community Center, or City Hall. He explained the numerous ways to become involved, noting that there were plenty of opportunities. He thanked City Staff for its assistance.

City Manager Ochoa responded to Mr. Parry's statements, and stated that a suitable date would be found other than the proposed March 5th date to have the neighborhood meeting. All the information would be posted on the website, and those who could not attend, could respond through the website.

PUBLIC HEARINGS/MEETINGS:

PH-1 Opened and Continued from February 5, 2008; Appeal of the Planning Commission's Decision Upholding the Development Review Committee's Decision of DRC2007-135 Approving Roof Mounted Wireless Telecommunication Panels with a Mansard Roof Design in Lieu of the Applicants Proposal to Screen the Equipment with a Partial Parapet Design at 428 West Chestnut Avenue by Sequoia Deployment Services, Inc.

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

The JP Paper Shredder recycling center had operated at the subject site for over 33 years. Improvements on the site were destroyed by fire in October 2002 and a conditional use permit was granted in 2003 approving the construction of an 8,000 square foot building for the recycling business. The new building was occupied by JP Paper Shredder in 2004. Roof mounted wireless communication facilities were reviewed and approved by the Development Review Committee (DRC), whereas, freestanding antennae structures require a Major Conditional Use Permit approval by the Planning Commission. An application to install roof mounted wireless telecommunications panels with a partial parapet to screen the panels was reviewed by the DRC on July 25, 2007. The DRC recommended a mansard roof design and continued the item. On September 26, 2007, the DRC reviewed a "partial" mansard roof design and approved the mansard roof design requiring it to wrap the "entire" building with the exception of the south side where the mansard roof would be returned on either side and the remainder would be open. The applicant appealed the decision to the Planning Commission. On November 14, 2007, the Planning Commission upheld the DRC decision and the applicant had now appealed the decision to the City Council.

When the new building was reviewed by Staff and the Planning Commission in 2003, the design of the proposed 26' high building was a concern because it was going to be highly visible in a low-building profile area. The proposed partial parapet increased the height of the front portion of the building to 34' which creates a third floor, unbalanced design. The Planning Commission upheld the DRC decision recommending the mansard roof design wrapping around the entire building with the exception of the south side where the mansard roof would be returned on either side because it would appear more original to the building's design and not as an after thought. The applicant was opposed to the mansard roof design approved by DRC (and upheld by the Planning Commission) and requested to construct their proposed partial parapet design and would also agree to the partial mansard roof design only on the front of the building.

PUBLIC HEARING OPENED: Mayor Hammond opened the Public Hearing.

Opposed: None

In favor:

1. Pete Shubin, T-Mobile, Irvine
2. David Fernandez, Monrovia, Integrated Home Theater business
3. Donna Leiby, J & P Shredders, Monrovia
4. Thomas Hoffman, Patton, Faith and Sandford, Monrovia
5. Bill Brooks, Monrovia
6. Gideon Leiby, co-owner, J & P Shredders

Mayor Hammond stated that as the engineering report had just been received by the City Council prior to the Meeting, he would like the matter continued for 30 days. City Manager Ochoa noted that the engineer report was not available at the DRC meeting either. After discussion, it was moved by Mayor Hammond, seconded by Councilmember Adams, to continue the Public Hearing to March 18, 2008.

The final issue brought up at the previous Public Hearing was the conversion of rental units to "for sale" units. It had been a long standing policy for the City to provide for more homeownership opportunities for all levels of income in the City, particularly for low and moderate income households. One of the driving points had been the level of homeownership in the City versus rental units. In comparison to surrounding cities, Monrovia had a lower homeownership rate than surrounding cities. Monrovia's homeownership rate of 48 percent was the second lowest ownership rate in comparison to surrounding cities. As housing gets more expensive in Monrovia, the conversion of rental units to condominium units was more likely to happen. This would lead to a reduction of rental units. However, on the flip side, this would make more entry level housing available to households who might not otherwise be able to afford to buy a home in Monrovia.

The conversion to condominium units on this site was compatible with surrounding multiple family residential uses in the area. The conversion of apartment units to condominiums would not pose an adverse effect to traffic circulation in the area, as the use would not be intensified any further from its existing use. The parking on this project would be modified to meet current development guidelines by offering 2-car garages for 25 units, seven 1-car garages for the affordable housing units and 15 guest parking spaces. The architecture of the building would remain the same and the fences for the private recreation areas throughout the development would blend with the existing architectural features. All current wrought iron fencing which enclosed the development would be removed. An on-site traffic mitigation proposal would be submitted in efforts to offset through traffic entering/exiting from the opposing streets of Alamitas and Monterey Avenues. The project was in compliance with City and State regulations and the upgrades such as parking, fencing and landscaping along with the 7 units that would be provided as affordable units were a positive attribute. The proposed conversion would provide additional ownership opportunities in Monrovia.

At its meeting of September 12, 2007, the Planning Commission voted to recommend approval to the City Council.

Mayor Hammond expressed concern regarding the noise survey and requested that the Public Hearing be opened and continued for a 30 day period to March 18, 2008.

PUBLIC HEARING OPENED: Mayor Hammond opened the Public Hearing.

In favor.

1. Applicant Vance Pomeroy

It was moved by Mayor Hammond, seconded by Councilmember Adams, to continue the Public Hearing to March 18, 2008.

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

CONVENE MONROVIA REDEVELOPMENT AGENCY MEETING WITHOUT ADJOURNING CITY COUNCIL MEETING

MRA CONVENE: Chairman Rob Hammond convened the Regular Meeting February 19, 2008 of the Monrovia Redevelopment Agency Board of Directors at 10.03 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, Mary Ann Lutz, Vice-Chairman Dan Kirby, and Chairman Rob Hammond.

CONSENT CALENDAR: It was moved by Boardmember Lutz, seconded by Boardmember Garcia, to approve the Consent Calendar. There were no objections. The Consent Calendar consisted of the following Agenda item:

MRA CC-1 Unadopted Minutes of the February 5, 2008, Regular Meeting of the Monrovia Redevelopment Agency

MRA PUBLIC HEARINGS: None

MRA ADMINISTRATIVE REPORTS: None

MRA ADJOURNMENT: Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 10.03 P.M. and the City Council Meeting continued.

RECONVENE MONROVIA CITY COUNCIL MEETING

REPORTS OF CITY COUNCILMEMBERS AND SUBCOMMITTEES:

RCC1 Mayor Hammond reported that

(a) Anyone who was interested in joining in on any of the activities resulting from the community meetings should call City Hall or Community Services Department, as well as checking the City website.

RCC2 Mayor Pro Tem Kirby reported that

(a) Good things had resulted from people getting together and breaking the chains of violence which promoted healing. He thanked Father Charles and Reverend Dillard for bringing people together, and thanked Elder Cooper from the Second Baptist Church for giving a rousing speech and reaching out to the young people. He stated that the City would find time to get the groups together at regular intervals, and encouraged these groups to stay together in common events.

(b) May 1, 2008 was the National Day of Prayer

RCC3 Councilmember Adams reported that:

(a) He requested that Public Works change the signs that noted "No Parking after 8AM" when the Street sweeper starts sweeping at 7 A.M., or change the Street sweeping time.

RCC4 Councilmember Garcia reported that

(a) He attended the League meeting that he had reported on at the last City Council Meeting. He reviewed the contents of the meetings

RCC5 Councilmember Lutz reported that she had no report at this time.

REPORTS OF STAFF MEMBERS: There were none.

ADMINISTRATIVE REPORTS:

AR-1 Purchase of New Alternative Fuel Vehicle from Sierra Autocars, Inc., in the Amount of \$23,783.43

Battalion Chief Scott Haberle reviewed the Staff Report

The Fire Department currently replaced command Staff, and utility vehicles on a five-year rotational basis. The Fire Prevention vehicle was used by inspectors to complete daily business inspections and other Fire Prevention duties. The current vehicle was now due for replacement.

Sierra Autocars, Inc. provided the lowest quote received for the vehicle, and the vehicle met department specifications.

It was moved by Councilmember Lutz, seconded by Mayor Pro Tem Kirby, to approve the purchase of a 2008 Chevrolet Malibu Hybrid vehicle from Sierra Autocars, Inc., in the amount of \$23,783.46. There were no objections.

SCHEDULED MEETINGS: Mayor Hammond announced that the next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, March 4, 2008, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

ADJOURNMENT TO CLOSED SESSION: At 10.15 P.M., Mayor Hammond reported that the City Council would adjourn to Closed Session to discuss the following matter and would reconvene to report of Closed Session:

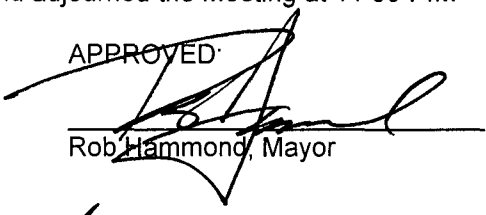
ACS-1 Conference with Labor Negotiator pursuant to Government Code §54957.6; Agency Negotiator: Theresa St. Peter; Group Employees: All Groups

RECONVENE AND REPORT OF CLOSED SESSION: At 11:00 P.M., Mayor Hammond reconvened the City Council Meeting. City Attorney Steele reported that there was non-disclosure of otherwise reportable action taken as negotiations were not complete and/or final agreement was not approved regarding the following matter

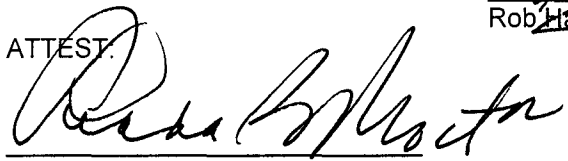
RCS-1 Conference with Labor Negotiator pursuant to Government Code §54957.6; Agency Negotiator: Theresa St. Peter; Group Employees: All Groups

ADJOURNMENT: Mayor Hammond adjourned the Meeting at 11 00 P.M

APPROVED


Rob Hammond, Mayor

ATTEST


Linda B Proctor, MMC, City Clerk