

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY MARCH 12 7 30 P M**

CONVENE Following a Study Session at the Police Department Community Room 140 East Lime Avenue from 6 15 P M to 7 11 P M at which all Councilmembers were in attendance with the exception of Mayor Blakely who was excused to discuss the Annual Contract between the City of Monrovia and Community Media of the Foothills Mayor Pro Tem Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday March 12 2002 at 7 30 P M in City Council Chambers 415 South Ivy Avenue Monrovia California

INVOCATION Pastor Greg Douglass United Methodist Church led the Invocation

PLEDGE OF ALLEGIANCE Victor M Franco Councilmember led the Pledge of Allegiance

ROLL CALL In attendance were Councilmembers Tom Adams Victor M Franco Joe Garcia and Mayor Pro Tem Rob Hammond Mayor Lara Larramendi Blakely was excused

REPORT OF CLOSED SESSION (S)

February 26 2002

1 Personnel Public Employee Appointment Pursuant to Government Code §54957 City Attorney

City Manager Donald R Hopper stated that the result of the Closed Session was the recommendation to retain the law firm of Richards Watson & Gershon

2 Conference with Legal Counsel Existing Litigation Government Code §54956 9(a) Pasillas et al v City of Monrovia Los Angeles Superior Court Case No BC257273
City Manager Hopper stated that no reportable action was taken

PRESENTATIONS

1 **Recognition of 3M Unitek Corporation Albertson's Inc Lawry's Foods Inc Mervyn's Sav-on Drugs Von's Pavilions and Yost Printers & Lithographers for Their Exemplary Recycling and Waste Prevention Practices in 2001**

Tammy Evans Management Analyst I assisted Mayor Pro Tem Hammond in recognizing 3M Unitek Corporation Albertson's Inc Lawry's Foods Inc Mervyn's Sav-on Drugs Von's Pavilions and Yost Printers & Lithographers for their exemplary recycling and waste prevention practices in 2001 and introduced them to the City Council and the community

2 **Recognition of Youth Commission for Their Participation in Recent Unity Center Fundraiser and Presentation of Donation to Skate Park**

Kern Zessau Recreation Coordinator and Joan Whitenack Director of the Foothill Unity Center recognized the Youth Commission for their participation in the recent Unity Center Pot of Gold Rummage Sale Fundraiser which raised \$2 100 35 and introduced them to the Mayor Pro Tem City Council and community Ms Whitenack stated that the Youth Commission also assisted in delivering \$50 00 gift certificates to over 650 families in need the day after the rummage sale Ms Whitenack presented a check for \$1 050 18 to Dayshia Boykins Chair of the Youth Commission representing half of the funds raised at the rummage sale Boardmembers Lisa Luna Yaneth Sanchez and Lizabeth Sanchez of the Youth Commission introduced themselves to the Mayor Pro Tem and City Council and along with Ms Boykins presented their check to the City Council as a donation to the Skate Park Project

PROCLAMATIONS None

STUDENT GOVERNMENT REPRESENTATIVE REPORT Student Government Liaison Matt Binford reported on activities at Monrovia High School

A CONSENT CALENDAR

It was moved by Councilmember Franco seconded by Councilmember Garcia to approve the Consent Calendar consisting of Items *E-3 *F-1 *H-1 *I-1 *I-2 *I-3 *I-4 *J-1 and *K

ROLL CALL Ayes Councilmembers Adams Franco Garcia and Mayor Pro Tem Hammond
Excused Mayor Blakely
Motion carried 4-0

***B MINUTES** None

C ORAL COMMUNICATIONS

1 Bill Beebe Monrovia spoke about Monrovia Arts Festival Association and introduced Steve Tobia who explained the Renaissance Award Mr Tobia introduced Bill Hyatt who presented a model of a sculpture which will represent what they hope will be in the Monrovia Arts District Mr Tobia reminded Council that they had been invited at the last Council Meeting to be the Honorary Committee for the Renaissance Award and hoped they would still consider that Mr Tobia stated that recipients of the Award will be announced at the next Council Meeting

2 Tom O Connell Monrovia thanked everyone for their good wishes while he was ill and in the hospital and commended the Police and Fire Departments for their kindness towards him

3 Joan Whitenack Foothill Unity Center gave a report on the Hoop Challenge Fundraiser and gave information on the Golden Plate Award and Heart in Hand Humanitarian nominations

4 Karen Suarez Community Media of the Foothills Board Chair thanked the City Council and Staff for their time consideration and support for Community Media of the Foothills and stated that they are working with the school district to have a Student Liaison on the Board She also recognized Peter Hoffman of Sierra Auto Cars and LA Turf Club for each of their \$1 000 00 donations She reminded the Councilmembers and community that the Community Media of the Foothills meets the first Thursday of each month in Council Chambers and encouraged anyone who is interested to attend

D PUBLIC MEETINGS/HEARINGS

1 **Tentative Tract Map TTM53775/Conditional Use Permit CUP2002-05 Construct a Detached 6-Unit 2-Story Planned Unit Development in the RH (Residential High Density) Zone at 210-212 Violet Avenue Foothill Pacific Homes LLC Developer**

At 7 55 P M Councilmember Adams stated that he would be abstaining on this item and left Council Chambers

Alice Griselle Director of Community Development reviewed the Staff Report

The applicant requested approval of a Tentative Tract Map for a six (6) unit Planned Unit Development (PUD) The property is located on the east side of Violet Avenue between Linwood and Palm Avenues The site is 75 4 feet wide by 300 33 feet deep with a total area of 22 645 square feet The zoning on the property is RH (Residential High Density) as are the properties across the street and to the north that front Linwood Avenue To the south the properties are zoned RM3500 (Residential Medium Density) most of which front Palm Avenue

The six detached two story units are located on the north side of the property and are served by a common driveway along the south The applicant has planned the site to accommodate the two large oak trees (a 36" oak about 8 back from the front property line and a 30 oak tree setback approximately 60 feet) making them a focal point for the development A certified arborist has visited the site and based on his review of the proposed site plans made recommendations for the

preservation of the trees The design of the driveway is based on his recommendations The paved driveway area will be a partially concrete and turf block The turf block will allow the tree to receive natural irrigation from rainfall and allow a "paved" surface for vehicle access protecting the root structure from vehicular traffic

The project's density is consistent with the lower density RM3500 zone to the south The front unit is setback 30 and is oriented toward the street The proposal meets or exceeds all of the zoning requirements (e g setback building separation parking and recreation area)

The units are a modern Craftsman design The floor plans roof design and window placement of each of the units has been designed to visually minimize the impact to surrounding properties by using a sloping roof across the entire second story of the north elevation with only gabled windows piercing the slope Those windows will be situated five feet above the floor level

The applicant has addressed Staff's concerns and incorporated each recommendation into the final design In addition to the required Public Hearing notification sent out by the City the applicant notified adjacent property owners of the proposal and met with them to discuss solutions to mitigate their concerns

The Planning Commission recommended approval of the project

Councilmember Franco asked Staff if it would help street parking issues to add one more guest parking space instead of additional landscaping Ms Griselle stated that it is possible and should not affect the overall project

Public Hearing opened Mayor Pro Tem Hammond opened the Public Hearing

Those speaking for the matter were

- 1 Richard Tipping Foothill Pacific Homes
- 2 Carlos Delgatto 619 W Palm Monrovia
- 3 Tony Bordigi 618 Linwood Monrovia

Those speaking against the matter were

None

PUBLIC HEARING CLOSED Mayor Pro Tem Hammond closed the Public Hearing as there was no one else who wished to speak for or against the matter

It was moved by Councilmember Garcia seconded by Councilmember Franco to approve Tentative Tract Map No 53775/Conditional Use Permit CUP2002-05 subject to the recommendations in the Staff Report with the addition of one guest parking space

ROLL CALL

Ayes	Councilmembers Franco Garcia Mayor Pro Tem Hammond
Abstain	Councilmember Adams
Excused	Mayor Blakely
Motion carried	3-0

Councilmember Adams returned to Council Chambers at 8 08 P M

CONVENE MONROVIA REDEVELOPMENT AGENCY MEETING WITHOUT ADJOURNING CITY COUNCIL MEETING

CONVENE Vice-Chairman Rob Hammond convened the Regular Meeting of March 12 2002 of the Monrovia Redevelopment Agency Board of Directors at 8 09 P M in City Council Chambers without adjourning the City Council Meeting

ROLL CALL Those in attendance were Boardmembers Tom Adams Victor M Franco Joe Garcia and Vice-Chairman Rob Hammond Chairman Lara Larramendi Blakely was excused

A CONSENT CALENDAR None

***B MINUTES** None

MRA REPORTS

1 Agreement Providing for Rehabilitation of Aztec Hotel and Creation of Affordable Housing

This item was removed from the Agenda to be discussed at a future Meeting

ADJOURN Vice Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 8 09 P M and the City Council Meeting continued

RECONVENE MONROVIA CITY COUNCIL MEETING

**CONVENE MONROVIA FINANCING AUTHORITY MEETING
WITHOUT ADJOURNING CITY COUNCIL MEETING**

CONVENE Vice-President Hammond convened the Regular Meeting of March 12 2002 of the Monrovia Financing Authority Board of Directors at 8 10 P M in City Council Chambers without adjourning the City Council Meeting

ROLL CALL Those in attendance were Authority Commissioners Tom Adams Victor M Franco Joe Garcia and Vice-President Rob Hammond President Lara Larramendi Blakely was excused

A CONSENT CALENDAR *B

It was moved by Authority Commissioner Adams seconded by Vice-President Hammond to adopt the Consent Calendar consisting of item *MFA-1

ROLL CALL Ayes Authority Commissioners Adams Franco Garcia Vice-President Hammond
Excused President Blakely
Motion carried 4-0

***B MINUTES** The Minutes of the Special Meeting of February 26 2002 were approved by order of the Consent Calendar

ADJOURN Vice-President Hammond adjourned the Monrovia Financing Authority Meeting at 8 11 P M and the City Council Meeting continued

RECONVENE MONROVIA CITY COUNCIL MEETING

E BIDS

It was moved by Councilmember Franco seconded by Councilmember Adams to reconsider item *E-3 There were no objections

Councilmember Franco asked what would become of the two-way radios that are being replaced City Manager Hopper stated that the radios would continue to be used by Community Services Recreation Staff until they no longer functioned

1 Skate Park Construction Project Award of Contract to California Landscape and Design Inc in the amount of \$308 000 00

H REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

1 Mayor Blakely was excused

2 Mayor Pro Tem Hammond reported that

- (a) He thanked everyone who participated in Monrovia Reads Program Thursday and explained the purpose of the program He stated that over 200 people volunteered to read in a classroom and encouraged anyone who hadn't participated before to volunteer at the next event which will be in November
- (b) He attended the Coronation Dinner of the 2002-03 Monrovia Days Court and congratulated Tiffany Parker who was crowned as Queen as well as the other members of the Court He also thanked Bill and Debbie Bebee and the other members of the Monrovia Day Association for such a beautiful event

3 Councilmember Adams reported that

- (a) He attended the Coronation Dinner of the Monrovia Days Court and congratulated Tiffany Parker who was crowned as Queen

4 Councilmember Franco reported that

- (a) Everyone was saddened by the retirement of Chief Joe Santoro congratulated him for the great work he's provided the City noted that the Chief will be greatly missed and wished him the best
- (b) He attended the Coronation Dinner of the Monrovia Days Court
- (c) He reminded hillside residents of the opportunity to remove hazardous brush and have it chipped and hauled away
- (d) He was excited about working with the Monrovia Arts Festival Association and thought the Renaissance Award was appropriate for our City
- (e) He was pleased by the Monrovia Volunteer Tutor Program and congratulated Gloria Salas and the students of Santa Fe and Clifton middle schools for their hard work

5 Councilmember Garcia reported that

- (a) This matter was taken out of order before Item E-2
- (b) He went with City Manager Hopper to Sacramento to lobby for the state legislators hillside acquisitions program and met with the Deputy Governors office
- (c) He attended the League of California Cities Los Angeles Division meeting on Terrorism He stated that the Housing Element Reform Bill AB2863 was introduced an alternative to SB910 which was introduced last year and was widely opposed He stated that AB2863 is an excellent alternative and will forward the information to Staff in order to prepare a Resolution of Support

H REPORTS OF COMMISSIONS BOARDS AND COMMITTEES None

***1 Fourth Extension Hillside Land Acquisition Gary Miller Property (8501-009-008 8503-003-006 8503-015-005) Negotiations Extension**

This item was approved by order of the Consent Calendar

The City Council at its meeting of October 23 2001 agreed to make the Gary Miller property a top priority in the hillside land acquisition program This was consistent with the recommendation of the City's Wilderness Preserve Steering Committee

On December 11 2001 the City Council approved a 30 day option agreement with Mr Miller giving the City the exclusive right to purchase the subject property The option agreement was designed to show "good faith" regarding the City's desire to pursue the Miller property The original option agreement included a payment of \$40 000 00 (\$20 000 00 per parcel) to extend the current negotiations until January 9 2002 On January 9 2002 a second option agreement was approved extending the negotiations to February 13 2002 The second option agreement included a payment of \$50 000 00 (\$25 000 00 per parcel) On February 12 2002 a third option agreement was approved extending the negotiations to March 12 2002 The third option agreement also included a

payment of \$50 000 00 (\$25 000 00 per parcel) The payments are to be applied to the purchase price of the property

The final determination from the State Wildlife Conservation Board regarding the approval of matching funds to acquire the Miller property will not be made until May 23 2002 As a result it is necessary to again extend the negotiations with another agreement Associated with each extension of the agreement is a payment to be applied to the purchase price of the property A payment of \$50 000 00 (\$25 000 00 per parcel) is required to extend the agreement through April 9 2002 Any additional extension will also require City Council approval

It is important to note that the City continues to pursue the State Wildlife Conservation Board matching funds and that the City share will come from voter approved Measure B funds This process is ongoing and also contingent upon the State approval of the Miller property appraisal The Wildlife Conservation Board decision on the City's matching funds application is scheduled for May 23 2002

The Wilderness Preserve Steering Committee recommended to the City Council the approval of the Option Agreement

I ADMINISTRATIVE REPORTS

***1 Set for Public Hearing on March 26 2002 Historic Landmark HL-38/Mills Act Contract MA-36 for Property Located at 243 North Encinitas Avenue by Owners Alan and Audrey Remedios Resolution 2002-14**

This item was approved by order of the Consent Calendar

At its meeting of February 27 2002 the Historic Preservation Commission recommended approval of Historic Landmark designation and execution of a Mills Act Contract for the house located at 243 North Encinitas Avenue to the City Council

Staff recommended setting March 26 2002 as the date of the Public Hearing

***2 Set for Public Hearing on March 26 2002 Historic Landmark HL-39/Mills Act Contract MA-37 for Property Located at 205 North Encinitas Avenue by Owners Lesley and Ron Austin Resolution 2002-15**

This item was approved by order of the Consent Calendar

At its meeting of February 27 2002 the Historic Preservation Commission recommended approval of Historic Landmark designation and execution of a Mills Act Contract for the house located at 205 North Encinitas Avenue to the City Council

Staff recommended setting March 26 2002 as the date of the Public Hearing

***3 Set for Public Hearing on March 26 2002 Historic Landmark HL-40/Mills Act Contract MA-38 for Property Located at 111 McKinley Place by Owners Susan and Alejandro de la Loza Resolution 2002-16**

This item was approved by order of the Consent Calendar

At its meeting of February 27 2002 the Historic Preservation Commission recommended approval of Historic Landmark designation and execution of a Mills Act Contract for the house located at 111 McKinley Place to the City Council

Staff recommended setting March 26 2002 as the date of the Public Hearing

***4 Five-Year Weed Abatement Services Agreement Between the City of Monrovia and the County of Los Angeles Agricultural Commissioner/Weights and Measures Department**

This item was approved by order of the Consent Calendar

Every five years it is necessary to renew the City's contract with Los Angeles County Department of Agricultural Commissioner Weights and Measures Office for the identification of properties that contain weeds brush and/or rubbish constituting an existing or potential health and safety hazard to adjacent property owners

Staff recommended approval of the Agreement for the years 2002-2007

5 Agreement With the Law Firm of Richards Watson & Gershon to Serve as City Attorney for the City of Monrovia as well as Special Counsel to the Monrovia Redevelopment Agency

Theresa St Peter reviewed the Staff Report

The City contracts for City Attorney services The City Council selects a firm as well as the individuals in the firm to be appointed as City Attorney and Assistant City Attorney Michael Colantuono previously provided City Attorney services on an interim basis as a member of the law firm of Neufeld Jaffe Levin & Colantuono A Request for Proposal was prepared in October 2001 soliciting firms to compete for the position of a contract City Attorney Eighteen firms responded and were interviewed City Council ultimately selected Richards Watson & Gershon to provide the required services for the City of Monrovia

City Attorney services can be provided in one of two ways by hiring an individual on a full-time basis as a City employee or by contracting with a firm to provide these services General services normally performed by a City Attorney include responding to inquiries of Staff and Council advising the City on changes in the law preparing and/or reviewing contracts resolutions ordinances and legal opinions attending meetings as well as overseeing the work of any other attorneys utilized For a city the size of Monrovia it makes more sense to utilize these services on a contract basis

It has been the City's desire to obtain general City Attorney services on a flat rate monthly retainer basis This as opposed to an hourly billing rate will ensure that the City would obtain the necessary legal expertise without overemphasis on the cost of each phone call or fraction of an hour spent preparing and/or reviewing of documents by the City Attorney This would also assist with budget activities as Staff would then have a reasonably accurate forecast of monies to be allocated for City Attorney services on an annual basis

The Agreement with Richards Watson & Gershon provides for a flat monthly retainer of \$15 500 00 (estimating that the City will require an average of 100 hours of City Attorney services) per month Included in this retainer are all general services provided by the City Attorney such as those indicated above Any special projects or services that the City Manager and the City Attorney agree will take over ten hours to complete will be billed separately Additionally litigation and related services will also be billed separately The rates established per the contract will remain in effect through February 28 2005

By entering into this Agreement with Richards Watson & Gershon the City will gain the benefit of being able to draw on the expertise of other members of the firm in areas such as contract law environmental issues land use planning redevelopment municipal finance and general and police liability issues as they have over sixty attorneys Additionally our prior experience in working with this firm has shown us that having this depth of expertise is beneficial when dealing with the myriad of issues that may face the City

Craig Steele will serve as City Attorney His specialty is land use and election law matters Mr Steele previously worked with the City on the Madison and Cloverleaf Specific Plans and drafted the hillside ballot measure Carol Lynch will serve as Assistant City Attorney Ms Lynch's specialties

K PAYROLL & VOUCHERS Payroll No 5 in the net amount of \$411 912 69 and Voucher Numbers 101056 through 101427 non-sequentially in the amount of \$872 520 80 were approved by order of the Consent Calendar

L SCHEDULED MEETINGS

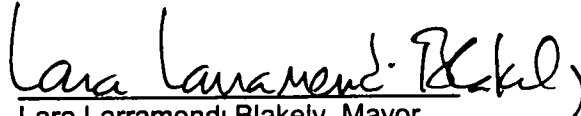
The next Regular Meeting of the Monrovia City Council is scheduled for Tuesday March 26 2002 7 30 P M City Council Chambers 415 South Ivy Avenue Monrovia California

M ORAL COMMUNICATIONS IF NEEDED None

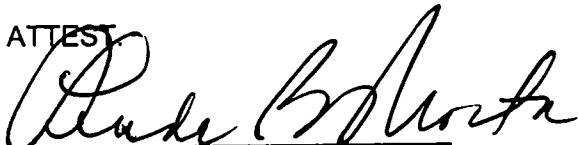
N CLOSED SESSION None

O ADJOURN Mayor Pro Tem Hammond adjourned the Meeting in Memory of Ann B Sullivan Honorary Monrovia and sister of Linda B Proctor at 8 32 P M

APPROVED


Lara Larramendi Blakely Mayor

ATTEST


Linda B Proctor CMC City Clerk