

**MINUTES OF THE REGULAR MEETING OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, MARCH 20, 2012, 7:30 P.M.**

CLOSED SESSION: Mayor Lutz convened the Closed Session Meeting of the Monrovia City Council at 6:00 p.m. on Tuesday, March 20, 2012, in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, at which all Councilmembers were present to discuss the following Closed Session items: CC-1 Conference with Labor Negotiator pursuant to Government Code §54957.6; Agency Negotiator: Danielle Tellez; Group Employees: Monrovia Municipal Employees Association and Monrovia Firefighters Association; CC-2 Real Property Negotiations Pursuant to Government Code §54956.8; a Portion of Real Property Located at 1622 South Magnolia Avenue, 200-204 West Pomona Avenue, and 1675 South Primrose Avenue; Agency Negotiator: Interim City Manager; Negotiating Parties: The Parks at Monrovia Station Square I LLC, The Parks at Monrovia Station Square II LLC and Samuelson & Fetter LLC; Under Negotiation: Price and Terms of Payment; and CC-3 Conference with Legal Counsel, Existing Litigation Pursuant to Government Code §54956.9 (a); Metro Gold Line Foothill Extension Construction Authority v. City of Monrovia, Monrovia Redevelopment Agency et al, Case No. BC476000. The meeting adjourned at 7:30 p.m.

CONVENE: Mayor Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, March 20, 2012, at 7:34 p.m. in City Council Chambers. In attendance were Interim City Manager Mark Alvarado, City Attorney Craig A. Steele, and City Clerk Alice D. Atkins.

INVOCATION: Pastor Myriam Gonzalez led the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Becky A. Shevlin led the Pledge of Allegiance.

ROLL CALL: In attendance were Councilmembers Tom Adams, Becky A. Shevlin, Larry Spicer, Mayor Pro Tem Joe Garcia, and Mayor Mary Ann Lutz.

REPORT OF CLOSED SESSION: City Attorney Craig A. Steele stated that no reportable action was taken.

PRESENTATIONS/PROCLAMATIONS:

PR-1 Recognition of Monrovia Resident Monet Bagneris, Miss Los Angeles County 2012: The Mayor and City Council presented a Certificate of Recognition to Monrovia resident Monet Bagneris, who was crowned Miss Los Angeles County 2012 in the 80th Annual Miss Los Angeles County Pageant. Ms. Bagneris would go on to represent Los Angeles County in the Miss California Pageant in June.

PR-2 Recognition of the Maryknoll sisters Centennial Celebration: The Mayor and City Council presented a Certificate of Recognition to the Maryknoll Sisters in honor of their centennial celebration. The Maryknoll sisters were founded 1912 by Mollie Rogers and, among other endeavors, established a tuberculosis hospital in Monrovia in 1930. The former hospital was converted into a retirement facility for returned missionaries, and the Sisters continued to do work in the Monrovia and Los Angeles areas.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Liaison Kevin Greenwood reported on *past and upcoming* events at the high school.

ORDER OF BUSINESS: Interim City Manager Mark Alvarado stated that there were no changes to the order of business.

CONSENT CALENDAR: It was moved by Mayor Pro Tem Garcia, seconded by Councilmember Shevlin, to approve the consent calendar. Item CC-5 was pulled due to a potential conflict of interest for a majority of Councilmembers. The motion carried unanimously. The Consent Calendar consisted of the following Agenda items:

CC-1 Unadopted Minutes of the March 6, 2012, Regular Meeting of the Monrovia City Council: The Minutes were approved as presented.

CC-2 Payroll No. 6 in the Amount of \$476,378.93 and Voucher Nos. 176406 through 176621 (Checks) and 84 through 91 (EFT) in the Total Amount of \$1,047,488.54: The City Council approved the Payroll and Vouchers as presented.

CC-3 Contract with Pyro Spectaculars in the Amount of \$20,500.00 for Production of the 2012 Fourth of July Fireworks Show: The City Council approved a contract with Pyro Spectaculars in the amount of \$20,500.00 for production of the 2012 Fourth of July Fireworks and authorized the City Manager to execute the necessary documents.

CC-4 Set for Public Hearing on April 3, 2012; Tentative Tract Map No. 71883, Conditional Use Permit CUP2012-01 for Property Located at 547 West El Norte Avenue; Dexter El Norte, LLC, Applicant: The City Council set April 3, 2012, as the date of the Public Hearing.

CC-5 Set for Public Hearing on April 3, 2012; Tentative Tract Map No. 71889, Conditional Use Permit CUP2012/02/Variance V2012-02 for Property Located at 212-216 West Olive Avenue; Bowden Development, Inc., Applicant: Due to a potential conflict of interest for a majority of the Councilmembers, this item was pulled for discussion following Administrative Reports.

CC-6 Legislative Bulletin: The City Council approved the Legislative Bulletin and directed Staff to contact Monrovia's representatives.

PUBLIC INPUT

1. Jamie Holes, Monrovia
2. Timothy Ritchie, Monrovia
3. James Holes, Monrovia
4. Bill Beebe, Monrovia Fine Arts Association
5. Pam Fitzpatrick, Old Town Merchants
6. Tate Ramsey, Southern California Edison

Interim City Manager Alvarado and City Attorney Steele responded to concerns brought up by speaker nos. 1 through 3 regarding a "smoke shop" that had obtained a business license for operation in the 500 block of South Myrtle Avenue. Mayor Lutz directed Staff to bring back options available to the City Council relating to a possible moratorium.

PUBLIC HEARINGS / MEETINGS: None

REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

RCC-1 Mayor Lutz:

- (a) SGVCOG Governing Board meeting highlights.
- (b) Santa Fe Middle School and Plymouth Elementary School Science Olympiad Contest awards.

RCC-2 Mayor Pro Tem Garcia had no report.

RCC-3 Councilmember Adams had no report.

RCC-4 Councilmember Shevlin:

- (a) Upcoming events in the community.

RCC-5 Councilmember Spicer:

- (a) Monrovia Police Department, recipients of the John Q. Wilson Award from Governor Brown.

ADMINISTRATIVE REPORTS:

AR-1 Shopping Card Containment, Retrieval and Abatement Regulations Update

Sheila Spicer-Batice, Neighborhood and Business Services Supervisor, reviewed the Staff Report.

Following brief discussion, **it was moved by Councilmember Shevlin, seconded by Councilmember Spicer, to receive and File the Update on Shopping Cart Containment, Retrieval and Abatement Regulations.** The motion carried unanimously.

AR-2 Review of Business Recycling Program and Execution of Related Non-Exclusive Franchise Agreements with Arakelian Enterprises, Inc. (dba Athens Services), Burrtec Waste Services, LLC, and Consolidated Disposal Service, LLC

Heather Maloney, Senior Management Analyst, reviewed the Staff Report.

Public Input:

1. James Pledger, General Manager, Consolidated Disposal
2. Dennis Chiappetta, Executive Vice President, Athens Services
3. Richard Nino, Director of Municipal Services, Burrtec Waste Industries

Discussion ensued regarding effect on existing contracts, freedom of choice, effect on current 90-day permit system, process for rolling out the program, market competition, history of issuing 5-year notification, and re-evaluation of options based on conditions in existence at the end of the franchise term.

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Garcia, to direct Staff to implement the Commercial Solid Waste and Recycling Program in accordance with Alternative 2 as it is outlined in the Agenda Report. The motion carried unanimously.

It was moved by Mayor Pro Tem Garcia, seconded by Councilmember Spicer, to direct Staff to issue a written "Five-Year Notification" under Public Resources Code (PRC) Section 49520 to Arakelian Enterprises, Inc. (dba Athens Services), Burrtec Waste Services, LLC, and Consolidated Disposal Service, LLC. The motion was approved by the following vote: **AYES:** Councilmembers Shevlin and Spicer, Mayor Pro Tem Garcia, Mayor Lutz. **NOES:** Councilmember Adams. **ABSENT:** None. **ABSTAIN:** None.

It was moved by Councilmember Adams, seconded by Councilmember Shevlin, to authorize the City Manager to execute the non-exclusive franchise agreements with Arakelian Enterprises, Inc. (dba Athens Services), Burrtec Waste Services, LLC, and Consolidated Disposal Service, LLC, for a term of four (4) years, with two, two-year extensions to be approved by City Council. The motion carried unanimously.

AR-3 Amendment to Title 8 (Health & Safety), Chapter 8.10 of the Monrovia Municipal Code Relating to Collection and/or Disposal of Commercial and Industrial Waste and Recyclable Materials; Adoption of Ordinance No. 2011-07

Heather Maloney, Senior Management Analyst, reviewed the Staff Report.

It was moved by Councilmember Adams, seconded by Councilmember Spicer, to adopt Ordinance No. 2011-07. The motion carried unanimously.

PUBLIC INPUT, CONTINUED, IF NEEDED: None.

ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED:

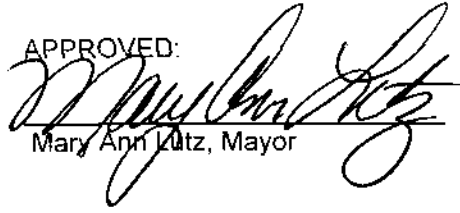
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This item was removed from the agenda with the Public Hearing to be set by the City Clerk.

SCHEDULED MEETINGS: The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, April 3, 2012, 7:30 p.m., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

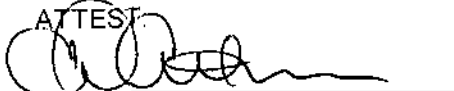
ADJOURNMENT: At 9:39 p.m., Mayor Lutz adjourned the meeting in memory of Ellouise Montell Benjamin, Longtime Resident and Member of All Nations Church.

APPROVED:



Mary Ann Lutz, Mayor

ATTEST:



Alice D. Atkins, CMC, City Clerk