

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, APRIL 1, 2008, 7:30 P.M.**

CONVENE: Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, April 1, 2008, at 7:34 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.

NEW BUSINESS: Officer Involved Shooting

Mayor Hammond congratulated the Monrovia Police Department for exemplary service and reported that there was an officer involved shooting Sunday morning involving Sgt Dan Verna, who suffered a facial wound with the bullet coming to rest in his shoulder, was doing well and had been released by the hospital, and was now safe and well.

INVOCATION: City Clerk Linda B Proctor led the Invocation

PLEDGE OF ALLEGIANCE Councilmember Joe Garcia led the Flag Salute.

PRESENTATIONS/PROCLAMATIONS:

PR-1 Introduction of Newly Hired Police Department Employees; Officer Seth Hermes, Officer Daniel Velasquez, Officer Marco Lopez, Dispatcher Laura Overton, Jailer Christine Garland, and Animal Control Officer Maggie Beach

Lt Alan San Victores introduced newly hired Police Department employees, Officer Seth Hermes, Officer Daniel Velasquez, Officer Marco Lopez, Dispatcher Laura Overton, Jailer Christine Garland, and Animal Control Officer Maggie Beach to the Mayor, City Council and the community

PR-2 Neighborhood Pride Award 231 East Fig Avenue, Single Family Owner-Occupied Property, Richard and Martha Quinones; and 227 East Fig Avenue, Single Family Owner-Occupied Property, Junie Thompson

Neighborhood Services Coordinator Dan McConnell and Neighborhood Services Specialist Alexis Newell assisted the Mayor and City Council in recognizing Neighborhood Pride Award winners Richard and Martha Quinones, and Junie Thompson They were recognized for taking homes that were already in good condition and improving on them even more.

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

The following item was taken out of order:

REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

RCC3 Councilmember Adams

(a) Police Department Work Shifts, Reduction of Overtime for Police Officers, Update and Review of Police Officer Hiring Practices, and Formal Request to Monrovia Police Officers' Association for List of Needed Crime Fighting Tools

Public Input
Cyprus Kemp, Monrovia

Councilmember Adams stated that the following matter came on the heels of the last meeting where many officers spoke; that happiness in the workplace is never just about money, and that due to the pain and suffering of many of the City's officers due to the long working hours, he was requesting information from Staff (as noted in the motions)

It was moved by Councilmember Adams, seconded by Mayor Hammond, to, at their earliest convenience, look at getting the shifts back to a normal five day, eight hour week.

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

It was moved by Councilmember Adams, seconded by Councilmember Garcia, to request that the City Manager and the Police Chief look at every possible way of reducing overtime so that the officers could spend more time with their families.

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

It was moved by Councilmember Adams, seconded by Councilmember Lutz, to look at a combination of Human Resources Department and Police Department in bringing the filling of the positions to a level as quickly as possible, and if it could not come from the bottom, then need to look at opening up of all levels of openings and if it means bringing people from the outside, then so be it.

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

Councilmember Adams thanked men and women of the police department who mailed out the flyer to the community about the tools needed to fight crime. **It was moved by Councilmember Adams, seconded by Mayor Pro Tem Kirby, to request that the City Manager send a letter to the MPOA respectfully requesting from them a list of the tools that they need to fight crime, and that he personally committed that if he had to go out and find the money himself, he would do so to have the tools necessary to complete their jobs.**

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

CONSENT CALENDAR It was moved by Mayor Pro Tem Kirby, 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 March 18, 2008 Regular Meeting of the Monrovia City Council

CC-2 Payroll No. 6 in the Amount of \$546,215.28 and Voucher Nos. 149970 through 150278 in the Amount of \$1,689,268.99

CC-3 Agreement with the Los Angeles County Metropolitan Transportation Authority (Metro) to Serve as the City's Designated Grant Recipient for Federal Transit Administration (FTA) Funds
The City of Monrovia, through the efforts of Congressman David Dreier, had received federal earmarks to fund infrastructure improvements critical to the City. Among them was a \$2,508,000 earmark for Monrovia's Station Square in the FY 2006 Safe Accountable Flexible Efficient Transportation Equity Act – Legacy for Users (SAFETY-LU) These funds would be disbursed by the Federal Transportation Administration (FTA) and include several reporting requirements. The City did not qualify as a direct federal grantee and required a federally approved grant recipient in order to receive the FTA funds.

The City contacted the Metro Gold Line Construction Authority (Authority) regarding them serving as the designated grant recipient. They were unable to provide these services at this time. Therefore, the City had been working with Metro to serve as the City's designated grant recipient. Metro provided these services for several agencies and was well qualified.

For services rendered under this Agreement, the City agreed to pay Metro an amount equal to five percent (5%) of the City's FTA award/earmark, not to exceed \$125,400.

Staff recommended the City Council authorize the City Manager to enter into an Agreement with Metro to serve as the City's designated grant recipient for FTA funds.

CC-4 Application to the California State Department of Housing and Community Development for Funding Under the Infill Infrastructure Grant Program, Resolution No. 2008-14 On February 20, 2007, the City Council directed staff to complete an application for grant funding from the California State Department of Housing and Community Development (HCD) Infill Infrastructure Grant Program when they became available. The HCD issued a Notice of Funding Availability (NOFA) on February 28, 2008. Staff had completed the grant application and one requirement was for the City Council to adopt a resolution authorizing its submittal.

The grant application included a formula that dictated the maximum amount of funding a project may request. Per the latest Station Square Phase I Plan, there were 694 residential units in Station Square Phase I. Of those units, 15% were proposed to be affordable. Per the Infill Infrastructure Grant formula, the City's grant application would be for \$17,068,000. The application was due by Friday, April 4, 2008. As such, Resolution No. 2008-14 declared the City Council's approval to submit an application to the HCD for funding under the Infill Infrastructure Grant Program.

There is no fiscal impact associated with this action and Staff recommended the City Council adopt Resolution No. 2008-14.

CC-5 Destruction of Certain Human Resources Department Records, Resolution No. 2008-15 Government Code §34090 provided a procedure whereby any city record which had served its purpose and was no longer required could be destroyed, as long as the destruction of said records would not interfere with the services and functions of the City. On August 5, 2003, the City Council approved the Citywide Records Retention/Destruction Schedule, setting into place the regulations covering the retention and destruction of citywide records.

There was no fiscal impact associated with this action and Staff recommended that the City Council adopt Resolution No. 2008-15.

CC-6 Amendment to 2007-2008 Schedule of Fees and Charges related to Passports, Resolution No. 2008-16 The Passport Application Acceptance Facility program was established in 2004. At that time the City decided to offer the added service of on-site passport photos at the rate of \$10.00 per set. Effective February 1, 2008, the U.S. Department of State decreased the Acceptance Facility fee by \$5.00 per application, while increasing their own fee by \$8.00 per application, a net of \$3.00 increase per customer. While it had been the desire to remain competitive with the Post Office located just 1 block north of City Hall by offering lower cost photos, Staff found that customers generally used the passport photo services at City Hall more out of convenience and the reputation of excellent customer service than the price.

When the Schedule of Fees and Charges was adopted for the 2007-2008 Fiscal Year, there was an estimated cost recovery of 68%. Due to the decrease in the passport application fee retained by the City, it was no longer fiscally feasible for this self-funding program to maintain less than 100% cost recovery. Therefore, Staff recommended increasing the price of passport photos to \$15.00 per set.

CC-87 Application for ABC Beverage License (Type 47 – On-Sale General License, Person to Person Transfer and Type 58 – Caterer permit) for Café Caprice Inc., dba Nouvelle La Parisienne, 1101 East Huntington Drive; Receive and File Notice was received from ABC that Caprice McGhee and Loyd McGhee had submitted an application for a Type 47 - On-Sale General Person to Person

Transfer License and for a Type 58 - Caterer Permit 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 recommended that the City Council receive and file the application.

PUBLIC INPUT:

1. Cyrus Kemp, Monrovia
2. Ramzi Rabadi, Jay Shell Station
3. Becky Shevlin, Monrovia, Monrovia Reads President
4. Stephen Grollnek, Monrovia
5. Rodney Jefferson, A-Game Fundamental Basketball
6. Chuck Keen, Monrovia

PUBLIC HEARINGS/MEETINGS:

PH-1 Opened and Continued from March 18, 2008; Appeal the Planning Commission 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., Applicant

On February 19, 2008, the City Council held a Public Hearing to consider the appeal of the Planning Commission decision-approving roof mounted wireless telecommunication equipment with a 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 and the remainder would be open. An engineering report that addressed concerns regarding the possible effects of a mansard roof wrapping the entire building was submitted to the City Council just prior to the February 19th meeting. The Council concluded the hearing by requesting a 30-day continuance to allow sufficient time for them to review the engineering report and for the applicant to meet with Staff to see if there were other design solutions.

Staff met with Donna Leiby, the property owner, Pete Shubin and Jay Banks from Sequoia Deployment, Inc. and their structural engineer Scott Bentacourt and the applicant agreed to forward the suggestions discussed at the meeting to his architect. The applicant was unable to submit revised drawings in time for the March 18th City Council meeting and was granted a continuance to the April 1st meeting. Because the photo simulations had not been prepared, the applicant was requesting a further continuance to April 15th.

Mayor Hammond opened and continued the Public Hearing appealing the Planning Commission's decision upholding the Development Review Committee decision of DRC2007-135 to April 15, 2008. There were no objections.

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

MRA CONVENE: Chairman Rob Hammond convened the Regular Meeting of ~~March 18~~, April 1, 2008 of the Monrovia Redevelopment Agency Board of Directors at 8 14 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 Garcia, seconded by Boardmember Lutz, 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 March 18, 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 8:14 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) He proclaimed April as "Child Abuse Prevention Month."
- (b) He proclaimed April 13-19, 2008 as "National Library Week "

RCC2 Mayor Pro Tem Kirby had no report at this time.

RCC3 Councilmember Adams reported that

- (a) Police Department Work Shifts, Reduction of Overtime for Police Officers, Update and Review of Police Officer Hiring Practices, and Formal Request to Monrovia Police Officers' Association for List of Needed Crime Fighting Tools This matter was taken out of order (see above).
- (b) He requested Staff to present information at the next City Council Meeting regarding City Councilmembers' benefits and compensation.
- (c) **National Community Development Week:** He presented a PowerPoint presentation regarding the success of the MAP Program.

RCC4 Councilmember Garcia had no report at this time.

RCC5 Councilmember Lutz had no report at this time.

REPORTS OF STAFF MEMBERS: There were none

ADMINISTRATIVE REPORTS:

AR-1 Award of Contracts for the Monrovia Library Construction Bid Group No. 3, for Bid Package ML-07 to Versatile Coatings in the Amount of \$1,511,148.00; Bid Package ML-09 to Cool Air HVAC Company, Inc. in the Amount of \$631,000.00; Bid Package ML-10 to Berg Electric in the Amount of \$1,119,300.00 Totaling \$3,561,133.00.

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

Bid Group No. 3 continued the Monrovia Public Library Building construction activities. Construction documents had been prepared for the individual contracts in four additional bid packages. Staff recommended the following. Award of Bid, Bid Package ML-07, Drywall, Lath, Plaster, Doors, Frames, and Hardware to Versatile Coatings in the amount of \$1,511,148.00, reject all bids and rebid Bid Package ML-08, Fire Protection, Award of Bid, Bid Package ML-09, HVAC to Cool Air HVAC Company, Inc in the amount of \$631,000 00; Award of Bid, Bid Package ML-10 to Electrical to Berg Electric in the amount of \$1,193,000.00, for a total amount of \$3,561,133 00.

Staff continued to work with Bernards Building Management Services, the project management firm, coordinating the project and providing construction over-sight and daily construction monitoring and coordination. Bernards completed similar projects with each of these contractors with favorable results. Funding for the project is being provided by the Library Bond proceeds.

Jack Hall, Bernards, stated that they were seeing good results regarding the bids because the market was good at this time.

David Schmitt, General Manager, Frye Construction, Inc, protested awarding a bid to Versatile Coatings as he believed they did not possess the proper licensing required by the City's bid packet. City Attorney Steele explained that the bid package indicated "Prime contractor or subcontractor" had to have certain

types of licenses, and that the contractor and its affiliate had all three licenses between them. In response to Councilmember Lutz's inquiry, City Attorney Steele stated that no further action needed to be taken on the letter of protest as awarding the bid to the contractor as the low bidder did just that

It was moved by Councilmember Adams, seconded by Councilmember Lutz, to approve the rejection and rebidding of ML-08 Bid Package and award contracts to Versatile Coatings in the amount of \$1,511,148.00, Cool Air HVAC Company, Inc., in the amount of \$631,000.00; and Berg Electric in the amount of \$1,193,000.00, totaling \$3,561,133.00, for the Monrovia Library Construction Bid Group No. 3.

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

SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, April 15, 2008, 7 30 P.M , City Council Chambers, 415 South Ivy Avenue, Monrovia, California

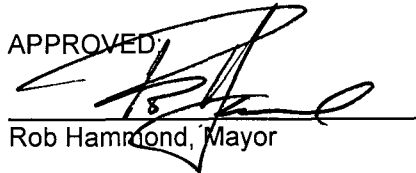
PUBLIC INPUT, CONTINUED, IF NEEDED None

ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED None

ADJOURNMENT TO CLOSED SESSION: None


ADJOURNMENT: Mayor Hammond adjourned the Meeting at 8:40 P M. in memory of Elizabeth Bowden and Elizabeth Benson.

APPROVED:



Rob Hammond, Mayor

ATTEST:



Linda B Proctor, MMC, City Clerk