



REGULAR MEETING
of the
MONROVIA CITY COUNCIL
City Council Chambers
Tuesday, October 6, 2009
7:30 P.M.

AGENDA SUMMARY

CONVENE	Mayor Mary Ann Lutz
IN HONOR OF	Charlotte Eleanor Ruby Mitchell, Born to Parents Amber and Jeff Mitchell, on September 16, 2009
INVOCATION	Pastor Dorothy Scott
PLEDGE OF ALLEGIANCE	Councilmember Joe Garcia
ROLL CALL	Councilmembers Garcia, Shaw, Shevlin, Mayor Pro Tem Adams and Mayor Lutz

PRESENTATIONS/PROCLAMATIONS

PR-1 Recognition of Miss California Teen USA Contestant Kennedy Holmes

Mayor Lutz will introduce Monrovia Kennedy Holmes, our local contender for the Miss California Teen USA Contest.

PR-2 Recognition of Golfer Blake Moore, One of Twelve Players in the Field for the Golf Channel Reality Series, "Big Break Disney Golf"

Mayor Lutz will introduce Golfer Blake Moore, contender for the "Big Break" Disney Golf Tournament.

STUDENT GOVERNMENT REPRESENTATIVE REPORT

Student Liaison Savannah Spicer

ORDER OF BUSINESS**CONSENT CALENDAR**

- CC-1 Minutes of the Regular Meeting of the Monrovia City Council of September 15, 2009**
- CC-2 Payroll Nos. 19 and 20 in the Amount of \$593,958.52 and \$633,295.23 Respectively, and Voucher Nos. 160760 through 161095 in the Amount of \$1,647,821.26**
- CC-3 Ratification of Action to Close Monrovia Canyon Park August 26, 2009 to September 16, 2009 and September 21, 2009 to September 25, 2009**

According to the Monrovia Municipal Code, the Fire Chief is authorized to close Monrovia Canyon Park to protect the public health, safety and welfare. The adoption of Ordinance 98-06 modified the Monrovia Municipal Code, Paragraph 17 of Section 12.32.030 of Chapter 12.32 of Title 12 to require City Council approval of Monrovia Canyon Park closures "at a subsequent City Council meeting."

Given the number of brush fires in the region, specifically the Station fire which burned within four miles of Monrovia City limits, deployment of City resources to assist with the fire fighting efforts and extreme weather conditions, it was determined appropriate to close Canyon Park. The vegetation/brush hazard in our hillside area is at a critically dangerous stage and given the extremely low humidity with high temperature and winds it was prudent to close Canyon Park for the safety of the public.

If the City Council concurs, the appropriate action would be a motion to:

Ratify the closures of Monrovia Canyon Park.

CC-4 Denial of Liability Claim; Tirus Burks vs. City of Monrovia

Mr. Burks alleges that on April 16, 2009, Monrovia Police personnel had his vehicle impounded. He was never able to retrieve the vehicle, property left in the vehicle, and also incurred additional related expenses.

During the traffic stop, Monrovia Police personnel determined that Mr. Burks was driving with a suspended driver's license. The vehicle was towed and stored. The towing company disposed of the vehicle on June 26, 2009.

Monrovia Police personnel conducted themselves properly and within the regulations of the California vehicle code. Therefore, the City bears no responsibility in this matter.

Staff recommends that City Council deny this claim.

If the City Council concurs, the appropriate action would be a motion to:

Deny the claim filed by Tirus Burks.

CC-5 Denial of Liability Claim; Sherry Elder vs. City of Monrovia

Ms. Elder was taken into custody by Monrovia Police personnel on August 21, 2009. She alleges that \$30 cash from her wallet was missing when she was released from custody.

Monrovia Police personnel, both in the field at the time of arrest and later at the Police Station, did not see any money in Ms. Elder's possessions. When she was being booked, Ms. Elder complained that Police personnel had lost her \$30. Police personnel then searched her vehicle to see if \$30 was left in the vehicle. As a result of the search, twenty-one cents was found in the vehicle.

Monrovia Police personnel conducted themselves properly and within the regulations of the California vehicle code. Therefore, the City bears no responsibility for this matter.

Staff recommends that City Council deny this claim.

If the City Council concurs, the appropriate action would be a motion to:

Deny the claim filed by Sherry Elder.

CC-6 Dissolution of the Ad Hoc Library Construction Oversight Committee

The Ad Hoc Library Construction Oversight Committee was created by the City Council in March 2007 to monitor the Library throughout the construction period. The Committee met 14 times over almost 2½ years and did outstanding work reviewing everything from steel windows and roofing to the construction budget. The Committee at its September 9, 2009 meeting was given an overview of the completed Library building, the park improvements and final budget. Committee member Tim Shea asked about a long term maintenance plan for the Library and Staff noted that a long term maintenance program for all city facilities is being drafted and will be presented at the mid-year budget.

The current Committee of Mayor Mary Ann Lutz, Community Services Commissioner Gloria Crudginton, and Historic Preservation Commissioner Tim Shea were present and unanimously voted to dissolve the Ad Hoc Library Construction Oversight Committee. Staff recommends that the City Council take the Committee's recommendation and dissolve the Ad Hoc Library Construction Oversight Committee.

If the City Council concurs, the appropriate action would be a motion to:

Approve the dissolution of the Ad Hoc Library Construction Oversight Committee.

PUBLIC INPUT

PUBLIC HEARINGS / MEETINGS

None

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

MRA CONVENE Chairman Lutz

MRA ROLL CALL Boardmembers, Garcia, Shaw, Shevlin, Vice-Chairman
Adams, and Chairman Lutz

MRA CONSENT CALENDAR

MRA CC-1 Minutes of the Regular Meeting of the Monrovia Redevelopment Agency of
September 15, 2009

MRA PUBLIC HEARINGS/MEETINGS

None

MRA ADMINISTRATIVE REPORTS

None

MRA ADJOURNMENT

RECONVENE MONROVIA CITY COUNCIL MEETING

REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

RCC1 Mayor Lutz
(a) Appointment to the Monrovia Endowment for the Arts Committee of a
Community Services Commissioner Representative Replacing Former
Commissioner Becky A. Shevlin
(b) Monrovia Library Fountain Renderings
(c) Monthly Census Update
(d) Support of Assembly Bill 81 XXX Exempting from CEQA the Los Angeles
Football Stadium Project in the City of Industry, Resolution No. 2009-65

- RCC2** Mayor Pro Tem Adams
(a) Support of a Joint City of Monrovia and Chamber of Commerce "Shop Monrovia" Campaign
- RCC3** Councilmember Garcia
- RCC4** Councilmember Shaw
- RCC5** Councilmember Shevlin

ADMINISTRATIVE REPORTS

AR-1 2008 Monrovia Environmental Accords Annual Report

Former Operations Division Manager Dan Iwata will review the Staff Report.

The City Council adopted the Monrovia Environmental Accords Administrative Policy No 9.02 on July 2, 2007. The Accords consist of twenty-one (21) action items that focus on seven major topics: Energy, Waste Reduction, Urban Design, Urban Nature, Transportation, Environmental Health, and Water.

The Monrovia Green Team, consisting of City Staff from each Department is responsible to implement projects, programs and policies approved the City Council. There was significant progress in several Monrovia Accords key topic areas of sustainability: Energy, Waste Reduction, Urban Design, Urban Nature, Transportation, and Water.

The annual report provides a progress report on how well the City is accomplishing each action strategy. The goals are considered mid- to long-range and may take 5 to 20 years to accomplish.

If the City Council concurs, the appropriate action would be a motion to:

Receive and file the Environmental Accords Annual Report.

AR-2 Amendment of Contract with CleanStreet for Street Sweeping Maintenance Services for the Fiscal Year 2009-2010 to Comply with AQMD Rule 1186.1

Ron Bow, Director of Public Works, will review the Staff Report

On September 3, 2009, the City of Monrovia received a written notice to comply (#D21478) with AQMD Rule 1186.1, Less Polluting Sweepers, within 30 days. The Rule states that failure to use the alternate-fuel sweepers where required under contract with a government agency shall be a violation of this rule for each day that the street sweeping services are provided.

To amend the street sweeping contract inclusive of the alternative fuel requirement within the 30 day period, the Public Works Department notified CleanStreet to resolve

the issues to this amended rule. CleanStreet sent a letter dated September 24, 2009, committing to maintain the current cost for the remainder of fiscal year 2009-2010 using the alternate-fuel sweepers.

The use of the alternate-fuel vehicles will assist the City of Monrovia to meet its goal in the Environmental Accords Action Item 3, a reduction in Greenhouse Gases from 15% to 20%. There is no fiscal impact.

If the City Council concurs, the appropriate action would be a motion to:

Approve the amendment of Contract with CleanStreet for Street Sweeping Maintenance Services for the Fiscal Year 2009-10 to comply with AGMD Rule 1186.1.

SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council is scheduled for Tuesday, October 20, 2009, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Salute to Service, 7:00 P.M., City Council Chambers.

PUBLIC INPUT, CONTINUED, IF NEEDED

ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED

ADJOURNMENT TO CLOSED SESSION

ACS-1 Conference with Legal Counsel, Anticipated Litigation, Initiation of litigation pursuant to Government Code Section 54956.9(c) 3 potential cases

RECONVENT AND REPORT OF CLOSED SESSION

RCS-1 Conference with Legal Counsel, Anticipated Litigation, Initiation of litigation pursuant to Government Code Section 54956.9(c) 3 potential cases

ADJOURNMENT

IN MEMORY OF Tad Iwata, Father of Daniel Iwata, Former Operations Division
Manager/Deputy Director Public Works
Dr. James (Jim) Rood, Long Time Monrovia Resident and Former
Businessman
Ronald Wayne Babcock, Owner, Diron Business Services

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott Ochoa". The signature is fluid and cursive, with a large initial "S" and "O".

Scott Ochoa
City Manager

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A full City Council agenda packet with all backup information is available at City Hall, the Monrovia Library, and on the City's website at www.cityofmonrovia.org. Copies of individual Agenda Reports are available via email upon request (aatkins@ci.monrovia.ca.us).