

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, NOVEMBER 21, 2006 7:30 P.M.**

CONVENE: Mayor Pro Tem Mary Ann Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, November 21, 2006 at 7:32 P.M. in City Council Chambers, 415 South Ivy Avenue, Monrovia, California in honor of Monrovia's latest newborn James Martin Mischler, son of Tim and Wang Mischler, born October 28, 2006, preceded by a Open House to celebrate the designation of Historic Landmark Number 100, The Tillapaugh House, at the City Hall Annex, 200 East Lime Avenue, at which all City Councilmembers, with the exception of Mayor Hammond, were in attendance. Staff in attendance was Acting City Manager Alice Griselle, City Attorney Craig A. Steele and Deputy City Clerk Alice Atkins.

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

INVOCATION: Pastor Richard Sullender led the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Dan Kirby led the Flag Salute.

PRESENTATIONS/PROCLAMATIONS

PR-1 Recognition of Sponsors for the 2006 Halloween Event "Monrovia's Monster Mash" Halloween Carnival and Costume Contest: Community Services Commission Chair Becky Shevlin assisted the Mayor and City Council in recognizing the sponsors of the 2006 Halloween Carnival and Costume Contest. The main event sponsors were Jodi Breneman of Dickson Podley Realtors, Diane Balsamo of Country Wide Home Loans, Donna Baker of Dickson Podley Realtors, Monrovia Youth Baseball League, Metro Infinity in Monrovia, and the Bonholtzer Family.

PR-2 Presentation of the Good Neighbor Award to George and Marilyn Forbes: Mayor Pro Tem Mary Ann Lutz presented the Good Neighbor Award to George and Marilyn Forbes and introduced them to the City Council and the community.

PR-3 Introduction of Newly Hired Library Circulation Services Supervisor Cynthia Maxwell: Director of Community Services April Soash introduced newly hired Library Circulation Services Supervisor Cynthia Maxwell to the Mayor, City Council and the community.

PR-4 Introduction of the Community Services Department Newly Hired Assistant Recreation Coordinator Guillermo Chavez: Director of Community Services April Soash introduced newly hired Assistant Recreation Coordinator Guillermo Chavez to the Mayor, City Council and the community.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Liaison Rachel Jamieson was excused.

CONSENT CALENDAR: It was moved by Councilmember Adams, 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 November 7, 2006 Regular Meeting

CC-2 Payroll No. 23 in the Amount of \$523,495.16 and Voucher Nos. 140135 through 140400 in the Amount of \$1,556,092.27

CC-3 Denial of Liability Claim; Joseph Cepeda vs. City of Monrovia: Mr. Cepeda was the landlord for an apartment building. Monrovia Police personnel responded to a disturbance call at one of the apartments within the building. The Monrovia Police Officer identified himself and requested entry into the apartment. After getting no response, the Officer kicked in the door, making a hole in it.

The Monrovia Police Officer responded to exigent circumstances which required that he be granted immediate entry. As this was refused, his actions were necessary. He responded in an appropriate manner. Therefore, the City bore no responsibility in this matter.

CC-4 Contract Extension Between the City of Monrovia and Athens Services for the Old Town Franchise Area, Resolution No. 2006-76: On November 10, 1998, the City of Monrovia and Athens Services entered into an Exclusive Franchise Agreement through Resolution No. 98-7.1. The Contract was executed on December 16, 1998 for six years with two (2) two-year extensions. On February 4, 2004, Resolution No. 2004-07 was approved by City Council, which granted the first extension of the Exclusive Franchise Agreement between the City of Monrovia and Athens Services until December 16, 2006. A second and final extension could be granted by City Council prior to December 16, 2006.

Athens Services had performed all contract services in Article 5.2 in a satisfactory manner pursuant to the terms of the Exclusive Franchise Agreement. The City Attorney had reviewed the contract extension documents and staff recommended the City exercise its rights under the contract terms to extend the agreement for the final two-year extension. The two-year extension would continue to provide the City with a 16% franchise fee.

CC-5 Destruction of Certain Police and Human Resources Departmental Records, Resolution No. 2006-77: 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.

CC-6 Purchase for Scheduled Replacement of Three Police Detective Vehicles in the Amount of \$69,880.13 from Wondries Fleet Group: The Police Department was seeking approval to purchase three Ford Crown Victoria Police Interceptors for the scheduled replacement of three Police Detective Vehicles. Staff evaluated pricing of the vehicles available and recommended that Council approve the purchase of three 2006 Ford Crown Victoria Police Interceptor Sedans from Wondries Fleet Group in Alhambra for a total price of \$69,880.13.

CC-7 Set for Public Hearing on December 5, 2006; Historic Landmark HL-108/Mills Act Contract MA-102 for the Property Located at 311 Wildrose Avenue by Property Owners Stephen and Janet Tatarowski: This matter was scheduled to go before the Historic Preservation Commission on November 29, 2006. Upon approval, it will be forwarded to the City Council for consideration at a Public Hearing at its December 5, 2006 City Council Meeting.

CC-8 Set for Public Hearing on December 5, 2006; Historic Landmark HL-109/Mills Act Contract MA-103 for the Property Located at 138 Poppy Avenue by Property Owners Steve and Lynn Shotrosky: This matter was scheduled to go before the Historic Preservation Commission on November 29, 2006. Upon approval, it will be forwarded to the City Council for consideration at a Public Hearing at its December 5, 2006 City Council Meeting.

CC-9 Set for Public Hearing on December 5, 2006; Historic Landmark HL-110/Mills Act Contract MA-104 for the Property Located at 844 East Foothill Boulevard by Property Owners John and Carol Faire: This matter was scheduled to go before the Historic Preservation Commission on November 29, 2006. Upon approval, it will be forwarded to the City Council for consideration at a Public Hearing at its December 5, 2006 City Council Meeting.

CC-10 Set for Public Hearing on December 5, 2006; Historic Landmark HL-111/Mills Act Contract MA-105 for the Property Located at 328 Highland Place by Property Owner Espi Bagwell: This matter was scheduled to go before the Historic Preservation Commission on November 29, 2006. Upon approval, it will be forwarded to the City Council for consideration at a Public Hearing at its December 5, 2006 City Council Meeting.

CC-11 Set for Public Hearing on December 5, 2006; Historic Landmark HL-112/Mills Act Contract MA-106 for the Property Located at 121 May Avenue by Property Owners Enoch and Annette Martinez: This matter was scheduled to go before the Historic Preservation Commission on November 29, 2006. Upon approval, it will be forwarded to the City Council for consideration at a Public Hearing at its December 5, 2006 City Council Meeting.

CC-12 Set for Public Hearing on December 5, 2006; General Plan Amendment GPA2006-03 and Zone Change ZC2006-02 Amending the Guidelines for Planned Development-Area 25a in the Land Use Element of the General Plan and Changing the Zoning Designation from PD-25b to PD-25a for the Property Located at 417-425 Monrovista Avenue: On November 15, 2006, the Planning Commission reviewed an application to amend the Land Use Element of the General Plan by modifying the development guidelines for Planned Development-Area 25a (PD-25a) as part of a development proposal initiated by the Monrovia Redevelopment Agency (MRA). The request also included changing the zoning designation from PD-25b to PD-25a.

CC-13 Set for Public Hearing on December 5, 2006; Tentative Tract Map No. 068143/Conditional Use Permit CUP2006-21 to Construct a 20-unit, 2-story Detached Planned Unit Development Located at the Northeast Corner of California Avenue and Monrovista Avenue by the Hale Corporation, Developer: In connection with the General Plan Amendment and the Zone Change, the applicant, Hale Corporation (Envision) was requesting approval of a Tentative Tract Map and Conditional Use Permit that would allow the development of a Planned Unit Development consisting of twenty (20) detached 2-story dwelling units located at the northeast corner of California Avenue and Monrovista Avenue. At its meeting of November 15, 2006, the Planning Commission voted to recommend approval of the proposal to the City Council.

PUBLIC INPUT:

1. Senator Bob Margett, 29th Senatorial District
2. Diane Balsamo and Janet Cerswell, Santa Anita Family YMCA
3. Stella Davis, Monrovia

PUBLIC HEARINGS/MEETINGS

The following items were reviewed as one item by Planning Division Manager Steve Sizemore:

PH-1 Historic Landmark HL-102/Mills Act Contract MA-96 for the Property Located at 619 West Hillcrest Boulevard by Property Owners Ed and Cheryl Dunbar; Resolution No. 2006-58: This house was located on the north side of Hillcrest Boulevard. Built in 1926, the house was a prime example of Spanish Colonial Revival architecture. The garage and the

small casita in the rear yard were considered contributing and would be required to be preserved. In 1930, Clifford and Lucille Emberson purchased the house and lived there until 1950. Clifford Emberson served on the Board of Trustees (City Council) from 1934 to 1938 and again from 1940 to 1943. He later served a few years on the Planning Commission.

At its meeting of October 25, 2006, the Historic Preservation Commission determined that the property meets the following Criteria Number 1 (prominent person) and Criteria Number 4 (architecture), for designation and voted unanimously to recommend approval of Historic Landmark status and execution of a Mills Act Contract.

PH-2 Historic Landmark HL-103/Mills Act Contract MA-97 for the Property Located at 163 Melrose Avenue by Property Owners Ryan and Karen Lepke; Resolution No. 2006-59: This 900 square foot one-story California Bungalow was built in 1923. The original owner of the home was George Shaw. Staff was not able to find any information that would indicate that he was related to any significant events in local, regional, or national history.

At its meeting of October 25, 2006, the Historic Preservation Commission determined that the house met Criteria Number 4 (architecture). The Commission recommended that the used brick on the walkway and stairs leading up to the front door be replaced with a more appropriate material within two years of the granting of the Mills Act. In addition, the standard conditions were recommended and the Commission voted unanimously to recommend approval of Historic Landmark status and execution of a Mills Act Contract.

PH-3 Historic Landmark HL-104/Mills Act Contract MA-98 for the Property Located at 209 South Mountain Avenue by Property Owner Peter Sierra; Resolution No. 2006-60: This large Craftsman home was built in 1911 on the Bliss Ranch in Duarte. It was moved to its current location in 1914. This two-story Craftsman home was approximately 4,388 square feet and had a Batchelder fireplace that would be preserved.

Francis A. Bliss operated a dairy which supplied milk to Duarte and Monrovia. Bliss was also a honey producer and for years served as treasurer of the California Cooperative Honey Producers Association. He was very active in Monrovia social and civic life, holding many functions at the home.

At its meeting of October 25, 2006, the Historic Preservation Commission determined that the house met Criteria Number 1 (persons significant in local history) and Criteria Number 4 (architecture). The standard conditions along with preservation of the Batchelder fireplace were also recommended and the Commission voted unanimously to recommend approval of Historic Landmark status and execution of a Mills Act Contract.

PH-4 Historic Landmark HL-105/Mills Act Contract MA-99 for the Property Located at 220 North Encinitas Avenue by Property Owner Kristine Kelly; Resolution No. 2006-61: This transitional one-story, mass-plan vernacular cottage was built in 1906. An unusual partial arch was located on the north and south side of the front porch.

At its meeting of October 25, 2006, the Historic Preservation Commission determined that the house met Criteria Number 4 (architecture) and voted unanimously to recommend approval of Historic Landmark status and execution of a Mills Act Contract. The standard conditions along with the following were also recommended: replace the non-original door with a period style door, repair or replace the concrete walkway that leads to the porch, repaint the exterior of the home in period style colors, remove the conduit for the doorbell above the front door, change all front facing aluminum window screens to wood screens, replace all foundation vent screens, and remove attic vent and antenna from roof within two years and replace the louvered window on the south side of the house with a period style window within four years.

PH-5 Historic Landmark HL-106/Mills Act Contract MA-100 for Property Located at 252 Aspen Drive by Property Owners Edward and Diane Carlile; Resolution No. 2006-62: The style of the house was classified as a modest Stick with Eastlake elements and was built around 1890. This house was two stories with a converted attic and clad with clapboard siding with the exception of the large wraparound veranda which had round singles.

At its meeting of October 25, 2006, the Historic Preservation Commission determined that property met Criteria Number 4 (architecture) and voted unanimously to recommend approval of Historic Landmark status and execution of a Mills Act Contract.

PH-6 Historic Landmark HL-107/Mills Act Contract MA-101 for the Property Located at 311 East Lemon Avenue by Property Owners Renata and Kevin Towner; Resolution No. 2006-63: This one-and-a-half-story Craftsman house with river rock porch piers linked by a river rock wall was built in 1916. There was a prominent river rock chimney on the west side of the residence.

At its meeting of October 25, 2006, the Historic Preservation Commission determined that the house met Criteria Number 4 (architecture) and Criteria Number 6 (house location in the original Monrovia Tract preserves the historic core of Monrovia). and voted unanimously to recommend approval of Historic Landmark status and execution of a Mills Act Contract. The Standard Conditions were recommended.

PUBLIC HEARINGS OPENED AND CLOSED: Mayor Pro Tem Lutz opened and closed the Public Hearing for all six properties. There was no one who wished to speak for or against the matter.

It was moved by Councilmember Garcia, seconded by Councilmember Adams, to adopt Resolution No. 2006-58 designating the property at 619 West Hillcrest Boulevard, the Clifford Emberson House, Historic Landmark Number 102 and approve entering into a Mills Act Contract with the conditions of approval; adopt Resolution No. 2006-59 designating the property at 163 Melrose Avenue Historic Landmark Number 103 and approve entering into a Mills Act Contract with the conditions of approval; adopt Resolution No. 2006-60 designating the property at 209 South Mountain Avenue Historic Landmark Number 104, and approve entering into a Mills Act Contract with the conditions of approval; adopt Resolution No. 2006-61 designating the property at 220 North Encinitas Avenue as Historic Landmark Number 105, and approve entering into a Mills Act Contract with the conditions of approval; adopt Resolution No. 2006-62 designating the property at 252 Aspen Drive as Historic Landmark Number 106 and approve entering into a Mills Act Contract with the conditions of approval; adopt Resolution No. 2006-63 designating the property at 311 East Lemon Avenue as Historic Landmark Number 107 and approve entering into a Mills Act Contract with the conditions of approval.

ROLL CALL:
Ayes: Councilmembers Adams, Garcia, Kirby, Mayor Pro Tem Lutz,
Excused: Mayor Hammond
Motion carried: 4-0

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

MRA CONVENE: Vice-Chairman Mary Ann Lutz convened the Regular Meeting of November 21, 2006 of the Monrovia Redevelopment Agency Board of Directors at 8:09 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, Dan Kirby, and Vice-Chairman Mary Ann Lutz. Chairman Rob Hammond was excused.

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

MRA CC-1: Unadopted Minutes of the November 7, 2006 Regular Meeting.

MRA PUBLIC HEARINGS/MEETINGS: There were none.

MRA REPORTS

MRA AR-1 Authorization to Acquire Real Property Located at 820 South Magnolia Avenue and 1675 South Primrose Avenue from Azteca Milling, LP., for the Total Consideration of \$2,400,000.00, Resolution No. 11-2006

Kevin O'Brien, Redevelopment Division Manager, reviewed the Staff Report.

On August 1, 2006, the Agency Board authorized an extension of the Agency's Exclusive Negotiating Agreement with Olson Urban Housing, LLC, and Samuelson & Fetter, LLC for the Station Square Study Area. While property acquisitions were generally planned to be the responsibility of the private development entity, the Agency had acquired a few important parcels adjacent to the Santa Fe Depot. The 1675 South Primrose Avenue property was closely located to previously acquired Agency holdings, and made a logical first phase for the project. While the Agency was only interested in acquiring the Primrose property, Azteca required that both parcels be acquired as part of the transaction.

Under the agreed upon terms, the Agency would acquire title to both properties for the total consideration of \$2,400,000.00. This total sum represented the consideration for both of the properties, as well as any relocation benefits due to Azteca. If the Board authorized the acquisition of the properties, the parcel on Primrose Avenue would be incorporated into the Station Square development and the Magnolia Avenue property would ultimately be sold at cost.

Staff recommended that the Agency Board adopt Resolution No. 11-2006, and authorize the Executive Director to sign the appropriate documents to acquire 820 South Magnolia Avenue and 1675 South Primrose Avenue.

After discussion, it was moved by Boardmember Adams, seconded by Boardmember Garcia, to adopt Resolution No. 11-2006, authorizing the acquisition of Real Property Located at 820 South Magnolia Avenue and 1675 South Primrose Avenue from Azteca Milling, LP., in the amount of \$2,400,000.00.

MRA ADJOURNMENT: Vice Chairman Lutz adjourned the Monrovia Redevelopment Agency Meeting at 8:13 P.M. and the City Council Meeting continued.

REPORTS OF CITY COUNCILMEMBERS AND SUBCOMMITTEES:

RCC-1: Mayor Hammond was excused.

RCC-2 Mayor Pro-Tem Lutz reported that:

- (a) **Appointment of Citywide Parking Study Committee:** Dorothy Dudley, Fil Lujan, Alice Mah, June Richetts, Kurt Anderson, Dan Bacani, Timothy Shea, James White, Catherine May, Brian Bower were appointed to the Citywide Parking Study Committee by Mayor Pro Tem Lutz.
- (b) **Old Town Construction Update:** At the request of Mayor Pro Tem Lutz, Assistant City Manager Tito Haes reported that lights would be ready for the parade and that construction was about a month ahead of schedule for sidewalk project. The west side of Myrtle Avenue between Foothill Boulevard and Palm Avenue would be done by the end of the week and Staff had spoken with each business on east side of Myrtle Avenue explaining the City's desire to start that area early. All business owners signed that they were in favor of moving forward. Councilmember Adams expressed his concern that there was no longer a break in the median in front of the 'Leven Oaks Hotel, where many senior residents cross Myrtle Avenue. Mr. Haes explained it was not deemed safe for people to stand at the break in the median while waiting for traffic to pass, and that a new crosswalk would be placed about 10 feet south of the original location. Councilmember Adams requested that best efforts be made to maximize the safety.
- (c) The San Gabriel Valley Council of Governments had done a survey of the recent election which showed that Monrovia had the second highest vote in the valley in support Bond Measures 1a and 1b. She also reported that \$34.3 million was earmarked for Foothill Transit and congratulated the City for being so supportive of the Measures
- (d) At the request of Mayor Pro Tem Lutz, Assistant to the City Manager/Public Information Office Dick Singer with the aid of a PowerPoint presentation provided an overview of the redesigned City website, highlighting some of new features and explaining that there were many enhancements yet to come. Mayor Pro Tem Lutz thanked Mr. Singer and Staff for their hard work on the improved website.

RCC-3 Councilmember Tom Adams reported that:

- (a) There would be a tree lighting ceremony at 6:00 P.M. on Thursday, December 7, 2006, just prior to the Holiday Parade.
- (b) He wish everyone a Happy Thanksgiving.

RCC-4 Councilmember Garcia reported that:

- (a) He attended the League of California Cities League Leaders Workshop for an overview of the year to come and mentioned that cities would be looking for housing dollars from Proposition 1C.
- (b) He was scheduling a tour of Station Square in February with the California Department of Housing and Development Director Lynn Jacobs to Monrovia so that she could use Monrovia as a model for the distribution of funds.

RCC-5 Councilmember Kirby reported that:

- (a) He also wished everyone a Happy Thanksgiving.
- (b) He was looking forward to Holiday Parade and mentioned that the lights should be up soon and Downtown was ready for holidays.

REPORTS OF STAFF MEMBERS: There were none.

ADMINISTRATIVE REPORTS: There were none.

SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, December 5, 2006, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California. Mayor Pro Tem Lutz announced that there would be discussion of a potential library bond for the March 6, 2007 election.

PUBLIC INPUT, CONTINUED, IF NEEDED: There was no public input.

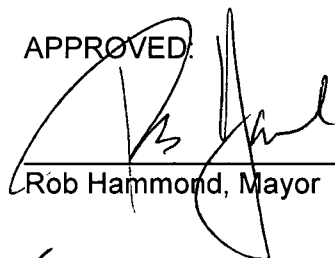
ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED: There were no items pulled from the Consent Calendar.

ADJOURNMENT TO CLOSED SESSION: At 8:32 P.M., Mayor Pro Tem Lutz announced that the City Council would adjourn to Closed Session to conference with Legal Counsel, Anticipated Litigation, Initiation of Litigation Pursuant to Government Code Section 54956.9(c): One (1) potential case. Closed Session convened at 8:35 P.M.

RECONVENE AND REPORT OF CLOSED SESSION: At 8:45 P.M., City Attorney Steele announced that the City Council had conferred with Legal Counsel on Anticipated Litigation, Initiation of Litigation Pursuant to Government Code Section 54956.9(c): One (1) potential case, and that there was non-disclosure of otherwise reportable action taken as authorized under Government Code Section 54957.1 because disclosure would interfere with service of process.

ADJOURNMENT: The Meeting was adjourned by Mayor Pro Tem at 8:46 P.M. in memory of Raymond Vasquez Ochoa, grandfather of City Manager Scott Ochoa.

APPROVED:



Rob Hammond, Mayor

ATTEST:



Linda B. Proctor, MMC, City Clerk