

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, SEPTEMBER 18, 2007, 7:30 P.M.**

CONVENE: Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, September 18, 2007, at 7.39 P.M. in City Council Chambers, 415 South Ivy Avenue, Monrovia, California (which was preceded by a Closed Session [see below] and a Salute to Service Program, 7.00 P M) 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.

INVOCATION: Reverend Richard Sullender led the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Joe Garcia led the Flag Salute.

REPORT OF CLOSED SESSION

RCS-1 Conference with Legal Counsel pursuant to Government Code §54956 8, Station Square Project; Shamrock Properties LP: 1610 S Magnolia Avenue (8507-002-022); M and D Burke Properties LP: 1551 Primrose Avenue (8507-002-023), 1528 Primrose Avenue (8507-002-024), 1532 Primrose Avenue (8507-002-025), and 141 W Pomona Avenue (8507-002-027); Myrtle Avenue Lumber and Hardware Co : 137 W Pomona Avenue (8507-002-028), Vacant/ Parking Lot (8507-002-031), and 123 W Pomona Avenue (8507-002-032); Merle Ensign and Trust: 1515 S Myrtle Avenue (8507-002-030), Randy J Linsalato: 1630 S. California Avenue (8513-012-043), Agency Negotiators, Scott Ochoa and Craig Steele; Under Negotiation, Price and Terms of Payment, Negotiating Parties, All Properties Listed Above and City of Monrovia. City Attorney Steele reported that there was discussion only

PRESENTATIONS/PROCLAMATIONS:

PR-1 Neighborhood Pride Award; 737 East Lime Avenue, Single Family Rental Property, Paul Hannah; and 142 East Cherry Avenue, Single Family, Owner-occupied Teodoro and Bertha Trejo: Alexis Newell, Neighborhood Services Specialist, presented the Neighborhood Pride Awards In the category of single family, owner-occupied, the award was given to Teodoro and Bertha Trejo at 142 East Cherry Avenue. In the category of single family rental property, the award will be given to Paul Hannah for the property at 737 East Lime Avenue Mr Hannah's tenant, Jay Benson, accepted the award on his behalf.

PR-2 Introduction of Newly Hired Human Resources Employee Sylvia Luna, Management Trainee: Management Analyst II Danielle Tellez introduced newly hired Human Resources employee Sylvia Luna to the Mayor, City Council and the community

PR-3 Proclaiming the Week of September 22-29, 2007 as "America on the Move Week": Mayor Hammond proclaimed September 22-29, 2007 as "America on the Move Week" which was a national effort, supported by the City of Monrovia and Santa Anita Family YMCA in conjunction with America on the Move and YMCA Activate America® to promote active living and healthy eating. Cheryl Reynolds and Karen McNear, Santa Anita Family YMCA, and Danielle Tellez, Human Resources Management Analyst II, accepted the proclamation

PR-4 Proclaiming the Week of September 23-29, 2007 as "Childhood Injury Prevention Week": The County of Los Angeles, Department of Health Services/Public Health began the "Child Health & Disability Prevention Program" as a preventive health care program for infants, children, teens, and young adults in 1976. Mayor Hammond proclaimed the week of September 23-29, 2007 as "Childhood Injury Prevention Week." The proclamation was to be mailed to the County of Los Angeles.

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

CONSENT CALENDAR: It was moved by Mayor Pro Tem Kirby, seconded by Councilmember Adams, to approve the Consent Calendar. Mayor Hammond and Councilmember Lutz abstained from voting on CC-3 due to the proximity of their respective businesses There were no objections.

The Consent Calendar consisted of the following Agenda items:

CC-1 Unadopted Minutes of the September 4, 2007 Regular Meeting of the Monrovia City Council

CC-2 Payroll No. 18 in the Amount of \$577,917.65 and Voucher Nos. 145517 through 145754 in the Amount of \$2,187,623.28

CC-3 Amendment of the Monrovia Municipal Code, Title 17 (Zoning), Pertaining to Permitted Uses in the Commercial and Industrial Zones; Second Reading and Adoption of Ordinance No. 2007-14: This was the second reading and final adoption of Ordinance No. 2007-14 amending Title 17 of the Monrovia Municipal Code, relating to Permitted Uses in the Commercial and Industrial Zones. Staff continued to recommend approval of this ordinance.

CC-4 Cooperative Traffic Signal Improvement Project at the Intersection of Peck Road and Live Oak Avenue, Between the City of Monrovia, City of Irwindale and Los Angeles County Department of Public Works, in the Amount of \$84,964.00: Peck Road at Live Oak Avenue was the shared responsibility of the City of Irwindale at the east side of the intersection, City of Monrovia in the center, and the County of Los Angeles at the west side of the intersection. The project consisted of constructing a fully actuated traffic signal with protected-permissive left turn movements for the east and west approaches, new curb ramps, upgrading signal equipment and new underground service cabinet. The estimated project cost was \$231,964.00 and would be shared among the cities and County based upon jurisdictional boundaries. Funding was available using Proposition C funds. Staff recommended the allocation of \$84,964.00 of Prop C for Monrovia's share in the project.

CC-5 Application for ABC Beverage License (Type 41 – On-Sale Beer and Wine License, Person to Person Transfer) for Empanadas Gourmet & Pizza, 113 East Lemon Avenue; Receive and File: Notice was received from ABC that Sergio Mota and Maria Sandoval submitted an application for a Type 41 – On-Sale Beer and Wine License (person to person transfer). 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: There was no public input.

PUBLIC HEARINGS/MEETINGS: There were no Public Hearings/Meetings

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

MRA CONVENE: Chairman Rob Hammond convened the Regular Meeting of September 18, 2007 of the Monrovia Redevelopment Agency Board of Directors at 7.55 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 Vice Chairman Kirby, to approve the Consent Calendar. Chairman Hammond abstained from voting on the Minutes as he had not been in attendance at the Meeting, and on MRA CC-1 due to the proximity of his business. Boardmember Lutz abstained from voting on CC-1 due to the proximity of her business. There were no objections.

The Consent Calendar consisted of the following Agenda items:

MRA-CC-1 Authorization to Assign the Executive Director the Authority to Implement the Old Town Business Development Assistance Program, Resolution No. 13-2007: The proposed resolution assigned the responsibility of grant authority for the Old Town Business Development Assistance Program to the Executive Director. The delegation of this authority would streamline the process for program applicants. The resolution would also require the Agency Board to act as the appeal body for any program applicant who wished to appeal a decision of the Executive Director. At mid-year, an evaluation report of the program would be provided to the Board

MRA CC-2 Unadopted Minutes of the September 4, 2007 Regular Meeting of the Monrovia Redevelopment Agency

MRA ADJOURNMENT: Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 7.56 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 congratulated Councilmember Garcia for his leadership positions on the League of California Cities committees which had greatly benefited the City of Monrovia
- (b) He met last night with representatives from Beijing, China who were looking at senior housing in the United States and how government worked in the United States. He was presented with a tea set from the delegation from Beijing with 2008 Olympics logo.

RCC2 Mayor Pro Tem Kirby reported that

- (a) **Access Services Program Update:** He had requested that Community Development Director Alice Griselle present a report on Access Services Program which was a viable, reliable, public transportation program. She introduced Matthew Avancena, Strategic Planner, Access Services Program, who presented an overview of the program, which was free to the City of Monrovia and low cost to those eligible to use the service

RCC3 Councilmember Adams had no report at this time.

RCC4 Councilmember Garcia reported that:

- (a) He had attended the League of California Cities Annual Conference with members of the City Staff which was attended by over 2000 people. There were a number of significant sessions and programs. He moderated a session on the homeless in California, a problem that was transparent throughout California cities and needed to be addressed. He was very involved with policy committees, and had chaired the League's Housing and Community Development Committee, with his last meeting at the Conference. Topics of discussion included group homes and their effect on single family neighborhoods. The resolution was later approved unanimously by the General Assembly.

RCC5 Councilmember Lutz reported that:

- (a) **Update of Maintenance Status on Monrovia Redevelopment Agency Owned Vacant Properties:** She called upon Management Analyst I Darlene Sanchez to present a report on Agency owner vacant properties, who reported that owners of the Barrett site on Olive and Myrtle Avenues had been put on notice to have the site cleared and maintained on a regular basis. There were seven other sites that were on a schedule of bi-monthly maintenance. The California and Duarte Road site was taken off the schedule but was now back on. Mayor Hammond requested that Staff investigate the west side of the Neff property where water was flowing and had created moss.
- (b) The 2007 Latino Young Men's Conference was scheduled from November 17, 2007, California State University, San Bernardino, 7.30 A M to 5:00 P M and that anyone interested in attending could access information at www.familysuccessbydesign.org

REPORTS OF STAFF MEMBERS: There were none

ADMINISTRATIVE REPORTS:

AR-1 Amendment of Title 10 of the Monrovia Municipal Code Relating to the 2008-2012 Engineering and Traffic Survey for City Street Speed Limits, Introduction and First Reading of Ordinance No. 2007-15

City Manager Ochoa reviewed the Staff Report.

In accordance with procedures established by the State of California Vehicle Code, each city was required to perform an "Engineering and Traffic Survey for Speed Limits" every five years on streets where the city intended to establish speed limits different than the 25 miles per hour (mph) State prima facie speed limit. If such a survey was not performed on a five year basis and adopted by the City Council, the use of radar would not be admissible in a court of law.

The 2008-2012 Engineering and Traffic Survey for Speed Limit Study recommended maintaining the current established 25, 30, 35 or 40 mph speed limits, which were in the Monrovia Municipal Code Section 10.04.010, and adding "Monterey Avenue - Huntington Drive to Montana Street."
It was moved by Councilmember Garcia, seconded by Councilmember Adams, to introduce, waive further reading, and read by title only Ordinance No. 2007-15.

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

City Attorney Steele read as follows.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA AMENDING CHAPTER 10.04 OF THE MONROVIA MUNICIPAL CODE RELATED TO SPEED LIMITS.

AR-2 Butler Building Disassemble, Relocate and Reassemble Project, Project No. C-2055; Award of Contract to Tower Steel Corporation in the Amount of \$38,600.00

Operations Division Manager Daniel Iwata reviewed the Staff Report.

The Butler Building Facility was a pre-fabricated steel structure purchased by the Fire Department last year to house its fire fighting apparatus during the Fire Station No. 1 Renovation Project. Once the Fire Department resumed normal operations at Fire Station No. 1, the Butler Building would be relocated to Fire Station No. 2 to house vehicles presently stored outdoors.

Staff advertised the project seeking a licensed C-51 Structural Steel Contractor for the task of disassembling, transporting and reassembling the Butler Building. On August 30, 2007, three bids were received and opened by the City Clerk's Office ranging from \$38,600.00 to \$75,000.00.

After evaluating each bid, Tower Construction appeared to be the lowest qualified bidder. Their references included work they provided to G B Construction at Fire Station No. 1 Renovation Project, Metro Transportation Authority and the Long Beach Municipal Courthouse.

It was moved by Councilmember Adams, seconded by Councilmember Lutz, to award a contract to Tower Construction in the amount of \$38,600.00 and to reject all other bids. There were no objections.

AR-3 Provide Notice of Termination of Weed Abatement Services Agreement with County of Los Angeles Agricultural Commissioner/Weights and Measures Department

Fire Chief Chris Donovan reviewed the Staff Report.

On July 17, 2007 Mr. Raymond B. Smith, Bureau Chief, Agricultural Commissioner/Weights and Measures, presented to the City Council the findings of charges for abatement services during fiscal year 2006/2007 and requested confirmation of the charges. Unfortunately, the list of charges was fraught with errors, including over-charges, improperly inspected parcels and parcels that were not located within Monrovia proper. Given the lack of confidence in the charge list, the Council unanimously approved a 90-day postponement of the hearing to resolve the errors found within the charge list and directed Staff to come up with an amicable way to dissolve the service agreement, while maintaining the exceptionally high level of service expected from the community. The County responded to the City Council's request by correcting the charge list and removing erroneous parcels, giving written confirmation of the corrected list July 23, 2007. Concurrently, City Staff worked to bring resolution to City Council's second request, which included ending the service contract and performing the vacant parcel inspections with City employees.

It was determined that the City of Monrovia could terminate the service agreement for weed abatement services with the County of Los Angeles Agricultural Commissioner/Weights and Measures Department with written notice prior to September 30 of the same year (page 4, line 5 and 6 of service agreement). Furthermore, given the lack of confidence in services rendered, it had been determined by Staff that the weed abatement services provided by Los Angeles County Department of Agriculture could be managed by City personnel.

Prior to the conclusion of the existing contract, the City Council still must complete its work on the 2006/07 assessments, which had been continued until an October meeting of the City Council.

Staff recommended that written notice be given to the Los Angeles County Agricultural Commissioner/Weights and Measures Department providing Notice of Termination of Weed Abatement Services Agreement, on or before September 30, 2007. Furthermore, Staff recommended those services previously provided by the Los Angeles County Department of Weights and Measures be transferred and shared between the Fire Department and the Community Development Department.

It was moved by Councilmember Garcia, seconded by Councilmember Lutz, to direct the City Attorney to provide a written Notice of Termination of the Weed Abatement Services Agreement with County of Los Angeles Agricultural Commissioner/Weights and Measures Department, to the County on or before September 30, 2007; and support the allocation of weed abatement services previously provided by the County between the City's Fire and Community Development Departments.

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

SCHEDULED MEETINGS: Mayor Hammond announced that the next Regular Meeting of the Monrovia City Council is scheduled for Tuesday, October 2, 2007, 7:30 P.M., preceded by a Study Session to review trash issues, 6.00 P M , City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

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

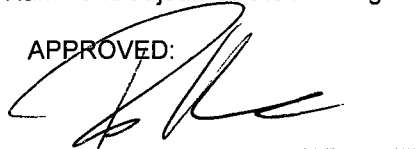
ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED: There were no items pulled from the Consent Calendar.

ADJOURNMENT TO CLOSED SESSION: At 8.29 P.M., Mayor Hammond announced that the City Council would adjourn to Closed Session to conference with Labor Negotiator pursuant to Government Code §54957 6, Agency Negotiator. Theresa St. Peter, Group Employees' Monrovia Firefighters Association

RECONVENE AND REPORT OF CLOSED SESSION: Conference with Labor Negotiator pursuant to Government Code §54957.6; Agency Negotiator: Theresa St Peter; Group Employees' Monrovia Firefighters Association City Attorney Steele reported that no reportable action was taken

ADJOURNMENT: At 8:50 P.M., Mayor Hammond adjourned the Meeting.

APPROVED:



Rob Hammond, Mayor

ATTEST



Linda B. Proctor, MMC, City Clerk