

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, MARCH 3, 2009, 7:30 P M.**

CONVENE: Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, March 3, 2009, at 7:36 P M, in City Council Chambers, 415 South Ivy Avenue, Monrovia, California. In attendance were City Manager Scott Ochoa, City Attorney Craig A. Steele and Deputy City Clerk Alice D. Atkins.

INVOCATION: Pastor Dorothy Scott gave the Invocation.

PLEDGE OF ALLEGIANCE: Councilmember Mary Ann Lutz led the Flag Salute.

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

PRESENTATION/PROCLAMATION:

PR-1 Introduction of 2009-10 Senior Club Presidents, Luana Ledesma, Golden Age Club, Pat Ostrye, New Horizon Club; and Coral Stoval, Gad A Bout Red Hat Club: Recreation Coordinator Penny Arroyo introduced the 2009-10 Senior Club Presidents, Luana Ledesma, Golden Age Club, Pat Ostrye, New Horizon Club, and Coral Stoval, Gad A Bout Red Hat Club, to the Mayor, City Council and the community.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Interim Student Liaison Dimaya Lozano reported on events and activities at Monrovia High School.

CONSENT CALENDAR: It was moved by Councilmember Garcia, seconded by Mayor Pro Tem Kirby, to approve the Consent Calendar, with the exception of item CC-8 which was pulled for consideration at a future meeting. There were no objections. The Consent Calendar consisted of the following Agenda items:

CC-1 Unadopted Minutes of the February 17, 2009 Regular Meeting of the Monrovia City Council

CC-2 Payroll No. 4 in the Amount of \$576,353.27 and Voucher Nos. 156667 through 157015 in the Amount of \$1,294,749.65

CC-3 Set for Public Hearing on March 17, 2009, Formation of Underground Utility District No. 2009-01 on Magnolia Avenue Between Duarte Road and Central Avenue, Resolution No. 2009-09: The formation of Underground Utility Districts (UUD) would call for the overhead facilities to be removed and placed underground within the district boundaries. Edison's estimated construction costs were \$800,000.00. Under the Public Utilities Commission's Rule 20A Program, SCE was required to allocate a set amount of funds each year to local governments. Monrovia's allocation amount was approximately \$197,000.00 per year. To date, over \$960,000.00 was available.

UUD No. 2009-01 encompassed Magnolia Avenue between Central Avenue and Duarte Road. The Monrovia Municipal Code established the procedures for the creation of the UUD and required a Public Hearing. Funding for the Underground Utility District would utilize Edison Rule 20A funds. Staff recommended adoption of Resolution No. 2009-09.

CC-4 Recreation Park Improvement, Tennis Court Resurfacing, Project No. C-3019; Acceptance of Work, Notice of Completion and Final Payment to California Surfacing in the Total Project Amount of \$28,800.00: On January 20, 2009, the City of Monrovia awarded a contract to California Surfacing for the resurfacing of all four tennis courts at Recreation Park in the

amount of \$28,800 00 California Surfacing was given a "Notice to Proceed" on February 9, 2009, and the work was completed on February 16, 2009 Funding was available through State Prop 40 Funds

CC-5 Library Park Play Equipment; Request to Apply for Grant Funding from Los Angeles County Regional Park and Open Space District for Fifth Supervisorial Excess Funding; Resolution No. 2009-10: Library Park's old play equipment was the oldest in the City Parks' inventory and was not salvageable Staff submitted a letter requesting the County's Fifth Supervisorial District Michael Antonovich for funding His generosity to use excess funds from Los Angeles County's Regional Park and Open Space District made it possible to appropriate \$350,000 00 for the new play equipment To obtain the grant funding, the City Council resolution authorizing the City's participation was necessary City Staff would file an application for the appropriation and enter into a contract with the Los Angeles County Regional Park and Open Space District to install the new play area No general funds would be used for this project Staff recommended adoption of Resolution No 2009-10

CC-6 Destruction of Certain Human Resources/Risk Management, Public Works and City Clerk Department Records, Resolution No. 2009-11: 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 2009-11 relating to the destruction of certain Human Resources/Risk Management, Public Works and City Clerk Departmental records listed on the attached Exhibit "A "

CC-7 Purchase of Opening Day Audiovisual Collection for the New Monrovia Public Library from Baker & Taylor in an Amount not to Exceed \$33,000.00: For the first time since the late 1970's, the Monrovia Public Library would offer an Audiovisual Collection, consisting of popular movie DVDs and Music CDs at the new library opening in May, 2009 The collection was being added in direct response to the community's request for such items and would be funded by the division's Expenditure Control Budget (ECB)

Out of four vendors, Baker & Taylor responded with a quote that included the ability to supply the most titles for the least amount of cost, the cataloging records for each item so that the DVDs and CDs would not need to be cataloged individually by staff, and final materials processing so that the DVDs and CDs would not have to be made shelf ready by Staff

CC-8 Determination that a Designated Portion of the City is a Depressed Area and that Designation of the Area as an Enterprise Zone is Necessary to Attract Private Sector Investment, Resolution No 2009-05 This matter was pulled to be considered at a future meeting

CC-9 Fiscal Year 2007-08 Comprehensive Annual Financial Report (CAFR), Receive and File. The City was required, under municipal code, to complete an independent audit on an annual basis This audit included a review of the existing internal accounting controls regarding document preparation and processing, separation of critical functions and duties, management and control of assets, and reliability of the computer systems to properly record transactions In addition, major account balances or large dollar activities were reviewed to validate year-end balances

Lance Soll & Lunghard, LLP, Certified Public Accountants, were retained to audit the financial records of the City Lance Soll & Lunghard issued an unqualified opinion on the City's financial statements for the 2007-08 fiscal year audit In simpler terms, this meant the financial information presented in the accounting records and financial statements were accurately presented and free from material misstatement In addition, the Finance Department was following applicable accounting practices and regulations in recording the day to day financial activities of the City

In order to be awarded a Certificate of Achievement in Financial Reporting, a city was required to publish an easily readable and well-organized Comprehensive Annual Financial Report. The CAFR had to satisfy both applicable legal requirements and generally accepted accounting practices. Monrovia had received the Government Finance Officer's Association (GFOA) financial reporting award for the last 16 years. Once again, the Finance Department would submit the City's report for National award consideration. Staff recommended the City Council receive and file the 2007-08 Comprehensive Annual Financial Report.

CC-10 Annual Update of City's Investment Policy; Resolution No. 2009-15. The City reviewed the investment policy every year. Staff analyzed the State Government code, past fiscal practices, and current investment trends in updating the policy. State law required that the City Council be provided with an investment policy update no less than annually at a public meeting.

The City of Monrovia's investment policy met all the requirements of Government Code Section 53600 (the code that identified how public funds are managed). A critical element of the policy was the specification of the following objectives, in order of importance:

- 1 Preservation of capital and protection of investment principal
- 2 Maintenance of sufficient liquidity to meet anticipated cash flows
- 3 Attainment of a market value rate of return
- 4 Diversification to avoid incurring unreasonable market risks
- 5 Compliance with the City's Municipal Code

Included in the Government Code was a "Standard of Prudence" which stated, "When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing." Secondly, certain instruments were not permissible for municipalities.

No direct fiscal impact would occur as a result of adopting the Investment Policy. The market's rise or fall in interest rates and investment value determined any financial impact. Staff recommended adopting Resolution No. 2009-15.

PUBLIC INPUT:

- 1 Nathan McCusker, representing American Cancer Society Relay for Life, April 18-19, 2009

In response, Mayor Hammond thanked Mr. McCusker for the work they do to put the event on and encouraged everyone to attend the luminary ceremony, if they could attend nothing else, because it was such a moving event.

PUBLIC HEARINGS / MEETINGS: There were none.

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

MRA CONVENE: Chairman Rob Hammond convened the Meeting of March 3, 2009, of the Monrovia Redevelopment Agency Board of Directors at 7:47 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-Chair Dan Kirby and Chairman Hammond.

MRA CONSENT CALENDAR: It was moved by Vice-Chair Kirby, seconded by Boardmember Garcia, to approve the Consent Calendar. There were no objections. The Consent Calendar consisted of the following Agenda items:

MRA CC-1 Unadopted Minutes of the February 17, 2009 Regular Meeting of the Monrovia Redevelopment Agency

MRA-CC-2 Acquisition and Tenant Relocation for Real Property Located at 1234 Sherman Avenue From Mary Youngblood For the Total Consideration of \$465,000 00, Resolution No 2-2009 Over the last several years, the Agency sought to identify and eliminate the core blighting influences on Sherman Avenue Although the Agency was developing a successful Habitat for Humanity project on this street, the area continued to be plagued with a series of criminal, gang-related activities The subject property being proposed for acquisition had historically been at the center for much of the criminal activity

The subject property was improved with a 1,181 square foot single-family residential dwelling Following an independent appraisal, it was determined that the fair market value of the property was \$355,000 00 Through extensive negotiations, Agency Staff had come to agreement with the owner of the site to acquire the property for the established value plus the cost of relocation benefits required under State Law The total consideration of \$465,000 00 was the all inclusive cost for both the property and relocation The acquisition of this site would contribute to the enhancements already made to the area, while preserving the Agency's investment in the future of this neighborhood

Staff recommended that the Agency Board adopt Resolution No 2-2009, and authorize the Executive Director to execute the necessary documents

MRA-CC-3 Lease Agreement with Calvary Church for Real Property Located at 123 West Pomona Avenue The Agency acquired the former World Gym site, located at 123 West Pomona Avenue, as part of the Station Square development The site was located in the third phase of the project, which was expected to break ground in approximately eighteen months Rather than allowing the property to remain vacant and become an attractive nuisance, the Agency had determined that a better alternative was to identify a temporary tenant for the site

The proposed tenant, Calvary Church, would lease the site for a monthly rate of \$5,224 00, a figure consistent with market rates The initial term was for a twelve month period, with a month to month option extension at the conclusion of the initial term The Lease required the tenant to be responsible for the maintenance of the property and also required the tenant to waive any relocation benefits at the conclusion of the term

Staff recommended approval of a Lease Agreement with Calvary Church for Real Property Located at 123 West Pomona Avenue

PUBLIC HEARINGS/MEETINGS There were none

MRA ADJOURNMENT Chairman Hammond adjourned the Meeting at 7 47 P M

RECONVENE MONROVIA CITY COUNCIL MEETING

REPORTS OF CITY COUNCILMEMBERS AND SUB-COMMITTEES.

RCC-1 Mayor Rob Hammond reported that

(a) **City of Monrovia Budget Update** City Manager Ochoa commented on the budget recently passed by the State and projected the effect it would have on the City would be neutral City revenue growth projections had been adjusted to negative down from flat, although sales tax was better in the City than most of Los Angeles County and certainly better than the State Staff would be meeting with the City's consultants soon regarding property taxes, and were looking at a broad range of solutions to bridge the gap Mayor Hammond requested that Staff begin now looking into the possibility of contracting out some of the things currently being performed in-house rather than waiting until May

(b) **Southern California Edison Tehachapi Renewable Transmission Project** Southern California Edison Region Manager Elisa Clifford reviewed the status and long range plan of the Southern California Edison Tehachapi Renewable Transmission Project (TRTP) and indicated a full copy was on file at the Monrovia service center Councilmember Adams thanked her for the

program SCE hosted in the City of Irwindale on Solar opportunities Ms Clifford announced that there would be two seminars held at the Monrovia service center and she would forward more information to the City Council

(c) Request for Amendment to the Metro Draft Long Range Transportation Plan (DLRT) Relating to Funding for the Gold Line Foothill Extension, Resolution No. 2009-14 There had been interesting dialog going on at Metro where there was still serious opposition to including the Metro Goldline Foothill Extension in the DLRT by Supervisor Yaroslavsky and Mayor Villaregosa, however, Supervisor Molina went full force with support

It was moved by Mayor Pro Tem Kirby, seconded by Councilmember Adams, to adopt Resolution No. 2009-14. There were no objections

(d) He thanked Kerri Zessau and all members of the Youth Commission and said he was truly flattered by the planting of trees in his and Councilmember Adams' name There were a host of things they were called to help with throughout the year and they never said "no", even during the summer, and they were truly going to be the leaders of tomorrow

RCC-2 Mayor Pro Tem Dan Kirby reported that

(a) On March 4, 2009, there would be an Arbor Day celebration which would include planting two trees at the site of the new public library in honor of Mayor Hammond and Councilmember Adams, and encouraged everyone to come out and attend

RCC-3 Councilmember Tom Adams had no report

RCC-4 Councilmember Joe Garcia reported that

(a) He reminded the community that a historic event was coming up on Tuesday, March 17, 2009 at 3 00 P M , the dedication of the Wildrose Historic District at the corner of Wildrose and California Avenues and saw it as a great opportunity to inspire more neighborhoods to designate their own blocks as historic districts as well

RCC-5 Councilmember Mary Ann Lutz reported that

(a) Support for Construction of Material Recovery Facility (MRF) in the City of Irwindale, Resolution No. 2009-13 She explained the eventual closing of the Puente Hills Land Fill, gave background on the function of Material Recovery Facilities (MRF) and Transfer Stations, and reported that the City of Irwindale had asked for a resolution of support for construction of an MRF in their City

It was moved by Councilmember Lutz, seconded by Mayor Pro Tem Kirby, to adopt Resolution No 2009-13. There were no objections

(b) She wanted to piggy-back on Mr McCusker's report of events for the upcoming American Cancer Society's Relay for Life scheduled for April 18-19 and commented on the involvement from the community and the focus to get smaller teams working together She announced there would be a number of booths with valuable information and resources and encouraged everyone to visit the website regarding the event

(c) A Household Hazardous Waste (HHW) Roundup event would be held on Saturday, March 7, at the City Park & Ride lot on Myrtle Avenue

(d) Santa Fe Middle School and Clifton Middle School were both up for Distinguished School Awards, both had filed applications and were having visitations in the next week She asked the community to keep fingers crossed, as the schools had worked very hard and come a long way

ADMINISTRATIVE REPORTS

AR-1 Library Park Street Improvements, Project, No C-3005, Award of Contract to Peter's Concrete Company in the Amount of \$466,793.00 (report amended to \$452,843.00)

Public Works Director Ron Bow reviewed the Staff Report

New Library Park street improvements would include demolition of the existing curbs, gutters and sidewalks, installation of new sidewalk with 30" standard scored squares, decorative stamped concrete at the crosswalks, intersections, curbs, gutters, decorative street lighting, new landscaping, irrigation, new asphalt pavement overlay with geotextile fabric reinforcing material, signage and striping. Construction would take approximately 2 months with an emphasis to coordinate the completion with the Library building and park improvements.

On February 19, 2009, 14 bids were received ranging from \$452,843.00 to \$926,503.00. The apparent low bidder was Peters Concrete Company in the amount of \$452,843.00. Staff had reviewed the apparent low bidder and found an irregularity in the calculation of the total bid amount. After discussion with the Contractor it was discovered that the per unit price on two items inadvertently reflected the item total resulting in a higher total bid amount. The Contractor agreed to the correction of the per unit price bringing the bid total back down to the original amount. Funding for the project was being provided by Capital Improvement Fund.

Councilmember Lutz clarified that the project included signage and restriping of the streets for parking. Mr. Bow explained that Lime Avenue would be changed to eastbound traffic only and Primrose Avenue would have 17 new diagonal spaces, pulling back on the current curb and sidewalk, resulting in approximately the same amount of parking. Mr. Ochoa confirmed that there was an ongoing agreement with Bethel AME Church for use of the parking lot during construction and future negotiations could be considered if a need was determined.

It was moved Councilmember Lutz, seconded by Councilmember Adams, to waive the bid irregularities, award a contract to Peters Concrete Company in the amount of \$466,793.00 for the Library Park Street Improvement Project, Project No. C-3005, and reject all other bids. There were no objections.

AR-2 Approval of Amendment of the Joint Powers Agreement (JPA) with Foothill Transit to Admit the City of Pasadena as a Member

Alice Griselle, Director of Community Development, reviewed the Staff Report.

Foothill Transit was a Joint Powers Authority (JPA) consisting of 22 cities in the San Gabriel and Pomona Valleys and the County of Los Angeles that was created to provide better public transportation options for this region. Last year, Foothill Transit's Governing Board voted to request that all JPA member organizations formally approve an amendment to the Foothill Transit JPA Agreement to add the City of Pasadena as a JPA member. This required each member to place this item on an upcoming meeting agenda and approve the new joint powers agreement which would include Pasadena as a member.

Foothill Transit's service included several lines to Pasadena. The addition of the City of Pasadena to the JPA would provide for improved coordination of service Valley-wide. Additionally, Pasadena's inclusion would likely further Foothill Transit's political influence in Sacramento and Washington, DC. Staff recommended approval of the amendment to the Foothill Transit Joint Powers Agreement to include the City of Pasadena.

It was moved by Councilmember Adams, seconded by Councilmember Garcia, to approve the amendment to the Foothill Transit Joint Powers Authority to include the City of Pasadena.

ROLL CALL.

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

AR-3 Purchase of Workstations, Printers, Software, Networking and other Equipment for the New Public Library in the Amount not to Exceed \$225,000.

Mitch Cochran, Information Systems Manager, reviewed the Staff Report.

As part of the new library building, Staff requested the authorization to purchase new equipment for both public and staff workstations. As part of the project, \$225,000.00 had been budgeted for the purchase of new equipment. Library Staff identified the need for 96 workstations and 34 printers for public, Staff, and instructional uses. The request also included the purchase of the Windows operating system, Microsoft office suites, graphic editing and instructional software for the workstations. Other equipment included in the authorization request consisted of network hardware, web cams and a digital camera.

After discussion it was moved by Mayor Hammond, seconded by Councilmember Adams, to bring the item back to the next City Council Meeting for more detailed analysis of the various options. There were no objections.

SCHEDULED MEETINGS

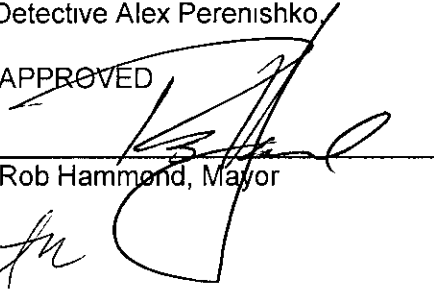
The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, March 17, 2009, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

PUBLIC INPUT, CONTINUED, IF NEEDED None

ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED None

ADJOURNMENT Mayor Hammond adjourned the Meeting at 8:38 P.M. in memory of Marcia Mackessy, former Secretary to Police Chiefs Tubbs and Santoro, and long time Monrovia resident, and Alexi Perenishko, father of Police Detective Alex Perenishko.

APPROVED



Rob Hammond, Mayor

ATTEST



Linda B. Proctor, MMC, City Clerk