

**MINUTES OF THE REGULAR MEETING OF THE  
MONROVIA CITY COUNCIL  
HELD TUESDAY, OCTOBER 6, 2009, 7:30 P.M.**

**CONVENE:** Mayor Mary Ann Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, October 6, 2009, at 7 30 P M , City Council Chambers, 415 South Ivy Avenue, Monrovia, California, in honor of Charlotte Eleanor Ruby Mitchell, born to parents Amber and Jeff Mitchell, on September 16, 2009 In attendance were City Manager Scott Ochoa, City Attorney Craig A Steele, and City Clerk Linda B Proctor

**INVOCATION:** Pastor Dorothy Scott gave the Invocation

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

**ROLL CALL:** In attendance were Councilmembers Joe Garcia, Clarence R Shaw, Becky A Shevlin, Mayor Pro Tem Adams, and Mayor Mary Ann Lutz

**PRESENTATIONS/PROCLAMATIONS:**

**PR-1 Recognition of Miss California Teen USA Contestant Kennedy Holmes:** Mayor Lutz introduced Monrovia Kennedy Holmes, our local contender for the Miss California Teen USA Contest Miss Holmes was presented with a certification of recognition

**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 introduced Monrovia Golfer Blake Moore, contender for the "Big Break" Disney Golf Tournament Mr Moore was presented with a certification of recognition

**ORDER OF BUSINESS:** *There were no changes*

**OLD BUSINESS:** Mayor Lutz introduced City Clerk Linda B Proctor who presented a farewell speech regarding her retirement on October 19, 2009, noting that this was her last City Council Meeting as City Clerk The City Council presented her with a bouquet of roses and each thanked her for her 17 ½ years service to the City of Monrovia as the elected and appointed City Clerk

**STUDENT GOVERNMENT REPRESENTATIVE REPORT:** Student Liaison Savannah Spicer reported on past and future activities at the high school

**CONSENT CALENDAR:** **It was moved by Mayor Pro Tem Adams, seconded by Councilmember Shaw, to approve the Consent Calendar.** There were no objections The Consent Calendar consisted of the following Agenda items

**CC-1 Unadopted Minutes of the September 15, 2009 Regular Meeting of the Monrovia City Council**

**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 was 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

the City's hillside area was 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

**CC-4 Denial of Liability Claim; Tirus Burks vs. City of Monrovia:** Mr Burks alleged 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 bore no responsibility in this matter. Staff recommended that City Council deny this claim.

**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 alleged that \$30.00 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 \$30.00. Police personnel then searched her vehicle to see if the money 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 bore no responsibility for this matter. Staff recommended that City Council deny this claim.

**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 was being drafted and would be presented at the mid-year budget.

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

**PUBLIC INPUT:**

1 Councilmember Angel Carrillo, City of Azusa, presented a certificate of appreciation to Councilmember Garcia for his leadership as President of the Los Angeles Division of the League of California Cities.

2 Mayor Bruce Barrow, City of Cerritos, presented a plaque to Councilmember Garcia for his leadership as President of the Los Angeles Division of the League of California Cities.

Councilmember Garcia thanked them both for their leadership and for bestowing this recognition upon him, noting that the leadership was only as good as the team he worked with. He recognized Jennifer Quan and Ben Wong, League of California Cities.

- 3 Pam Fitzpatrick, Monrovia
4. Christine Cusick, Monrovia
5. Nancy Zack, Monrovia

**PUBLIC HEARINGS/MEETINGS:** There were no Public Hearings.

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

**MRA CONVENE:** Chairman Mary Ann Lutz convened the Meeting of October 6, 2009, of the Monrovia Redevelopment Agency Board of Directors at 8 28 P M in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting

**MRA ROLL CALL:** Those in attendance were Boardmembers Joe Garcia, Clarence R Shaw, Becky A Shevlin, Vice-Chairman Tom Adams, and Chairman Mary Ann Lutz

**MRA CONSENT CALENDAR:** It was moved by Boardmember Garcia, seconded by Boardmember Shaw, to approve the Consent Calendar. There were no objections. The Consent Calendar consisted of the following items

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

**MRA PUBLIC HEARINGS/MEETINGS:** None

**MRA ADMINISTRATIVE REPORTS:** None

**MRA ADJOURNMENT:** Chairman Lutz adjourned the Meeting at 8 29 P M

**RECONVENE MONROVIA CITY COUNCIL MEETING**

**REPORTS OF CITY COUNCILMEMBERS AND SUB-COMMITTEES:**

**RCC1 Mayor Lutz** reported that

(a) **Appointment to the Monrovia Endowment for the Arts Committee of a Community Services Commissioner Representative Replacing Former Commissioner Becky A. Shevlin:**

It was moved by Mayor Lutz, seconded by Councilmember Shevlin, to appoint Community Services Chairman Brian Ulm to the Monrovia Endowment for the Arts Committee. There were no objections

(b) **Monrovia Library Fountain Renderings:** Public Works Director Ron Bow updated the City Council on the project to begin soon for the Fountain for Library Park

(c) **Monthly Census Update** Community Development Director Alice Griselle updated the City Council on the Census.

(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:** After much discussion, including voicing support of the Stadium, no action was taken on the exemption of CEQA

(e) Governor Arnold Swartzaneggar visited Regency Court Senior Housing in support of disabled individuals living there after reading an article the day before on their eviction notices which he had reversed

**RCC2 Mayor Pro Tem Adams** reported that

(a) He would not be in town for the October 20, 2009 City Council Meeting and asked to be excused

(b) KABC Television visited Monrovia at the invitation of Unity Center recently to listen to what residents felt about the news coverage and ways to improve

(c) **Support of a Joint City of Monrovia and Chamber of Commerce "Shop Monrovia" Campaign:** It was so important to shop in Monrovia in these economic tough times, that he supported working with the Chamber of Commerce in a campaign with the City of Monrovia to that end. Included in the campaign would be facts and figures depicting what the dollars spent would do for the City in the City

**RCC3 Councilmember Garcia** had no report at this time

**RCC4 Councilmember Shaw** reported that

(a) He had a good experience using Monrovia Transit and intended to ride it periodically. He urged residents to do the same, noting that the fare was only \$1 00, and less for seniors

**RCC5 Councilmember Shevlin** reported that

- (a) She reviewed the upcoming community events

## ADMINISTRATIVE REPORTS

### AR-1 2008 Monrovia Environmental Accords Annual Report

Former Operations Division Manager Dan Iwata reviewed the Staff Report

The City Council adopted the Monrovia Environmental Accords Administrative Policy No 9 02 on July 2, 2007 The Accords consisted of twenty-one action items that focused on seven major topics of Energy, Waste Reduction, Urban Design, Urban Nature, Transportation, Environmental Health, and Water

The Monrovia Green Team, consisting of City Staff from each Department was 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 provided a progress report on how well the City had accomplished each action strategy The goals were considered mid- to long-range and might take 5 to 20 years to accomplish

Mr Iwata reported that the City of Monrovia had won the 21<sup>st</sup> Annual Clean Air Award for 2009 for Model Community Achievement which was presented at the Biltmore Hotel last Friday The City had not put in an application but rather received due to its local AQMD representative Councilmember Garcia opined that Mr Iwata should be Green Team Emeritus Mayor Pro Tem Adams requested that one of the GEM cars be brought to City Hall at the time of a City Council Meeting At Mayor Lutz's request, City Manager Ochoa suggested that Mr Iwata be recognized for his exemplary work at the Employee Luncheon in December

**It was moved by Mayor Pro Tem Adams, seconded by Councilmember Shevlin, to receive and file the Environmental Accords Annual Report.** There were There were no objections

### 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, reviewed 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 stated 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 were 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 would 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 was no fiscal impact

**It was moved by Mayor Pro Tem Adams, seconded by Councilmember Garcia, 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.** There were no objections

## SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council was 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:** None

**ITEMS PULLED FROM CONSENT CALENDAR:** None

**ADJOURNMENT TO CLOSED SESSION:** At 9:26 P M , Mayor Lutz adjourned the Meeting to Closed Session 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, and Ronald Wayne Babcock, Owner, Diron Business Services, noting that the City Council would reconvene the City Council Meeting to report on Closed Session. Closed Sessions items were

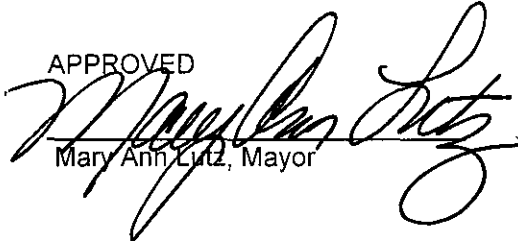
**ACS-1 Conference with Legal Counsel, Anticipated Litigation, Initiation of Litigation Pursuant to Government Code Section 54956.9(c) 3 Potential Cases**

**RECONVENE AND REPORT OF CLOSED SESSION:** At 11 30 P M , Mayor Lutz reconvened the City Council Meeting City Attorney Steele reported that no reportable action was taken in Closed Session on either item

**RCS-1 Conference with Legal Counsel, Anticipated Litigation, Initiation of Litigation Pursuant to Government Code Section 54956.9(c) 3 Potential Cases**

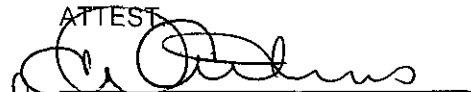
**ADJOURNMENT:** At 11 30 P M Mayor Lutz adjourned the Meeting

APPROVED



Mary Ann Lutz, Mayor

ATTEST



Linda B Proctor, MMC, City Clerk