

**MINUTES OF THE REGULAR MEETING  
OF THE  
MONROVIA CITY COUNCIL  
HELD TUESDAY, DECEMBER 7, 2004, 7:30 P M**

**CONVENE:** Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, December 7, 2004 at 7:33 P M in City Council Chambers, 415 South Ivy Avenue, Monrovia, California. Staff in attendance was City Manager Scott Ochoa, City Attorney Craig A Steele, and Administrative Secretary Alice Atkins.

**INVOCATION.** Police Chaplain Sylvia Van Doren gave the Invocation.

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

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

**REPORT OF CLOSED SESSION(S).** None.

**PRESENTATIONS:**

**1. Recognition of 2005 Monrovia Recycles Calendar Contest Winners**

In November, Fifth Grade classes in Monrovia participated in a drawing contest showing how they recycle at home in honor of America Recycles Day celebrated on November 15 each year. Approximately 250 entries were received and 12 winners were chosen to be featured in the 2005 Monrovia Recycles Calendar. The Public Works Department held a pizza party for the winners and their families prior to the City Council meeting. The calendars would be distributed by staff to all Fifth Grade classes and would be available for the public at City Hall public counters the following week.

Tammy Evans, Management Analyst I, and Louis Ceyela, Management Analyst II, assisted the Mayor and City Council in recognizing the winners of the 2005 Monrovia Recycles Calendar Contest as follows: Bradoaks Elementary School students George Saikali, Denise Hinostroza, Alyssa Apparicio, and Proud Sri Thong, Mayflower Elementary School students David Donnelly, Haydee Velazquez, and Jeanette Carron, Monroe Elementary School students Krystal Alviso and Saul Denova, Plymouth Elementary School student Julio Cesar Mendez, and Wildrose Elementary School students Michael Pardo and Carmen Herrera.

Mayor Hammond congratulated the students on the great example they were setting for their peers.

**2. Recognition of Winners in the Annual Old Town Holiday Parade**

Lisa Magno and Susan Motander, event Co-chairs, introduced the judges and commentators and assisted the Mayor in presenting the awards to the winning entries of the December 2, 2004 parade as follows: Best Theme Entry, First Place, Foothill Unity Center, Best Theme Entry, Second Place, Portable Jungle Gym, Best Theme Entry, Third Place, First Lutheran School, Best Youth Entry, First Place, Plymouth School, Best Youth Entry, Second Place, The Village After School Program, Best Youth Entry, Third Place, Shock Treatment, Best Band Entry, First Place, Monrovia High School, Best Band Entry, Second Place, El Monte High School. Ms. Motander thanked the parade committee, Public Works Department, Police Department, the entire City of Monrovia, and the Street Sweepers who cleaned up afterward.

### **3. Recognition of Mwalimu 2004 Recipient Rodney Jefferson**

Mayor Hammond recognized long time resident Rodney Jefferson, recipient of the 2004 Mwalimu Award from the Monrovia/Duarte Black Alumni Association MDBAA presented Mr Jefferson with the award for his outstanding contribution to the youth in the community

Mr Jefferson thanked Mayor Hammond for his kind words, expressed what a humbling experience it was to be honored by the people in the community, and thanked each Councilmember for their support of the basketball clinics each year

### **4 Recognition of Employees of the Year, Field, John Ditto, Office, Fely del Rosario, and Safety and Police, Kirk Bates**

City Manager Scott Ochoa introduced the 2004 Employees of the Year to the Mayor and City Council The 2004 Employees of the Year were as follows John Ditto, Field, Fely del Rosario, Office, and Kirk Bates, Safety Mr Bates was unable to attend

### **5. Presentation from Richards, Watson & Gershon to Foothill Unity Center**

City Attorney Craig Steele announced that as part of Richards Watson & Gershon's celebration of 50 years in practice, they were recognizing various community groups, and presented Joan Whitnack, Executive Director, Foothill Unity Center, with a new computer system

**PROCLAMATIONS.** None

The following item was taken out of order

## **G. REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES**

### **1. Mayor Hammond reported that**

#### **(a) Recognition of Karen Suarez, Retiring Trustee of the San Gabriel Valley Mosquito & Vector Control Board**

Mayor Hammond presented Karen Suarez with a plaque and thanked her for her service and dedication to the City as the San Gabriel Valley Mosquito & Vector Control Board Trustee from 2001 through 2004

**STUDENT GOVERNMENT REPRESENTATIVE REPORT:** Student Liaison Pamela Cheng reported on activities at Monrovia High School

**A CONSENT CALENDAR** It was moved by Councilmember Kirby, seconded by Councilmember Adams, to approve the Consent Calendar consisting of Items \*B, \*F-1, \*F-2, \*I-3, \*I-4, \*I-5, and \*J. There were no objections

**\*B. MINUTES** The Minutes of the Regular Meeting of November 16, 2004 were approved by order of the Consent Calendar

## **C. ORAL COMMUNICATIONS**

1 Manuel Alvarenga-Flores, 425 Hurstview Avenue, presented a petition from residents of the 500 block of Hurstview, between California and Shamrock, requesting speed limit signs or speed bumps

2 Bill Beebe, Monrovia Arts Festival Association, President, announced that on December 8, 2004, from 5 00 p m to 7 00 p m , there would be an artists reception at Focus One Credit

Union, that the Acknowledge the Artists event raised over \$17,000, and that MAFA would present \$20,000 to the Schools' Art Programs

3 Joan Whitenack, Executive Director, Foothill Unity Center, thanked the City and residents for supporting the Foothill Unity Center, announced that December 18 would be the packing day at the old courthouse with the distribution on December 20, and invited those who would like to help to participate as much-needed volunteers

4 Stephen Grollnek, Monrovia, took exception with the Mayor's comments made recently regarding the current City Council

5 Chuck Keen, Monrovia, asked everyone to remember veterans from World War II, thanked Dan Iwata, Susan Immer, Hector Insuza for their work on the recent dedication at the Canyon Park, announced that Blue Star Families Monrovia soldiers who were wounded recently are doing fine, thanked the Mayor, City Council, Police Chief and Fire Department for being at the re-dedication, reminded that there were twenty soldiers still missing from Vietnam/Korean Wars, and asked that everyone keep all who are in the MIA/POW program in their hearts

6 Cyrus Kemp, Monrovia, acknowledged that there are a lot of good people that work for the City, expressed his opinion on problems with other staff, and questioned the quality of management and hiring/firing practices

#### **D PUBLIC HEARINGS/MEETINGS. None**

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

**CONVENE:** Chairman Rob Hammond convened the Regular Meeting of December 7, 2004 of the Monrovia Redevelopment Agency Board of Directors at 8 41 P M in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting

**ROLL CALL:** Those in attendance were Boardmembers Tom Adams, Dan Kirby, Mary Ann Lutz, Vice-Chairman Joe Garcia, and Chairman Rob Hammond

#### **A CONSENT CALENDAR**

**It was moved by Boardmember Adams, seconded by Boardmember Kirby, to approve the Consent Calendar consisting of Item \*B, \*MRA-3. There were no objections**

**\*B MINUTES:** The Minutes of the Regular Meeting of November 16, 2004 were approved by order of the Consent Calendar

#### **MRA REPORTS.**

##### **1. Public Hearing; Adoption of the Monrovia Redevelopment Agency's Five Year Implementation Plan, Resolution No. 7-2004**

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

California Redevelopment Law required redevelopment agencies to adopt a Five Year Implementation Plan highlighting the goals, strategies, and objectives of their agency for the next five years To address these issues, Staff prepared a Five Year Implementation Plan which assessed the physical and economic conditions of blight existing in and around the project area, provided a listing of the Agency's proposed programs and expenditures and how they would alleviate blight, and established the Agency's affordable housing strategy

The purpose of the required Public Hearing was to review the projects, programs and strategies contained in the proposed Five Year Implementation Plan During the Public Hearing the Board could consider any amendments to the Plan along with any relevant testimony presented by the

public The proposed Implementation Plan represented the Agency's third Five Year Implementation Plan

Staff recommended that the Agency Board adopt Resolution No 7-2004, adopting the proposed Five Year Implementation Plan

**PUBLIC HEARING OPENED AND CLOSED** Chairman Hammond opened and closed the Public Hearing as there was no one who wished to speak for or against the matter.

**It was moved by Boardmember Adams, seconded by Boardmember Kirby, to adopt Resolution No 7-2004 and authorize the execution of the necessary documentation.** There were no objections

## **2 Authorization to Establish a Business Development Assistance Program in Old Town**

Chairman Hammond and Boardmember Lutz exited City Council Chambers at 8 46 P M , stating that they would abstain from discussing and voting on the matter

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

Over the last several years, Old Town had seen a substantial number of new businesses locate in Old Town, as well as significant investments by existing property owners and business operators While many projects had been successfully undertaken, given the high level of creativity and entrepreneurial spirit possessed by the merchants, it seemed likely that many growth-promoting ideas were in the minds and notepads of other merchants, who simply lacked available financing

Staff had prepared a Business Development Assistance Program ("Program") that was designed to provide a financial incentive to help make the most creative and promising business dreams into a reality The Program was designed to assist Old Town, in particular, the businesses located on Myrtle Avenue and the associated side streets, by providing funds to be used for the development and strengthening of existing businesses

As proposed, the Program would be a matching grant program in which the Agency would grant 50% of the cost of the merchant's proposed business expansion program, in an amount not to exceed \$25,000 Examples of eligible projects would include exterior façade improvements, and interior tenant improvements However, this was not an exclusive list, and creative concepts would be encouraged The recommended budget for the Program was \$125,000 It was anticipated that participation demand would exceed available funding Therefore, to ensure that all proposals were equally evaluated, a Program participation deadline would be established and a committee comprised of City Staff would evaluate and rank each proposal according to their creativity and estimated contribution to Old Town

Staff recommended that the Agency Board approve the proposed Business Development Assistance Program

Discussion ensued, including low interest or no interest loans versus grant program and existence of loan programs already available to small business owners

Cyrus Kemp, Monrovia, expressed his opinion regarding repayment of funds, time-limit on applications, and inclusion of merchant and councilmember on committee

After further discussion, it was moved by Boardmember Adams, seconded by Boardmember Kirby, to direct Staff to bring the item back at the earliest convenience, altering grant to loan under similar terms as to number of businesses, with no interest

**ROLL CALL**

**Ayes: Boardmembers Adams, Kirby, Vice Chairman Garcia  
Abstain. Boardmember Lutz, Chairman Hammond  
Motion carried: 3-0**

Chairman Hammond and Boardmember Lutz returned to Council Chambers at 9 02 P M

**\*3. Fiscal Year 2003-2004 Annual Report of Financial Transactions to the State Controller**

This matter was approved by order of the Consent Calendar

The California State Controller's Office required redevelopment agencies to submit an Annual Report of Financial Transactions and Audit Report each year. The annual report included information regarding agency activities and financial transactions during the previous fiscal year. This report was to be completed and forwarded to the State Controller by December 31, 2004. Failure to file a report could result in a fine of \$10,000.

Staff recommended that the Agency Board approve the submission of the Annual Report of Financial Transactions for the Monrovia Redevelopment Agency 2003-2004 Fiscal Year.

**MRA ADJOURNMENT.** Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 9 02 P M and the City Council Meeting continued.

**RECONVENE MONROVIA CITY COUNCIL MEETING**

**E. BIDS:** None

**F. COMMUNICATIONS AND PETITIONS**

**\*1 Denial of Liability Claim; Shirley Woods vs City of Monrovia**

This matter was approved by order of the Consent Calendar

Ms Woods alleged that on October 8, 2004, she tripped and fell in a hole while walking on the sidewalk at Myrtle and Lemon Avenues sustaining an injury to her left leg.

The City was notified on October 7, 2004, that a manhole cover was missing at the above location. City staff immediately placed a hazard cone over the six-inch manhole opening. The following day, October 8, 2004, City Staff checked to ensure that the cone was in place.

The City exercised due diligence in this matter. Either an intervening third party removed the cone or Ms Woods failed to adhere to the warning cone. Therefore, the City bore no responsibility in this matter.

Staff recommended that City Council deny this claim.

**G REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES.**

**1 Mayor Hammond** reported that

**(a) Recognition of Karen Suarez, Retiring Trustee of the San Gabriel Valley Mosquito & Vector Control Board.** This item was reported on during Presentations above.

**(b) Appointment of Dan Kirby to the San Gabriel Valley Mosquito & Vector Control District Board of Trustees, for a Two Year Term Beginning January 1, 2005**

It was moved by Mayor Hammond, seconded by Councilmember Lutz, to appoint Dan Kirby to the San Gabriel Valley Mosquito & Vector Control District Board of Trustees, for a Two Year Term Beginning January 1, 2005 There were no objections

**(c) Support of San Gabriel Basin Water Quality Authority Board Candidate Greg Nordback, City of Whittier; Resolution No. 2004-73**

It was moved by Mayor Hammond, seconded by Councilmember Lutz, to continue on with the current representation (Greg Nordback, City of Whittier, as noted in Resolution No 2004-73). There were no objections

(d) He wished everyone Happy Holidays and asked that they remember those who have no family and or those who cannot be home in their hearts and prayers

**2 Mayor Pro Tem Garcia reported that**

(a) He attended a League of California Cities Leaders' Conference where Housing and Economic Development was a focus, and conveyed that the League was trying to develop a plan which would enable cities to self-govern their housing needs

(b) He wished the residents a wonderful and safe holiday season, reminded all as they celebrate with their family and loved ones to remember those who are not as fortunate or wereaway serving our country, and wished all a safe and prosperous New Year

**3 Councilmember Adams reported that**

(a) **Proclaiming March 2, 2005 as "Arbor Day"** He read the proclamation signed by Mayor Hammond proclaiming March 2, 2005 as the 132<sup>nd</sup> Anniversary Celebration of Arbor Day and shared a brief history of Arbor Day

**4 Councilmember Kirby reported that**

(a) **2004 Holiday Home Happenings Decorating Contest** He announced the upcoming Contest and introduced Kerri Zessau who gave more details, including the categories of Most Effective Use of Lighting a House, Best Decorated Indoor Tree, Best Decorated Outdoor Tree, Best Religious Display, Best Outdoor Display, Best Still Display, Best Neighborhood Effort, and the Tim McKeehan – Holiday Season Award Winners would be announced at the January 4, 2005 City Council Meeting

(b) He wished all a Merry Christmas, Happy Hanukah, and Happy Holidays

(c) He enjoyed the Holiday Parade immensely and thanked Susan Motander for her hard work

(d) He asked all to remember those who will be having a harder time during the Holidays

**5. Councilmember Lutz reported that**

(a) She attended the Southern California Association of Governments Economic Forecasts with Steve Sizemore, Planning Divison Manager, where economists gave several outlooks on the future, locally and nationally, and told about opportunities in development and growth in the job market, including the bio-tech and transportation industries

(b) Monrovia was included in a recent issue of Los Angeles Magazine, declaring Wildrose as one of the Ten Great Neighborhoods in Los Angeles County

(c) She wished all a Happy Holiday, and urged everyone to remember what was important to them

**H. REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES None**

**H ADMINISTRATIVE REPORTS**

**1. Foothill Boulevard Resurfacing/Grinding Program, Project No C-2925; Acceptance of Work; Approve Change Order 1 in the amount of \$95,203 00; Notice of Completion; and Final Payment in the Amount of \$70,327.95 to Gentry Brothers, Inc., and Approve Completion of the Shamrock Avenue Safety Improvements at Olive Avenue and Royal Oaks Drive in the amount of \$61,526.50 to Gentry Brothers, Inc.**

Doug Benash, City Engineer, reviewed the Staff Report

Foothill Boulevard pavement between Mayflower Avenue and Shamrock Avenue was constructed in the early 1920's. The pavement condition had degraded due to truck traffic, utility cuts and concrete sediment. Public Works staff applied for Federal funding for this project and received their approval.

On May 18, 2004, the City Council awarded a contract to Gentry Brothers, Inc. of Irwindale, California, in the amount of \$659,050 00. Due to unforeseen conditions one (1) change order was required. A credit for pavement grinding not completed resulted in a cost decrease in the amount of \$995 90. The increased concrete pavement cost and decreases in actual bid items constructed resulted in the change order amount of \$95,203 00.

Due to the extended length of time it took the contractor to complete the grinding operations, the project exceeded the contract time. This resulted in the assessment of liquidated damages to the general contractor for the delay in the project in the total amount of \$11,250 00.

In addition, there were two traffic safety improvements made on Shamrock Avenue at Olive Avenue and Royal Oaks Drive. The work involved increasing site distance at Olive Avenue and eliminating the right turn confusion by a corner cut out at Royal Oaks in the amount of \$61,526 50.

The total cost for both projects including change orders and Liquid Damages, was \$804,529 50. Funds for these projects were available through

|  |              |
|--|--------------|
| Federal Transportation Improvement Funds | \$586,953 00 |
| Proposition "C" Funds                    | \$217,576 50 |
| Total Funds                              | \$804,529 50 |

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Garcia, to accept the contract work as completed by Gentry Brothers, Inc. in the amount of \$804,529 50, direct the City Clerk to file a Notice of Completion with the County of Los Angeles Recorder; and authorize the Director of Public Works to approve final payment thirty-five (35) days after filing Notice of Completion with the County Recorder. There were no objections.

**2 One-Year Agreement with Pasadena Entretec in the amount of \$20,000 00 for Services and Benefits Related to Economic Development**

Dick Singer, Public Information Officer, reviewed the Staff Report

An agreement had been reached with Pasadena Entretec, a regional support organization for technology companies that also worked to attract new firms to the area and retrain those already here. The agreement would provide the City of Monrovia with a wide variety of economic development services, including events, marketing assistance, liaison with major technology firms, data bases and clearing house assistance for both start-ups and established businesses seeking to relocate in this region. The agreement would put Monrovia into partnership with Entretec, the City of Pasadena and the California Institute of Technology,

among others, as the City continued to develop a significant high technology cluster, creating new jobs and bringing new business to the community

As a result of more than two decades of effort, Monrovia was recognized as an important center of technology-based businesses. It was now more important than ever that Monrovia team with local communities, academic institutions and regional economic development organizations to create a critical mass of such high-tech, bio-tech and nano-tech firms. The City had learned that continued attraction of such technology-based businesses depended in great part on the successful regionalization of those efforts.

**It was moved by Mayor Pro Tem Garcia, seconded by Councilmember Kirby, to approve an agreement with Pasadena Entretec for \$20,000.00 in services and benefits related to economic development and authorize the Mayor and the City Clerk to execute the Agreement. There were no objections.**

**\*3 Conflict of Interest Code, 2004 Local Agency Biennial Notice, No Change Necessary**

This matter was approved by order of the consent calendar.

California State Government Code Section 87200 required that every state and local government agency adopt a Conflict of Interest Code. The Code listed each position within the agency filled by individuals who made or participated in making governmental decisions, which could affect their personal financial interests. The Code also required individuals holding those positions to file annually disclosing certain personal interests.

The State required that each agency's Conflict of Interest Code be reviewed every other year in the even numbered year to be certain that the list of filers was consistent with government code.

As part of the reorganization of the City Manager's Office, the classification of Assistant City Manager was eliminated and the classification of Assistant to the City Manager was established. Upon review of the Conflict of Interest Code, it was found that the new classification was previously designated on the list of filers, therefore, no amendments to the Code were necessary. Staff recommended that the City Council receive and file this notice.

**\*4 Set for Public Hearing on January 4, 2005, Amendment to Titles 2 (Administration and Personnel) and 17 (Zoning) of the Monrovia Municipal Code Pertaining to the Powers and Duties of the Development Review Committee, Introduction and First Reading of Ordinance No 2005-01**

This matter was approved by order of the consent calendar.

On November 2, 2004, the City Council held a Special Study Session to discuss the Development Review Committee (DRC). At that meeting, Staff was directed to research several points regarding the DRC. Staff presented the results and made recommendations on the modifications to the DRC section of the Monrovia Municipal Code at a Study Session on November 16, 2004. At the close of the meeting, the City Council concurred with Staff's recommendation and directed Staff to return with an ordinance incorporating the proposed changes. Staff recommended setting January 4, 2005 as the date of the Public Hearing.

**\*5. Set for Public Hearing on January 4, 2005, One Year Extension of the Interim Moratorium Temporarily Prohibiting Development and Grading of Privately Owned Property in the Angeles National Forest, Introduction and Adoption of Ordinance No 2005-02**

This matter was approved by order of the consent calendar

On February 3, 2004, the City Council approved Ordinance No 2004-01 which placed a temporary moratorium on the approval or issuance of any development applications on privately held properties in the Angeles National Forest that are within the Monrovia Corporate Boundary. On March 2, 2004, Ordinance No 2004-04 was adopted, extending the moratorium until January 31, 2005. Staff was requesting that the moratorium be extended by the maximum amount of time allowed by state law, which would be for one additional year. This would extend the moratorium period to January 31, 2006. This would be the final extension allowed. During this time, Staff would continue to develop the proposed regulations for the ANF (Angeles National Forest) zone. Staff recommended setting January 4, 2005 as the date of the Public Hearing.

**\*J PAYROLL & VOUCHERS** Payroll No 24 and 25, in the net amount of \$459,429.52 and \$488,755.90, respectively, and Voucher Numbers 122297 through 122647 non-sequentially in the amount of \$1,197,020.25

**K SCHEDULED MEETINGS**

The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, January 4, 2005, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California. Mayor Hammond announced that the December 21, 2004 Regular City Council Meeting had been cancelled.

**L ORAL COMMUNICATIONS, CONTINUED, IF NEEDED:** None


**M CLOSED SESSION:** None

**N. ADJOURNMENT:** Mayor Hammond adjourned the Meeting at 8:47 P.M. in memory of in Memory of Dr. John Harvey, and Chole Garcia, Mother of Community Development Employee Belen Misquez.

APPROVED

  
Rob Hammond, Mayor

ATTEST

  
Linda B. Proctor, MMC, City Clerk