



REGULAR MEETING
of the
MONROVIA CITY COUNCIL
City Council Chambers
Tuesday, January 6, 2004
7 30 P M

AGENDA SUMMARY

- | | |
|-----------------------------|-------------------------------------------------------------------------|
| CONVENE | Mayor Rob Hammond |
| INVOCATION | Pastor Maurice Battle |
| PLEDGE OF ALLEGIANCE | Councilmember Dan Kirby |
| ROLL CALL | Councilmembers Adams Kirby, Lutz Mayor Pro Tem Garcia and Mayor Hammond |

REPORT OF CLOSED SESSION

December 16, 2003

- 1 Conference with Legal Counsel, Existing Litigation Government Code §54956 9(a), Ware v City of Monrovia, Case Number 01-004A**

PRESENTATIONS

- 1 Introduction of Newly Hired Police Officers Robert Karch, Carmen Tirado, and Carol Herrador**

Captain Don Lacher will be on hand tonight to introduce newly hired Police Officers Robert Karch Carmen Tirado and Carol Herrador to the Mayor City Council and the community

PROCLAMATIONS**1 Proclaiming a Welcome Home from Iraq to Monrovia Resident Alfred Bustillos, Sergeant First Class, United States Army**

The City Council, Staff and community will be welcoming Sergeant First Class Alfred Bustillos home from active service in Iraq Sgt Bustillos will be accepting the Proclamation from Mayor Hammond and the City Council

Student Government Representative Report**Student Liaison Sable Smith****A CONSENT CALENDAR *B, *I-3, *I-4, *I-5 *I-6, *I-7, *I-8 *I-9 and *K*****B MINUTES Regular Meeting of December 16 2003****C ORAL COMMUNICATIONS****D PUBLIC HEARINGS / MEETINGS****1 Tentative Tract map No 54414/Conditional Use Permit CUP2003-19 for Construction of a Four Unit, Two Story Detached Planned Unit Development Located at 824-826 Ocean View by Leon San Blas and Hank Jong, Applicants**

Steve Sizemore, Planning Division Manager, will review the Staff Report

The property is located on the south side of Ocean View Avenue just west of Mountain Avenue The subject site consists of two lots, each 50 feet wide by 180 feet deep The entire site is 18,000 square feet and is zoned PD-1 (Planned Development-Area 1) All structures will be cleared as part of this proposal There is a 16' wide alley that serves the rear of the property The neighborhood is a mixture of single family and multi-family (two on a lot)

The four detached dwellings are a modern Craftsman style and will replace the three existing units on the site and have been designed around the six mature oak trees on the site The front two units are oriented toward Ocean View and will be served by a driveway off the street and are setback 29 from the front property line The rear two units are staggered and will be served by a driveway off of the alley There is a 36" diameter oak tree in the center of the property that will serve as a focal point The proposal meets or exceeds all of the development standards of the Zoning Ordinance and General Plan

The overall site layout provides adequate building separation and open space The dwellings are well designed in a modern craftsman style with ample roof and façade modulations and architectural detailing The applicants have provided single story and two-

story design on Ocean View, which are designed around the existing oak trees. This helps blend the project with the existing residential structures in the neighborhood. The project's density is consistent with the existing development pattern and with the zoning and the general plan regulations.

At its meeting of December 10, 2003, the Planning Commission voted unanimously to recommend approval of the request to the City Council.

If the City Council concurs, following the Public Hearing, the appropriate action would be a motion to

Approve Tentative Tract Map No 54414 and Conditional Use Permit CUP2003-19 subject to the Planning Conditions on Data Sheet No 1, Fire Conditions on Data Sheet No 2, and Public Works Conditions on Data Sheet No 3

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

- CONVENE** Chairman Rob Hammond
- ROLL CALL** Boardmembers Adams, Kirby, Lutz Vice-Chairman Garcia and Chairman Hammond
- A CONSENT CALENDAR** *B
- *B MINUTES** Regular Meeting of December 16, 2003
- MRA REPORTS**
None
- MRA ADJOURN**

RECONVENE MONROVIA CITY COUNCIL MEETING

- E BIDS**
None
- F COMMUNICATIONS AND PETITIONS**
None

G REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

- 1 Mayor Hammond
 - (a) Appointment of Selection Committee to Fill Vacancy on Monrovia Old Town Advisory Board
- 2 Mayor Pro Tem Garcia
 - (a) Police Department Exhibit
- 3 Councilmember Adams
- 4 Councilmember Kirby
- 5 Councilmember Lutz

H REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES

None

I ADMINISTRATIVE REPORTS

- 1 **State Lobbying Services, Award of One-Year Contract to Gonsalves & Son in the Amount of \$36,000 00**

Scott Ochoa, Assistant City Manager, will review the Staff Report

Especially over the last 10-15 years, cities have become increasingly susceptible to maneuvers by the State of California to undermine the principles of home rule and redirect revenues specifically earmarked for local government. From the ERAF shifts of the 1990s to the current controversy over the VLF and the so-called "triple-flip", the State has consistently taken a cavalier attitude toward the reallocation of city and county funds to resolve its own fiscal problems.

Simultaneously, the State has put forth to the voters a number of bond measures to raise funds for specific program areas. Monrovia has been very successful in bringing back home some of these bond dollars in the arena of wilderness preservation (coincidentally with the assistance of a lobbying firm). However, we have not yet had the same success in identifying and securing funds in other areas like library funding and housing.

And while the League of California Cities (the 'League') does a good job of representing local government's interests on a macro-level, many cities – both large and small – have long retained lobbying firms to assist in advocating for their communities' specific priorities. As a blanket organization, the League is at times unable to advocate on certain issues because some client cities may be conflicted on a particular matter or may be competing for funding. Thus, advocacy of specialty legislation and/or awards of grants are oftentimes unsuitable for League participation.

In September 2003, City staff solicited proposals for lobbying services from two qualified firms. The firms were advised that the City's lobbying program would focus on brownfield reclamation, affordable housing, transportation/light rail expansion, library services, and the general protection of local government resources. Both firms expressed their interest and submitted comprehensive proposals.

Both firms came highly recommended and were extremely qualified. Upon checking references, staff determined that both enjoyed high levels of customer satisfaction. Finally, both firms offered \$3,000 per month retainers. By way of comparison, the City's federal lobbyist – David Turch & Associates – charges a retainer of \$4,000 per month.

In October, the City Council held a Study Session to interview the two firms. Given their evenly matched nature, the recommendation came down to a matter of 'fit' – who could best relate their experience to the needs of the City and identify with the vision of the City Council. Ultimately, staff felt comfortable in recommending the firm Gonsalves & Son as the successful candidate. Staff's review and reference check has borne out an impressive record of service and achievement.

The fiscal impact of retaining Gonsalves & Son is the \$36,000 retainer fee. This is the same fee amount proposed by the other competing firm and is less than the City's federal lobbying firm.

This expenditure was not included in the FY 2003-04 budget. Thus, staff proposes to utilize expenditure control budgeting (ECB) savings to pay for the first six months' retainer and incorporate the balance into the FY 2004-05 budget. In the event that the City Council feels that the City is not receiving value for this expenditure, then the contract can be terminated by giving 30 days written notice.

Staff recommends that the City Council award a one-year contract to Gonsalves & Son in the amount of \$36,000 to provide State lobbying services.

If the City Council concurs, the appropriate action would be a motion to

Award a one-year contract to Gonsalves & Son in the amount of \$36,000.00 to provide State lobbying services and authorize the City Manager to execute the agreement.

2 Request for Commitment to All the Requirements of the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000, Resolution No. 2004-02

April Soash, Director of Community Services, will review the Staff Report.

This report is to approve Resolution No. 2004-02 to be included in the Library Bond Act Application (due March 28, 2003) for the City Council's Commitment to the 35% match, supplemental funds and a commitment to operate the Library as a public library for the next 40 years.

The Library Bond Act of 2000 was approved by California voters in March of 2000 which set aside \$350,000,000 in competitive grant funds. The rulemaking procedures for the grant were completed in January of 2002 providing all the necessary information to complete the application for funds. There are three funding cycles, 1) The application deadline for the first funding cycle was June 14, 2002 – in this cycle grants were awarded totaling \$150,000,000. The City submitted a grant in the first funding cycle, but the application was unsuccessful, 2) The application deadline for the second funding cycle was March 28, 2003 – in this cycle grants were awarded totaling no more than \$110,000,000. The City submitted a grant application in cycle two but it was not awarded a grant. 3) The application deadline for the

third funding cycle is January 16, 2004 – all remaining grant funds will be awarded in this cycle totaling approximately \$90 million

The grant will fund 65% of the construction costs. The City Council also, needs to commit to make available the local 35% matching and supplemental funds when these funds are needed to meet cash flow requirements for the project. The City Council must also certify the project budget (see attached staff report), and commit to provide direct public library service from the facility for at least 40 years.

The Library Project Budget (see staff report) identifies all the line items of eligible and ineligible costs per the grant application and the Title 5 Library Bond Act Regulations with a total of \$16.5 million in eligible costs for the 65% match from the state and a total of \$570,700 supplemental funds not provided for in the grant, but necessary to complete the project. After calculating the line items per the Title 5 regulations there is a total of \$10.7 million for the 65%. The City would receive this amount if the grant were awarded to the City. The remaining 35% is the matching funds for a total of \$5.8 million and the supplemental funds at a total of \$570,700. The 35% match and the supplemental funds totaling \$6.4 million are the City's responsibility to raise through fund campaigns or a local bond measure. If the City is unsuccessful in raising these funds the grant will revert back to the state without penalty to the City.

Staff recommends the adoption of the resolution no. 2004-02 and submit the Library grant application in the third funding cycle, January 16, 2004 and commit to the 35% match (\$5.8 million) the supplemental funds (\$570,700) to operate the completed facility and provide library direct service and to dedicate the facility to library direct service use for a period of 40 years.

If the City Council concurs, the appropriate action would be a motion to

Adopt Resolution No. 2004-02 making a commitment of local and supplemental local funds for the new City Library project, certifying the Project Budget and committing to provide direct public library service from the facility for at least 40 years.

***3 Set for Public Hearing on January 20, 2004, Proposed 30th Year (Fiscal Year 2004-05) Community Development Block Grant (CDBG) Programs Allocation**

In 1974, the Congress initiated the Community Development Block Grant Program (CDBG) as part of the Housing and Community Development Act. This program is being funded directly by the Department of Housing and Urban Development (HUD). Since we are a City with a population of less than 50,000, we contract with the Los Angeles County Community Development Commission (CDC) for participation in the Community Development Block Grant Program.

Staff is requesting that a Public Hearing be set on January 20, 2004 to receive public input as to the use of these funds.

If the City Council concurs, the appropriate action would be a motion to

Set January 20, 2004 as the date of the Public Hearing

***4 Police Station Emergency Generator Project, Acceptance of Work, Notice of Completion, and Final Payment to Richard M Lane Company, in the Amount of \$27,886 20**

On January 14 2003 the City Council awarded a contract to Richard M Lane Company (419 West Maple Avenue Monrovia California 91016) in the amount of \$283,682 00 for the completion of the Police Station Emergency Generator Project Staff reviewed the contractor's work throughout the construction progress and found it to be completed in a satisfactory manner

The project was completed within the total contract amount of \$283,682 00

The project was funded through the following

Capital Improvement Project Reserves	\$166 661 00
Facilities Maintenance Fund Reserves	\$100,000 00
Police Department ECB Funds	\$17,021 00
Total	\$283 682 00

If the City Council concurs, the appropriate action would be a motion to

- 1 Accept the contract work as completed by Richard M Lane Company in the total amount of \$283,682 00**
- 2 Direct the City Clerk to file a Notice of Completion with the County of Los Angeles Recorder, and**
- 3 Authorize the Director of Public Works to approve payment of retention in the amount of \$27,886 20, thirty-five (35) days after filing the Notice of Completion**

***5 Annual update of City Investment Policy, Resolution No 2004-06**

The City reviews the investment policy every year Staff analyzes the State Government code, past fiscal practices, and current investment trends in updating the policy State law requires that the City Council be provided with an investment policy update no less than annually at a public meeting This report satisfies this new requirement for the 2004 calendar year

The City of Monrovia's investment policy meets all the requirements of Government Code Section 53600 (the code that identifies how public funds are managed) A critical element of the policy is the specification of the following objectives in order of importance

- 1 *Safeguarding* of principal
- 2 Meeting the *liquidity* needs of the City
- 3 Achieving a rate of return (*yield*) on all funds

Allowable investment instruments and other compliance issues are defined in the State of California Government Code Section 53600 et al The City's policy as presented includes a narrower definition of allowable investments when compared to those defined in the State

Code The reasoning for this restriction is to eliminate certain investment vehicles to help prevent loss of principal or compromise liquidity needs

No direct fiscal impact will occur as a result of adopting the Investment Policy The market's rise or fall in interest rates and investment value determines any financial impact

Staff recommends adopting Resolution No 2004-06 and approving Administrative Policy 2 35 regarding the City's investment policy

If the City Council concurs, the appropriate action would be a motion to

Adopt Resolution No 2004-06, and

Approve Administrative Policy 2 35, regarding the City's investment policy

- *6 Set for Public Hearing on January 20, 2003, Historic Landmark HL-67 for the Monrovia Historical Museum Building Located at 742 East Lemon Avenue, City of Monrovia, Applicant**

The Historic Preservation Commission has initiated an application for historic landmark designation for the Monrovia Historical Museum building in Recreation Park The Spanish Revival building was constructed in 1925 and originally served as the bath house for the municipal plunge At its meeting of November 19, 2003, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status to the City Council

Staff recommends setting January 20, 2004 as the date for the Public Hearing

If the City Council concurs the appropriate action would be a motion to

Set January 20, 2004 as the date for the Public Hearing

- *7 Authorization for the Execution of the Program Supplement to Administering Agency-State Agreement (Master Agreement) for Federally Funded Street Resurfacing Projects, and Adopt Resolution No 2004-04 Authorizing the Director of Public Works and/or Designee to Execute all Subsequent Supplements to the Master Agreement**

The City uses Federal and State transportation funds for completion of street resurfacing projects These funds are administered by the State of California Department of Transportation (Caltrans) After completion of the project, the City prepares and submits a final project accounting for processing and approval As projects are approved, a reimbursement check is sent to the City

The Master Agreement between the City and Caltrans provides the requirements which the City is to follow in order to utilize Federal and/or State funds for street resurfacing projects The execution of the supplements to the Master Agreement is procedural and an administrative action Funds reimbursed by Caltrans are returned to the Street Maintenance Fund

If the City Council concurs, the appropriate action would be a motion to

- 1 Authorize execution of Program Supplements to the Master Agreement, and**
- 2 Adopt Resolution No 2004-04 authorizing the Director of Public Works and/or Designee to execute all subsequent supplements to the Master Agreement**

- *8 Set for Public Hearing on January 20, 2004, An Interim Ordinance of the City of Monrovia Enacted Pursuant to California Government Code Section 65858 Establishing a Moratorium on Development of Privately Owned Hillside Properties in the Angeles National Forest**

Approximately three weeks ago, a property owner of one 80-acre lot in the Angeles National Forest (within the incorporated boundaries of Monrovia) illegally graded a pad for a "cabin". A letter has been sent from the Public Works Department requiring restoration of the site. Obviously, it is the intent of the property owner to construct a habitable structure on the site. In researching the Angeles National Forest acreage within the incorporated boundaries of Monrovia, the General Plan and zoning designation is Angeles National Forest. There are no development standards for the Angeles National Forest designation as it was to be open space lands held in ownership by the Federal Government. However, it is now known that there are private holdings within the National Forest, so standards for development of these properties are required to be adopted by the City Council by law, so that there is not a "taking" by the City. In order to give staff time to research environmental requirements and cabin, grading and other regulations appropriate for acreage within the National Forest, staff and the City Attorney are recommending that the City Council consider a moratorium.

Staff recommends setting the Public Hearing for January 20, 2004.

If the City Council concurs, the appropriate action is a motion to

Set January 20, 2004 as the date of the Public Hearing

- *9 Set for Public Hearing on January 20, 2004, An Interim Ordinance of the City of Monrovia Enacted Pursuant to California Government Code Section 65858 Establishing a Moratorium on Development of Specified Properties on South Myrtle Avenue**

At the December 16th City Council meeting, a contract was approved for a Land Use Study for the Transit Village and South Myrtle Avenue. In February, the Urban Land Institute will be conducting the land use analysis and providing a series of recommendations to the City. Because of the importance of this land use study, Staff is requesting that the City Council consider a moratorium on development until the recommendations are made to the City. At that point, Staff will be in a position to develop a plan to implement the recommendations of the Urban Land Institute study. A moratorium will prevent potentially inappropriate uses allowed by the current zoning in the study corridor.

Staff recommends setting the Public Hearing for January 20, 2004.

If the City Council concurs, the appropriate action is a motion to

Set January 20, 2004 as the date of the Public Hearing

J RESOLUTIONS & ORDINANCES

None

***K PAYROLL & VOUCHERS**

Approve Payroll Nos 26 and 1 in the net amounts of \$505,791 81 and \$461,142 83, respectively, and Voucher Numbers 47025 through 47030 and 115505 through 115815, non-sequentially, in the amount of \$919,127 70

L SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council is scheduled for Tuesday, January 20, 2004, 7 30 P M , City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Closed Session pursuant to Government Code §54957, Public Employee Appointment City Manager

M ORAL COMMUNICATIONS, CONTINUED, IF NEEDED

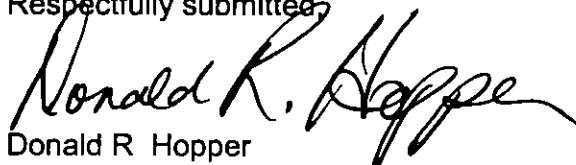
N CLOSED SESSION

None

O ADJOURNMENT

In Memory of Wanda Weatherman

Respectfully submitted,


Donald R Hopper
City Manager

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