

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, DECEMBER 2, 2003, 7:30 P.M.**

CONVENE: Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, December 2, 2003 at 7 36 P M in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, which was preceded by a Study Session, attended by all City Councilmembers with the exception of Councilmember Adams, and a Salute to Service Program, attended by all members of the City Council Staff in attendance was Assistant City Manager Scott Ochoa, City Attorney Craig A Steele, and City Clerk Linda B Proctor

INVOCATION: Dr John Mastrogiovanni, Pastor, led the Invocation

PLEDGE OF ALLEGIANCE: Mayor Rob Hammond 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 Monrovia Unified School District's 2003-04 Teacher of the Year Elizabeth Tapia

Mayor Hammond introduced Elizabeth Tapia, Monrovia Unified School District's Teacher of the Year for 2003-004, to the staff, City Council and community Ms Tapia is the first teacher recognized from the Adult Education School Ms Tapia has been a teacher for 14 years, and has taught Adult Education in Monrovia since 1996 She was presented with a Certificate of Appreciation Ms Tapia introduced those present in the audience who had accompanied her, and thanked the City Council for the recognition

PROCLAMATIONS

1. Proclaiming March 3, 2004 as "Arbor Day"

Mayor Hammond proclaimed March 3, 2004 as "Arbor Day"

Dan Iwata, Parks Division Manager, reported that an Arbor Day observance with the cooperation of the Community Services Department had been planned by Public Works The ceremony will include a tree planting activity by local school children and is scheduled on March 3, 2004 at Recreation Park Youth Center Funding will be through the Park Maintenance Fund Mr Iwata, introduced members of the Youth Commission who accepted the proclamation

STUDENT GOVERNMENT REPRESENTATIVE REPORT: City Council Liaison Sable Smith reported on activities and events at Monrovia High School

NEW BUSINESS: Santa Claus and his helper entered City Council Chambers, passing out candy canes to all He announced that he would tour Monrovia on Monday, December 15 through Friday, December 19 in all neighborhoods He announced the 7 00 PM Holiday Parade on Thursday, December 4, 2003, on Myrtle Avenue

A. CONSENT CALENDAR

It was moved by Councilmember Adams, seconded by Councilmember Kirby, to approve the Consent Calendar consisting of Items B, *I-2, *I-3, *I-4, *I-5, *I-6, *I-7, *I-8, *I-9, *I-10, and *K

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

***B. MINUTES.** The Minutes of the Regular Meeting of November 18, 2003, were approved by order of the Consent Calendar

C ORAL COMMUNICATIONS

1 Victor Franco, Director of Government Affairs, Adelphia Communications, took exception with reports at the last City Council Meeting regarding short notice in the changes in the local access channel numbers, explaining that Monrovia's packet had been damaged and returned to Adelphia, thus making notification of the change in channels a two week notice instead of the month notice He explained that the changes were due to an upgrade in the system, that a spot notice had been running on cable, and that a post card was being sent to all subscribers Subscribers will be given a choice of 6 different packages

2 Ashley Frew, Queen, and Anna OCampo, Princess, Monrovia Day Association, presented Teddy Bears for Project Cuddles to Police Chief Roger Johnson Chief Johnson explained the importance of the donations and thanked the Queen and Court

3 Karen Suarez, KGEM representative, expressed her disappointment and concern for the change of channel numbers for Channels 17 and 16

4 Stephen Grollnek, Monrovia, expressed concern regarding payments to merchants for the Pepsi Commercial

5 David Gayman, Monrovia, took exception to comments made by community members, other merchants and the filming company representatives in the newspaper and at Council Meetings He read a letter from an attorney from RSA-USA in response to a letter from his attorney

D PUBLIC HEARINGS/MEETINGS

1 Proposed New (FY 2003-2004) CDBG Program; Royal Oaks Remedial Street and Sidewalk Program, Resolution No. 2003-85

Dan McConnell, Housing Coordinator, reviewed the Staff Report

Each year, any unspent funds from the City's Community Development Block Grant (CDBG) allocation are deposited into a fund identified as contingency Contingency funds also represent proceeds from the sale of any block grant acquired property and any program income earned from block grant projects

Staff was encouraged by the County to program these funds or risk recapture and loss of these funds Staff was notified that there was an estimated \$142,458.43 of CDBG funds held in contingency If the County recaptured unspent funds, they would no longer be available to the City of Monrovia and would be reprogrammed to another Agency or to a County project

In order to utilize these funds and avoid recapture, Staff immediately deposited \$45,000.00 into three existing CDBG projects, the Rehabilitation/Handyworker Program, the Neighborhood Preservation Program and the Teen Recreation Center Project where additional funds are needed Staff also proposed a new project for consideration

Staff was in the process of undertaking a comprehensive Neighborhood Improvement Conservation Effort (N I C E) on Royal Oaks Drive between Shamrock and California This neighborhood was in need of significant capital improvements Staff proposed to allocate \$85,000 00 from the contingency fund to be used for the Royal Oaks Remedial Sidewalk and Street Project and the remaining \$12,458 43 to be used to implement a fencing and enhancement grant program to eliminate chain link fencing and provide a solution to double fronting lot fencing This project would provide funds to improve the street, curb and sidewalks and administered by the Public Works Department

Staff recommended encumbering the unallocated contingency funds to the CDBG programs identified above

PUBLIC HEARING OPENED AND CLOSED: Mayor 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 Mayor Pro Tem Garcia, seconded by City Councilmember Lutz, to approve Resolution No. 2003-85. There were no objections

CONVENE MONROVIA REDEVELOPMENT AGENCY MEETING WITHOUT ADJOURNING CITY COUNCIL MEETING

CONVENE. Chairman Rob Hammond convened the Regular Meeting of December 2, 2003 of the Monrovia Redevelopment Agency Board of Directors at 8 36 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 Lutz, seconded by Boardmember Kirby, to approve the Consent Calendar consisting of Items *B.

ROLL CALL: Ayes: Boardmembers Adams, Kirby, Lutz, Vice-Chairman Garcia, and Chairman Hammond
Motion carried: 5-0

***B. MINUTES:** The Minutes of the Regular Meeting of November 18, 2003 were approved by order of the Consent Calendar

MRA REPORTS: None

MRA ADJOURNMENT: Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 8 37 P M and the City Council Meeting continued

RECONVENE MONROVIA CITY COUNCIL MEETING

E. BIDS:

1. Monrovia Depot Roofing Repair Project; Award of Contract to Stone Roofing in the Amount of \$34,670.00

Doug Benash, City Engineer, reviewed the Staff Report

Over the past years, the City used tarps to cover the Depot roof. The tarps did not last very long or remain on the roof even during a modest wind event. They were expensive, ineffective and difficult to maintain.

As part of this project, the existing clay roof tiles would be removed, followed by the installation of ½" plywood sheathing and flexible modified bitumen roofing cap sheet material. The new roofing material would seal the roof and provide the base material for the re-installation of a clay roof tiles in the near future. The Gold Line Authority granted and authorized the work to proceed.

Proposals were obtained from several pre-qualified contractors. Prices ranged from \$34,670.00 to \$38,980.00. Funds for the project were available from Proposition C funds. The City Engineer used the lowest prospective bidder on other similar projects for another municipality.

It was moved by Councilmember Adams, seconded by Councilmember Kirby, to award a Contract to Stone Roofing for the Monrovia Depot Roofing Repair Project in the amount of \$34,670.00.

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

F COMMUNICATIONS AND PETITIONS None

G CITY COUNCILMEMBERS & SUB-COMMITTEES.

1 Mayor Hammond reported that

- (a) attended an informational luncheon hosted by Haven House, Pasadena, regarding battered women and children where he learned that cases of battering increased during the holiday season dramatically. He stated that one in four women was battered during their lifetime. Haven House has 24-hour hot line and will also take teenage boys in with the family.
- (b) He urged all to attend the Parade on Thursday evening and to shop downtown.

2. Mayor Pro Tem Garcia had no report at this time.

3 Councilmember Adams reported that

- (a) The Monrovia Rotary Club had agreed to reimburse those who have sent packages to servicemen and women by presenting a receipt to him at his office or by leaving it at City Hall for him. He thanked Cyrus Kemp who formulated the idea at a recent City Council Meeting.

4 Councilmember Kirby reported that

- (a) **WAVE Award Recognizing the Canyon Park Video "Spirit of the Canyon":** He presented the WAVE Award to Parks Division Manager Dan Iwata. The award winning, eight minute video was then presented by KGEM.

5 Councilmember Lutz reported that

- (a) The Monrovia Old Town Advisory Board (MOTAB) was kicking off the holiday season in style with a Holiday Parade on Thursday, December 4, 2003, 7:00 P.M., a Snow Day on December 5, 2003, at the Family Festival, and another Snow Day on West Lime on December 13, 2003, 2:00 P.M. to 6:00 P.M. She urged everyone to attend the events.

H REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES: None

I. ADMINISTRATIVE REPORTS**1 Amended and Restated Exclusive Residential Solid Waste Franchise Agreement with Athens Services, Resolution No. 2003-84**

Scott Ochoa, Assistant City Manager, reviewed the Staff Report

The City of Monrovia's exclusive residential solid waste collection franchise was transferred from USA Waste of California, Inc to Athens Services in February 2003. The Third Amendment to the Exclusive Residential Solid Waste Franchise Agreement memorialized this transfer and was approved by the City Council on January 14, 2003.

At the time of the transfer, USA Waste was in default of several terms of the franchise agreement. Upon assuming the franchise, Athens was able to cure the items of default. Although entitled to request the 2002 rate increase that USA Waste had been denied because of poor performance, as well as their own 2003 rate increase, Athens ultimately agreed to forego any and all rate increases until all aspects of the transfer of the franchise had been implemented successfully.

Both the City and Athens Services agreed that revising the Exclusive Residential Franchise Agreement to eliminate conflicting language and incorporate the First, Second, and Third Amendments would provide for a more unified and user friendly document. This Amended and Restated Exclusive Residential Solid Waste Franchise Agreement represents the final action to be implemented as part of the transfer of the franchise. Thus, this proposed document incorporated a rate schedule that reflects the 2002/2003 rate increase, which was subject terms and conditions of the franchise agreement. The proposed document was largely unchanged. Language with respect to the "Lowest Rate in the Valley" for standard curbside service was kept intact.

With respect to the proposed rate increase, Athens requested an 8.87% increase from the current \$10.60 to a proposed \$11.54 per month based on the rate adjustment formula. However, a survey of San Gabriel Valley cities indicated that the lowest rate for "standard" service is \$11.48 per month. Thus, under the terms of the franchise agreement they are eligible to charge a maximum of \$11.47 per month. The last rate increase that was granted to the residential waste hauler was in July 2001. Further, the rate increase that was being proposed complies with the strict terms and conditions of the franchise agreement.

Staff recommended approval of Resolution No. 2003-84 authorizing the execution of the revised Exclusive Residential Solid Waste Franchise Agreement between the City of Monrovia and Athens Service.

Councilmember Adams noted that he had expressed concern in the past regarding dumping of items in alleys in Monrovia. He asked that Athens representatives and Staff get together to find an alternative to rid alleys of these big trash items, noting that the twice yearly effort was good but that more often would be better.

It was moved by Councilmember Kirby, seconded by Councilmember Adams, to adopt Resolution No. 2003-84 authorizing the execution of the amended and restated Exclusive Residential Solid Waste Franchise Agreement between the City of Monrovia and Athens Services.

ROLL CALL:

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

***2 Authorization to File an Application for Grant Funds for the Murray-Hayden Program Under the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002 for the Clifton Field Renovation, Resolution No 2003-76**

This matter was approved by order of the Consent Calendar

The California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002 is intended to acquire and develop properties of the state park system, to acquire and develop neighborhood, community and regional parks and recreation areas, for land, air and water conservation programs, including acquisition for those purposes, and to acquire, restore and preserve and interpret California's historical and cultural resources

The grant criteria encourages applicants to consider refurbishing and rehabilitating existing facilities and funds may only be used for capital projects. The intent of the Murray-Hayden grant is to fund projects including parks, park facilities, environmental enhancement projects, youth centers and environmental youth service centers that will employ neighborhood residents and at-risk youth and are within immediate proximity of a neighborhood that has been identified as having a critical lack of parks and open space and/or deteriorated park facilities, a shortage of services for youth, significant poverty, and significant unemployment

Staff applied for one million dollars through the Murray-Hayden competitive grant process to renovate the Clifton Middle School Field. Renovations will include new lighting, new turf and maximizing field space to accommodate both baseball and soccer. This grant does not require matching funds or general fund allocations although such funds are encouraged. If awarded, the grant money will fully fund the costs associated with renovating Clifton Field. Both City and School District staff agreed that due to the current budget climate, this project will not move forward if this grant is not received. The grant criteria require the adoption of Resolution No 2003-76 as part of the application process which is included in the staff report. Staff has discussed the proposed project with the Monrovia Unified School District. Although the District is interested in the project, negotiations are in progress.

Staff and Community Services Commission recommended adoption of Resolution No 2003-76 authorizing the filing of the competitive grant application for the Murray-Hayden Urban Parks and Youth Services program under the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Act of 2002 for the Clifton Field renovation.

***3. Set for Public Hearing on December 16, 2003; Historic Landmark HL-10/Mills Act Contract MA-56 for the Aztec Hotel Located at 311 West Foothill Boulevard by Owner Kathryn Reese**

This matter was approved by order of the Consent Calendar

At its meeting of November 19, 2003, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status and execution of a Mills Act for the property at 311 West Foothill Boulevard to the City Council.

Staff recommended setting December 16, 2003 as the date of the Public Hearing.

***4 Set for Public Hearing on December 16, 2003; Historic Landmark HL-60/Mills Act Contract MA-57 for Property Located at 101 East Hillcrest Boulevard by Owners Michael and Edith Gardner**

This matter was approved by order of the Consent Calendar

At its meeting of November 19, 2003, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status and execution of a Mills Act for the property at 101 East Hillcrest Boulevard to the City Council

Staff recommended setting December 16, 2003 as the date of the Public Hearing

***5 Set for Public Hearing on December 16, 2003; Historic Landmark HL-61/Mills Act Contract MA-58 for Property Located at 153 Melrose Avenue by Owner Darlene Gonzalez**

This matter was approved by order of the Consent Calendar

At its meeting of November 19, 2003, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status and execution of a Mills Act for the property at 153 Melrose Avenue to the City Council

Staff recommended setting December 16, 2003 as the date of the Public Hearing

***6. Set for Public Hearing on December 16, 2003; Historic Landmark HL-62/Mills Act Contract MA-59 for Property Located at 845 Wildrose Avenue by Owners Daniel and Susan McClure**

This matter was approved by order of the Consent Calendar

At its meeting of November 19, 2003, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status and execution of a Mills Act for the property at 845 Wildrose Avenue to the City Council

Staff recommended setting December 16, 2003 as the date of the Public Hearing

***7. Set for Public Hearing on December 16, 2003; Historic Landmark HL-63/Mills Act Contract MA-60 for Property Located at 123 Melrose Avenue by Owners Susan and David Mudgway**

This matter was approved by order of the Consent Calendar

At its meeting of November 19, 2003, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status and execution of a Mills Act for the property at 123 Melrose Avenue to the City Council

Staff recommended setting December 16, 2003 as the date of the Public Hearing

***8 Set for Public Hearing on December 16, 2003; Historic Landmark HL-64/Mills Act Contract MA-61 for Property Located at 337 Highland Place by Owners John and Roseann Gutierrez**

This matter was approved by order of the Consent Calendar

At its meeting of November 19, 2003, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status and execution of a Mills Act for the property at 337 Highland Place to the City Council

Staff recommended setting December 16, 2003 as the date of the Public Hearing

***9 Set for Public Hearing on December 16, 2003, Historic Landmark HL-65/Mills Act Contract MA-62 for Property Located at 145 West Hillcrest Boulevard by Owners Curtiss and Amy Bawden**

This matter was approved by order of the Consent Calendar

At its meeting of November 19, 2003, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status and execution of a Mills Act for the property at 145 West Hillcrest Boulevard to the City Council

Staff recommended setting December 16, 2003 as the date of the Public Hearing

***10. Set for Public Hearing on December 16, 2003, Historic Landmark HL-66/Mills Act Contract MA-63 for Property Located at 504 East Lemon Avenue by Owner Mark Howard**

This matter was approved by order of the Consent Calendar

At its meeting of November 19, 2003, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status and execution of a Mills Act for the property at 504 East Lemon Avenue to the City Council

Staff recommended setting December 16, 2003 as the date of the Public Hearing

***K. PAYROLL & VOUCHERS:** Payroll No 24 in the net amount of \$484,092 48, Voucher Numbers 47019 through 47024, and Voucher Numbers 114930 through 115198 non-sequentially in the amount of \$567,779 54 were approved by order of the Consent Calendar

L. SCHEDULED MEETINGS

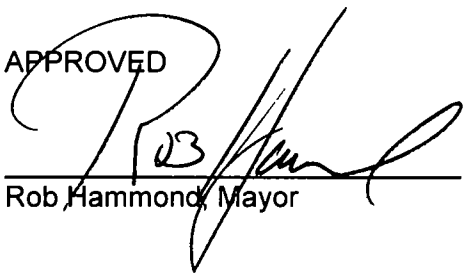
The next Regular Meeting of the Monrovia City Council is scheduled for Tuesday, December 16, 2003, 7 30 P M , City Council Chambers, 415 South Ivy Avenue, Monrovia, California

M ORAL COMMUNICATIONS, CONTINUED, IF NEEDED: None

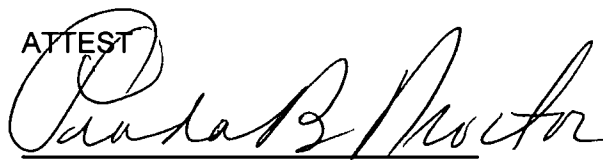
N CLOSED SESSION. None

O ADJOURNMENT. The City Council Meeting was adjourned at 9 09P M in memory of Joseph L Leonard

APPROVED


Rob Hammond, Mayor

ATTEST


Linda B Proctor, CMC, City Clerk