

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY JUNE 12 2001 7 30 P M**

CONVENE Mayor Lara Larramendi Blakely convened the Regular Meeting of the Monrovia City Council of Tuesday June 12 2001 at 7 37 P M in City Council Chambers 415 South Ivy Avenue Monrovia California

INVOCATION Pastor Richard Sullender First Baptist Church led the Invocation

PLEDGE OF ALLEGIANCE Mayor Pro Tem Rob Hammond led the Pledge of Allegiance

ROLL CALL In attendance were Councilmembers Tom Adams Victor M Franco Joe Garcia Mayor Pro Tem Rob Hammond and Mayor Lara Larramendi Blakely

REPORT OF CLOSED SESSION None

PRESENTATION

1 Introduction of Police Personnel Newly Promoted Sergeant Tom Loy Newly Hired Officers Lisa Cindrich and Wendie Martinez and Dispatcher Linda Vasquez

Police Chief Joe Santoro introduced and presented a brief history of newly promoted Sergeant Tom Loy newly hired Officers Lisa Cindrich and Wendie Martinez and newly hired dispatcher Linda Vasquez to the Mayor City Council and the community He also introduced family members and friends in attendance

2 Newly Promoted Senior Administrative Clerk City Clerk s Office Alice Atkins

City Clerk Linda Proctor introduced and presented a brief background of Alice Atkins newly promoted Senior Administrative Clerk in the City Clerk s Office Mayor Blakely welcomed Ms Atkins to the Monrovia family in her new full time position Ms Atkins introduced her family in attendance

3 Introduction of Monrovia Youth Commissioners

Recreation Coordinator Kerri Zessau introduced the 2000-2001 Youth Commissioners to the Mayor City Council and the community

She reported that the 2000-2001 Youth Commission accomplished several outstanding accomplishments this year which included City of Monrovia special events Teen Center planning volunteer projects for the Santa Anita Family YMCA and the Boys and Girls Club of the Foothills The Youth Commission volunteered over 500 hours of time and dedication this past year with one goal in mind to service their community The Youth Commission newsletter remained popular at the Middle and High School levels For the end of the Year party the Youth Commission has chosen to visit Magic Mountain Commissioners in attendance received a Certificate of Appreciation

4 Introduction of Soapbox Classic Winners Monrovia Day Chairpersons Joseph Santoro and Donald R Hopper Soapbox Classic, Carol Sawyer Country Fair Warren Hassler Car Show John Veenstra Sponsors First Presbyterian Church Pancake Breakfast and Monrovia Day Association President Bill Beebe

Police Chief Joe Santoro introduced the Soapbox Classic winners from each division. He reported that on May 19 and 20 2001 there were 147 participants who raced their soapbox cars down Myrtle Avenue in hopes of winning their division. There were four winners in each division. Winners of the Soapbox Best of Show were also introduced. These winners had the most outstanding decorated cars.

He also introduced the chairpersons of the event and presented Certificates of Appreciation to those in attendance. Sponsor Chairperson John Veenstra presented plaques from the Monrovia Day Association to the Gold and Silver Sponsors. Chief Santoro presented a Certificate of Appreciation to Monrovia Day Association President Bill Beebe who in turn introduced Parade chairpersons.

Added

5 Presentation from the Office of Senator Barbara Boxer

Maribel Juarez field representative from Senator Barbara Boxer presented a Conservation Champion Award in recognition of the City's significant contributions to protecting California's environment to the City Council. Mayor Blakely thanked the Senator's office for this prestigious award.

PROCLAMATIONS None

STUDENT GOVERNMENT REPRESENTATIVE REPORT Student Representative Chris Burau reported on activities at Monrovia High School. As this was his last Meeting Mayor Blakely presented Mr. Burau with a plaque in appreciation for his work and diligence as student government representative. Matt Binford Student Representative for the coming year was also in attendance.

A CONSENT CALENDAR It was moved by Councilmember Adams seconded by Councilmember Garcia to approve the Consent Calendar consisting of Items *B *E-4 *E-5 *F-2 *F-3 *I-9 *J-3 and *K.

ROLL CALL Ayes Councilmembers Adams Franco Garcia Mayor Pro Tem Hammond Mayor Blakely
Motion carried 5-0

***B MINUTES** Minutes of the Regular Meeting of May 22 2001 were approved by order of the Consent Calendar.

C ORAL COMMUNICATIONS

At the request of Mayor Blakely City Clerk Linda B. Proctor read the guidelines for Oral Communications as follows:

At this time citizens who wish to speak on any City business item not on the Agenda should first complete and return a Speaker Information Form to the City Clerk before this 45-minute period. By State law the City Council may not discuss and vote on items not on the agenda. Speakers will be called on a first come first served basis. Time allotted for each speaker is a maximum of 3 minutes. Please state your name and address for the record. Those not accommodated during this period have an additional opportunity to speak under M ORAL COMMUNICATIONS Continued if necessary following public City business. The City Attorney will track the minutes remaining in the 45-minute period and advise the Mayor prior to the last speaker speaking. Speakers were asked to come to the front of the Chambers to sit and wait their time to speak as the City Clerk called their names three at a time.

- 1 Jennifer Ranger Monrovia thanked the City Council for the Old Town improvements
- 2 Nick Peters Monrovia spoke about the development of property at Mountain and Wildrose Avenues that is obstructing the view of foothills due to the arc of the roofs and requested that the arc of roofs be taken into consideration when projects are approved
- 3 Sister Mary Karen Joseph Duarte spoke against Planned Parenthood
- 4 Jan Quintelier Monrovia spoke against Planned Parenthood
- 5 Elwanda F Seelig Monrovia spoke against Planned Parenthood
- 6 Steve St Pierre Temple City spoke against Planned Parenthood
- 7 Nancy Tinker Monrovia spoke against Planned Parenthood
- 8 Linda Wiles Monrovia spoke against Planned Parenthood
- 9 Robert J Tinker Monrovia spoke against Planned Parenthood
- 10 Brandon R Locatell Monrovia spoke against Planned Parenthood
- 11 Larry Kelly Temple City spoke against Planned Parenthood
- 12 Alyson Fishkind Arcadia spoke against Planned Parenthood
- 13 Tami Vasquez Pasadena spoke against Planned Parenthood
- 14 Chuck Keen Monrovia spoke against Planned Parenthood

D PUBLIC MEETINGS/HEARINGS None

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

CONVENE Chairman Lara Larramendi Blakely convened the Regular Meeting of June 12 2001 of the Monrovia Redevelopment Agency Board of Directors at 9 37 P M in City Council Chambers without adjourning the City Council Meeting

ROLL CALL Those in attendance were Boardmembers Tom Adams Victor M Franco Joe Garcia Vice-Chairman Rob Hammond and Chairman Lara Larramendi Blakely

A. CONSENT CALENDAR It was moved by Boardmember Garcia seconded by Councilmember Adams to adopt the Consent Calendar consisting of Item *B

ROLL CALL Ayes Boardmembers Adams Franco Garcia Vice-Chairman Hammond and Chairman Blakely
Motion carried 5-0

***B MINUTES** Minutes of the Regular Meeting of May 22 2001 were approved by order of the Consent Calendar

MRA REPORTS

1 Adoption of Procedures to Provide Priority in Affordable Housing Projects to Low and Moderate Income Persons Displaced by Redevelopment Projects Agency Resolution No 6-2001 and City Resolution No 2001-30

Glenn Cox Redevelopment Division Manager reviewed the Staff Report

The Redevelopment Agency auditors identified three findings in last year's (2000) audit report. These items are more technical in nature but they still require a legislative action to correct them before the end of the fiscal year. The three findings center on the Agency's lack of a written policy to notify displaced persons of available low and moderate-income housing, no procedure to grant priority for rental or replacement housing to displaced persons, and lastly the Agency has held certain parcels acquired with housing set-aside funds for more than five

B MINUTES None**MFA REPORT*****1 Adoption of the Fiscal Years 2001-2003 Budget for the Monrovia Financing Authority Resolution No A2001-01**

This matter was approved by order of the Consent Calendar

During fiscal year 1995-96 Administrative Services created through a joint powers authority the Monrovia Financing Authority (MFA) This was done in order to successfully refinance an obligation of the Water Fund The MFA is required to pay the annual debt service payments of the new refinancing agreement Sources of funding come from a transfer of user fees from the City's Water Fund

The outstanding portion of the DWR Loan is \$992 219 00 Annual payments of \$124 206 00 will be made in two installments during the fiscal year The MFA will meet the debt obligations and is not expected to retain any residual moneys at year-end

Staff recommended that the Commission adopt Resolution No A2001-01 establishing the Budget for the Monrovia Financing Authority and appropriating the sum of \$124 206 00 for the fiscal year 2001-2002 and \$124 206 00 for the fiscal year 2002-03

MFA ADJOURN President Blakely adjourned the Monrovia Financing Authority Meeting at 10 00 P M and the City Council Meeting continued

RECONVENE MONROVIA CITY COUNCIL MEETING**E BIDS****1 2001 ADA Access Sidewalk Project Award of Contract to Torres Construction in the Amount of \$123 342 50**

Doug Benash City Engineer reviewed the Staff Report

Community Development Block Grant Program (CDBG) funds are used annually to pay for the replacement of deteriorated sidewalks and installation of new sidewalk with qualifying census tract areas throughout the City This year's program includes the installation of over 6 000 square-feet of new sidewalk and construction of 152 ADA access ramps

On April 18 2001 nine (9) bids were received and opened by the City Clerk Bids ranged from a low of \$123 342 50 to a high of \$208 975 00 with apparent low bidder being Torres Construction of Los Angeles Staff reviewed the bid submitted and found that all documents are in order and the contractor's references have been contacted with all responses being favorable

Staff recommended that the City Council award a contract to Torres Construction in the amount of \$123 342 50

It was moved by Mayor Pro Tem Hammond seconded by Councilmember Adams to award a contract to Torres Construction in the amount of \$123 342 50 and reject all other bids

***4 Corporate Yard Metal Roof Extension Project Award of Contract to B & B Construction in the Amount of \$68 000 00**

This matter was approved by order of the Consent Calendar

The addition of a new metal roof between the Garage building and the Street Division building at the Corporate Yard will provide necessary covered workspace for Yard employees. The work will include repairs around the garage building roof and extension of the metal roof over the gas pumps.

Staff solicited bids and received five (5) bid proposals. Bids ranged from a low of \$68 000 00 to a high of \$109 00 00 with the apparent low bidder being B & B Construction. Staff reviewed their contractor's license, bonding and insurance information and contacted their references. All were found to be satisfactory. Staff recommended that the City Council award a contract to B & B Construction, 117 North Shamrock Avenue, Monrovia, in the amount of \$68 000 00 and reject all other bids.

***5 Tillipough House Restroom Renovation Project Acceptance of Work Notice of Completion and Final Payment to John R Lyman General Contractor in the Amount of \$22 548 00**

This matter was approved by order of the Consent Calendar

On Tuesday, October 24, 2000, the City Council awarded a contract to John R. Lyman General Contractor in the amount of \$22 548 00 for the completion of renovation work at the Tillipough House (Annex) which included removal of the existing restroom and construction of a new ADA compliant restroom, removal of restricting obstacles to the restroom, renovation of an existing storage cabinet, installation of a new rear door and flooring, and construction of a new utility closet.

Staff inspected the contractor's work and found that all work was completed in a satisfactory manner. Staff recommended that the City Council accept the contract work as completed by John R. Lyman General Contractor in the total amount of \$22 548 00, direct the City Clerk to file a Notice of Completion with the County of Los Angeles Recorder's Office, and authorize the Director of Public Works to approve payment of the retention thirty-five (35) days after filing of the Notice of Completion with the County Recorder.

F COMMUNICATIONS AND PETITIONS

1 Response to City's Inquiry Regarding Adelphia Communications Rate Increase

Mr. John Rigas, President for Adelphia Communications, scheduled Penny Contos, Area Manager, and Larry Windsor, Government Affairs Manager, Southern California Region, to speak to the Mayor and City Council in response to the letter sent by Mayor Blakely regarding increase in rates to Mr. Rigas in May 2001.

Larry Windsor, Government Affairs Manager, reviewed the basis for the increases, noting that it was the first in 24 months and amounted to \$1.00 overall for those with extended basic and \$0.02 for those with the basic service. Since inception, basic service subscribers had an increase of one channel and extended service had an increase of five channels. Mayor Pro Tem Hammond expressed concern regarding increasing rates for substandard service. Councilmember Adams noted that Monrovia residents were more concerned about the lack of service. Mayor Blakely requested information regarding the new Call Center in Irwindale.

Penny Contos Area Manager reported that the 800 number had been established and will be advertised on bills flyers and on a post card to be sent to all customers There have been no complaints in the two weeks of operations regarding not being able to call in to the Center They will continue to monitor this area Expansion of services includes additional payment centers with the closest being Glendora at this time Facilities will be opened in other cities including Arcadia Customers will be able to make payments there and acquire or turn in equipment Diron in Monrovia will continue to be a payment center In response to John Rigas commitment to customer service Adelphia will be opening Adelphia University for employees for training in working with the public Next service will be video on demand Mr Windsor noted that an ala carte type of service would be an option of the future but it would be more expensive

In response to Councilmember Garcia s concern that a band still exists on Channel 4 due to reception problems Ms Contos stated that it is a double signal and that Adelphia is working with engineers to solve the problem Two options are available—take Channel 4 off of Channel 4 or decline to use the antennae in Glendora but rather use a direct feed from the station This will take from 6 to 12 months to accomplish

After further discussion Mayor Blakely requested Adelphia prepare a written report to the City Council in six months tracking customer service calls including rate increases and service disparity using also information received by City Hall Both representatives agreed Ms Contos reported that Adelphia was looking to reduce the amount of time it took for service noting that sometimes in traffic it took service trucks 2 hours to get to an appointment Adelphia will be looking for a centralized truck yard

City Manager Donald R Hopper stated that Adelphia should concentrate on remuneration to those people who have had verifiable problems with a reduction in cost or refund of charges

***2 Denial of Liability Claim Patricia Blum vs City of Monrovia**

This matter was approved by order of the Consent Calendar

Ms Blum claimed that on January 20 2001 she tripped and fell on a raised section of public sidewalk on King Street In checking our records the City had no active or constructive notice of the defect As soon as the City was made aware of the problem it was repaired Therefore the claim should be denied Claimant sought approximately \$2 300 000 00 in damages

Staff recommended that the City Council reject the claim by Patricia Blum

***3 Denial of Claim Alvin Mercy vs City of Monrovia**

This matter was approved by order of the Consent Calendar

On January 19 2001 Alvin Mercy was arrested for driving under the influence and refusing to submit to a chemical test Mr Mercy alleged that the initial stop by the arresting officer was racially motivated Monrovia Police personnel followed all appropriate City protocols and State law in responding to this incident Therefore the City bears no responsibility in this matter

Claimants sought approximately \$110 000 00 in damages

Staff recommended that Council deny the claim filed by Alvin Mercy

G REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

1 **Mayor Blakely** reported that

(a) The Senate Budget Committee stripped the Wildlife Conservation Board's funding. She lobbied in Sacramento to get the money back into the budget. Everyone's efforts were fruitful and the request is scheduled to go to both houses on Friday. It is up to them to adopt it. She cautioned everyone to continue to be very vigilant.

(b) She also lobbied for Library Bond Act funds in Sacramento.

(c) She recently traveled to Quito, Ecuador on behalf of the U.S. Department of State for its International Information Programs as she represented the United States with the Federacion de Mujeres Municipalistas de America Latina y El Caribe (FEMUM/ALC) to participate in the first regional meeting of women in local government. She received an honorarium of \$800.00 that she legally could not accept, added \$200.00 to it from personal funds and donated the check to the City of Monrovia for the Youth Commission activities.

2 **Mayor Pro Tem Hammond** reported that

(a) He had attended the DARE Fifth Grade Graduation ceremonies at Mayflower Elementary School this evening prior to the City Council Meeting. He congratulated Officer Ron Slack for a fantastic job for his first full year as the DARE officer. In addition to the obvious taught through DARE, Officer Slack teaches students how to cope in real life situations.

3 **Councilmember Adams** reported that

(a) He requested that Battalion Captain Sam DiGiovanna present an update of the recent Hillside Fire Drill. With the assistance of a Power Point presentation, Captain DiGiovanna reported on the controlled burn exercise held June 5, 2001 in Sawpit Debris Basin in Monrovia for training of firefighters throughout the area. Twelve agencies participated with over 100 firefighters and fifteen engine companies.

(b) The next meeting of the Fire Safe Council was scheduled for Thursday, 7:00 P.M. City Council Chambers and was opened to all interested persons.

(c) He had concerns about a statement written in an article in the last edition of the Mountain Views Newspaper regarding the Merchants Association and the Family Festival.

4 **Councilmember Franco** reported that

(a) He requested that Police Chief Joseph Santoro present an update of Wild Animal Feeding Ordinance. Chief Santoro reviewed the recent bear activity. He stated that there had been 16 reports of bear sightings recently. He cautioned people not to feed the bears, as that made them dependent on humans and encouraged them to come to the neighborhoods. He warned residents to keep their yards clean of fallen fruits and other food. He has been working with Fish and Game. A meeting for residents and other interested persons in other cities and agencies has been scheduled for June 25, 2001, Library Park, 7:00 P.M. Mayor Blakely cautioned residents to talk to their children about what to do when they spot one of these animals.

(b) He attended the June meeting of the Government Affairs Committee of the Chamber of Commerce and reported on the various bills affecting business. The Chamber asked for support of AB34XX, a calendar for energy blackouts. He reported the changes in redistricting due to the Census. He announced the upcoming Chamber Ribbon Cuttings and events.

5 **Councilmember Garcia** reported that

(a) He, Mayor Blakely, and Community Development Director Robert Kastenbaum traveled to Sacramento to secure specific grant funds to purchase hillside property last Monday on another lobbying mission. The funds have been kept in tact by an Assembly bill and that letters of support of Monrovia were coming in. Barbara Boxer, Robert Margett, and Dennis Mountjoy will support Monrovia at the August 30, 2001 hearing of the Wildlife Conservation Board regarding the City's request for a grant. He stated that he was very excited about this last effort in Sacramento.

It was moved by Councilmember Adams seconded by Councilmember Garcia to read by title only Ordinance No 2001-09 As there were no objections City Attorney Michael G Colantuono read as follows

AN ORDINANCE OF THE CITY OF MONROVIA AMENDING TITLE 10 SECTION 10 16 076 OF THE MONROVIA MUNICIPAL CODE RELATING TO TRAFFIC BY ADDING A NEW SUBSECTION 2

It was moved by Councilmember Adams seconded by Councilmember Garcia to adopt Ordinance No 2001-09

ROLL CALL

**Ayes Councilmembers Adams Franco Garcia Mayor Pro Tem Hammond Mayor Blakely
Motion carried 5-0**

2 Amendment to the Contract with the Board of Administration of the California Public Employees Retirement system Relating to Safety Employees 3% at 50 Full Formula Resolution No 2001-32 and Introduction and Adoption of Urgency Ordinance No 2001-11U

Theresa St Peter Director of Human Resources/Risk Management reviewed the Staff Report

This action will allow the City to amend its contract with the Public Employees Retirement System (PERS) to provide Section 21362 2 (3% @ 50 Full formula) for local safety members

This benefit will help keep Monrovia compatible with other public agencies in its ability to recruit and retain quality City employees consistent with the City Council's adopted priorities For fiscal year 2000-01 the Police and Fire Association representatives asked the City to enter into negotiations regarding the 3% @ 50 retirement benefit As a result of the negotiations the Police sworn employees gave up 3 5% of the salary increase due in July 2000 in order to obtain this retirement benefit Sworn fire employees gave up 1% of the salary increase due in July 2000 and agreed to a two-year contract extension The agreement authorized by the City Council was that in exchange for the above the 3% @ 50 safety retirement option would go into effect in July 2001

To make this retirement plan change the City must amend its contract with PERS for all local safety member employees

The contract amendment will result in an increased annual employer contribution rate to PERS of 10 889% percent of safety payroll The amendment will result in the following additional costs \$7 195 414 due to a change in the present value of benefits and \$3 478 159 00 due to a change in the un-funded accrued liability The estimated annual cost increase is \$405 396 00 As retirement benefits are provided through the retirement fund this amendment will have no impact on the General Fund

Government Code Section 7507 requires that the future annual costs of the proposed contract amendment be made public at a public meeting prior to the adoption of the final Ordinance Attachment A" to this Staff Report contains the cost and required information

Staff recommended that City Council begin implementation of the PERS plan amendment to provide 3% @ 50 Full formula for local safety members

