

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, FEBRUARY 1, 2005, 7.30 P.M.**

CONVENE. Mayor Rob Hammond convened the Regular Meeting of the Monrovia City Council of Tuesday, February 1, 2005 at 7 35 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 City Clerk Linda B Proctor

INVOCATION: Pastor Maurice Battle gave the Invocation

PLEDGE OF ALLEGIANCE: Councilmember Mary Ann Lutz 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): 1 Conference with Legal Counsel, Existing Litigation, Government Code §54956 9(a), Jose Martinez vs City of Monrovia, Case No GC033802 Mayor Hammond reported that the City Council met in Closed Session and no reportable action was taken

Mayor Hammond congratulated Councilmember Lutz for her appointment by Governor Arnold Schwarzenegger to the Los Angeles Regional Water Control Quality Board (LARWQCB) representing the entire San Gabriel Valley

PRESENTATIONS:

1. Recognition of Monrovia High School Auto Shop Students Michael Morrill and Parker Rounds, First Place Winners in the Greater Los Angeles New Car Dealers Association Automotive Competition, Monrovia High School Teacher Phil Jelinek, Mentor Mike Wheeler of Sierra Autocars, and Sponsors Charles Gill of the Greater Los Angeles New Car Dealers Association, and Peter Hoffman of Sierra Autocars

Felicia Hibbert, Management Assistant, introduced Monrovia High School Principal Frank Zepeda, who introduced auto shop teacher Phil Jelinek Mr Jelinek reviewed the program and introduced the students Michael Morrill and Parker Rounds Peter Hoffman and Mike Wheeler of Sierra Autocars were also introduced Also recognized tonight was Monrovia High School Mentor Mike Wheeler of Sierra Autocars, and sponsor Charles Gill of the Greater Los Angeles New Car Dealers Association

PROCLAMATIONS: None

Student Government Representative Report: Student Liaison Pamela Cheng reported on events at Monrovia High School

A. CONSENT CALENDAR: It was moved by Mayor Pro Tem Garcia, seconded by Councilmember Adams, to approve the Consent Calendar consisting of Items *I-2, *I-4, *I-5, and *J. There were no objections

Items *B and *I-3 were pulled for discussion as follows

***B. MINUTES:** Regular Meeting of January 18, 2005

Steve Miller, Monrovia, submitted a synopsis of his remarks at the City Council Meeting of January 18, 2005

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Garcia, to accept Mr Miller's submission to the City Clerk into the record for this evening's Meeting and approve as submitted the Minutes of the January 18, 2005 Meeting. Councilmember Lutz abstained There were no objections

I. ADMINISTRATIVE REPORTS

3 Declaration List of Properties Designated by the County of Los Angeles Requiring Weeds or Brush and/or Rubbish Abatement, Resolution No. 2005-07, and Setting a Hearing of Protests for the Owners of Such Properties for March 15, 2005

Each year the Los Angeles County Department of Agricultural Commissioner, Weights and Measures Office, identifies properties, which have been found to contain weeds, brush and/or rubbish, constituting an existing or potential health and safety hazard to adjacent property owners Upon the City Council's approval of the date for the Property Owners' Protests, identified property owners will receive an Annual Weed Abatement notice from the County requiring that they maintain their parcels in a fire safe condition throughout the year If the property owner does not complete the weed abatement, the County will remove the nuisance and recover the costs from the property owner

Councilmember Adams asked that Staff correspond with Los Angeles regarding City properties listed on Exhibit A of the Staff Report for I-3

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Garcia, to adopt Resolution No. 2005-07 with Appendix "A" accepting the Declaration List and setting March 15, 2005 as the date for the Hearing of Protests. There were no objections

C. ORAL COMMUNICATIONS:

- 1 John Watson, Hal Levins, Monrovia, spoke regarding the Welcome Wagon
- 2 Stephen Grollnek, Monrovia, spoke regarding the Monrovia Library
- 3 Nathan Eli, Monrovia, spoke regarding a Code Enforcement notice
- 4 David Gayman, Monrovia, spoke regarding comments made by speakers at meetings
- 5 Ben Timmerman, Monrovia, spoke regarding planned housing
- 6 Cyrus Kemp, Monrovia, spoke on a variety of subjects
- 7 Chuck Keen, Monrovia, spoke regarding servicemen
- 8 Steve Miller, Monrovia, spoke about previous statements made
- 9 Rosemary Harrahill, Monrovia, spoke regarding the Blue Star Program and the City Council
- 10 Hal Levins, Monrovia, spoke about other speakers
- 11 Cyrus Kemp, Monrovia, spoke regarding other speakers

Mayor Hammond called a recess from 8:35 P.M to 8.48 P.M.

In response to Mayor Hammond's request for clarification, City Manager Ochoa responded to issues raised during Oral Communication

D PUBLIC HEARINGS/MEETINGS:

1. **Amendment to the Monrovia Municipal Code Relating to Title 17 (Zoning) Establishing Interim Development Standards for the South Myrtle Avenue Corridor, Introduction and First Reading of Ordinance No 2005-03**

Alice Griselle, Director of Community Development, reviewed the Staff Report

In February 2004, the City enacted a moratorium along the Myrtle Avenue Corridor extending from Olive Avenue south to Duarte Road. The moratorium ended in March 2005. The purpose of the moratorium was to allow the City to develop a new land use plan for this area. The Urban Land Institute (ULI) was brought in to develop recommendations that would serve as a blueprint for future development of the Myrtle Avenue Corridor. Their recommendations were put into a published report, *Station Square and the Myrtle Avenue Corridor*, delivered to the City at the end of August 2004.

Staff recommended a solution that would allow the moratorium to run its course and allow new development that reflected the concepts outlined in the ULI report, while further study of the area was being done. The proposed ordinance contained interim zoning regulations that would keep the existing zone designations. The interim ordinance promoted the ULI study concept of Myrtle Avenue as a gateway to the Old Town and also as connecting the transit village to Old Town and the rest of Monrovia. The proposed regulations would cover the area along Myrtle Avenue from Olive Avenue to Central Avenue. The Transit Village area was governed by the Planned Development provisions in the General Plan and that area would not be affected by this Ordinance. She summarized the proposed regulations, noting that the proposed ordinance would further the goals and objectives of the Urban Land Institute Study, safeguard the existing uses and potentially allow reasonable and appropriate expansion of nonconforming uses, expand the permitted uses to include multi-family residential and mixed use projects, and provide review of new development through the CUP process with appropriate environmental review done for each project.

Staff would continue to work on the development of the master plan for the area which would include not only a detailed land use plan, but also a streetscape and public improvement plan and full environmental review. Public outreach would be a major component in the development of the plan and the interim ordinance allows Staff the time to develop this outreach program.

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.

After discussion, it was moved by Councilmember Adams, seconded by Councilmember Kirby, to introduce and read by title only Ordinance No. 2005-03 adopting interim development standards for the Myrtle Avenue Corridor.

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

City Attorney Steele read as follows

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA MENDING TITLE 17 (ZONING) OF THE MONROVIA MUNICIPAL CODE ESTABLISHING INTERIM REGULATIONS FOR SPECIFIED AREAS IN THE SOUTH MYRTLE CORRIDOR

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

CONVENE: Chairman Rob Hammond convened the Regular Meeting of February 1, 2005 of the Monrovia Redevelopment Agency Board of Directors at 9 14 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 Vice Chairman Garcia, to approve the Consent Calendar consisting of Item *B Boardmember Lutz abstained There were no objections

***B. MINUTES:** The Minutes of the Regular Meeting of January 18, 2005 were approved by order of the Consent Calendar

MRA REPORTS:

1. Pulled, Authorization to Acquire Real Property Located at 1622 South Magnolia Avenue from the Richard Parker Family Trust for the Total Consideration of \$2,500,000.00, Resolution No 4-2005

This item was removed from the Agenda to be taken at a subsequent Meeting

MRA ADJOURNMENT: Chairman Hammond adjourned the Monrovia Redevelopment Agency Meeting at 9 14 P M and the City Council Meeting continued

RECONVENE MONROVIA CITY COUNCIL MEETING

E BIDS None

F. COMMUNICATIONS AND PETITIONS: None

G. REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES.

1 **Mayor Hammond** reported that

(a) He congratulated Tristan Dryer, who recently received his Eagle Scout, award, noting that he was also a Police Explorer

2 **Mayor Pro Tem Garcia** reported that

(a) He attended the Housing, Community and Economic Development Policy Committee Conference on January 20, 2005 in Los Angeles where he serves as Vice-Chairman Discussion included insights on growth, housing and infrastructure in the state as well as other legislative issues

(b) The Annual "For the Love of Youth" Boys and Girls Club Recognition Dinner and Auction would be held Saturday, February 5, 2005 at the Museum

3 **Councilmember Adams** had no report at this time

4 **Councilmember Kirby** reported that

(a) The West Nile Virus was still an issue in the community, and it was important to rid properties of any standing water to retard the growth of mosquitoes

5. **Councilmember Lutz** reported that

(a) She had been appointed to the Los Angeles Regional Water Quality Board and explained that its mission was to protect ground and surface water quality in the Los Angeles Region, including the coastal watersheds of Los Angeles and Venture Counties

H REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES None

I. ADMINISTRATIVE REPORTS**1. 2004-05 Mid-Year Budget Review**

Mark Alvarado, Director of Finance, reviewed the Staff Report

Mr Alvarado provided a summary review of the City's operations for the first six months of the 2004-05 fiscal year, noting that, overall, revenues were tracking on course as initially forecasted at the beginning of this fiscal year

Adjustments were made to some revenue accounts Sales tax had been projected to increase approximately 3% over the prior year activity but was down The original budget would be adjusted downward \$248,000 to reflect flat growth Secured property tax revenue was up due to assessed valuation increases of 7% over the prior year Property tax revenue was thought to increase \$60,000 00 over the original estimate In addition, the property transfer tax received based on the sale and acquisition of properties was estimated to generate an additional \$22,000 00 of revenue The occupancy rate for hotels was better than originally projected Through the first quarter's activity, the occupancy tax was 5% ahead of the current projection An additional \$84,000 00 was anticipated Overall, Staff projected that General Fund revenue for fiscal year 2004-05 will decrease by \$7,500 00

He noted that, overall, all City funds were tracking at or below 50% of expenditures

The State budget crisis was also affecting the Monrovia Redevelopment Agency The State intended to take \$607,000 00 from the Agency's property tax revenue, however, this revenue reduction had already been factored into the current budget All debt service obligations would still be met

After discussion, it was moved by Councilmember Adams, seconded by Councilmember Lutz, to approve the budget adjustments as presented, adopting the Five Year Plan for the reserves for economic uncertainty, and request that Staff process the necessary documentation for the VLF 90% Loan as quickly as possible.

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

Councilmember Adams stated that in view of comments made earlier this evening, a real testament to the community's confidence in the City Council and the Staff was that the City Council just made the necessary budget adjustments on \$52,000,000 00 with no public comment

***2. Renewal of Professional Engineering Services Agreement for the Citywide Lighting, Landscaping District and the Park Maintenance District with Harris & Associates for Fiscal Years 2005-2006, 2006-2007, and 2007-2008 in the Amount of \$15,600.00 Annually**

This matter was approved by order of the Consent Calendar

As part of the procedure the City must follow with the assessment districts formed under the Landscaping and Lighting Act of 1972, an annual review of the budgetary needs of each zone within the Districts and the preparation of an "Engineer's Report" was required

Under the Agreement, the Assessment Engineer would prepare the following Engineer's Reports

1 2005-2006, 2006-2007, and 2007-2008 Citywide Lighting and Landscaping Maintenance District Engineer's Report for Zones A, B, C, D and E

2 2005-2006, 2006-2007, and 2007-2008 Park Maintenance District

A three (3) year contract would establish the costs for the contract period and proposed no cost increases for the term of the contract

***3. Declaration List of Properties Designated by the County of Los Angeles Requiring Weeds or Brush and/or Rubbish Abatement, Resolution No. 2005-07, and Setting a Hearing of Protests for the Owners of Such Properties for March 15, 2005**

This matter was removed from the Consent Calendar and taken separately above following the Consent Calendar

***4 Set for Public Hearing on February 15, 2005; Historic Landmark HL-78; 218-228 North Myrtle Avenue, Applicants Cleve and Gloria Crudgington**

This matter was approved by order of the Consent Calendar

At its meeting of January 26, 2005, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status for the property at 218 and 228 North Myrtle Avenue to the City Council

Staff recommended setting February 15, 2005 as the date of the Public Hearing

***5. Set for Public Hearing on February 15, 2005, Historic Landmark HL-79; 222 North Myrtle Avenue, Applicants Cleve and Gloria Crudgington**

This matter was approved by order of the Consent Calendar

At its meeting of January 26, 2005, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status for the property at 222 North Myrtle Avenue to the City Council

Staff recommended setting February 15, 2005 as the date of the Public Hearing

***J. PAYROLL & VOUCHERS:** Payroll No 2 in the net amount of \$482,201 74, and Voucher Numbers 123389 through 123645 non-sequentially in the amount of \$876,579 69 were approved by order of the Consent Calendar

K SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, February 15, 2005, 7 30 P M , City Council Chambers, 415 South Ivy Avenue, Monrovia, California, preceded by a Salute to Service Program, 6 00 P M , City Council Chambers

L. ORAL COMMUNICATIONS, CONTINUED, IF NEEDED. None

M. CLOSED SESSION: Mayor Hammond announced that the City Council would meet in Closed Session to Conference with Legal Counsel, Anticipated Litigation, Initiation of Litigation pursuant to Government Code §54956 9(c) one (1) potential case It would adjourn from Closed Session and report at the next City Council Meeting

2/1/05 Rec'd
via Steve Miller
Consent: Minutes
pulled for
Comment
JSP

Presented to Linda Proctor, City Clerk, and Monrovia City Council 02/01/05

Steve Miller asks the the Minutes of the 01/18/05 meeting be corrected to accurately reflect his input as follows

- 1) Steve Miller clarified his expression of support for a Monrovia-merchant grant program
- 2) Steve Miller took issue with (strongly objected to) city manager Scott Ochoa's interference with the NPO-NGO Monrovia Fire Safe Council's (FSC) affairs In particular, a claim to a November FSC election which in fact had not been "Noticed" and thus lacked legitimacy
- 3) Steve Miller also brought to the attention of the Council some concerns about prior City-controlled Grant Expenditures including ~ \$28,000 00 of "Miscellaneous Expense"

Also regarding prior minutes, Steve Miller requested that a 'citizen's audit committee' be formed to act as a liaison with the Auditing Firm hired by the city to provide independent oversight of the City's Financial Activities

Action taken:

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Garcia, to accept Mr Miller's submission to the City Clerk into the record for this evening's Meeting and approve as submitted the Minutes of the January 18, 2005 Meeting Councilmember Lutz abstained There were no objections

2/1/2005 JSP


N. ADJOURNMENT: Mayor Hammond adjourned the Meeting at 9 58 P M In memory of Jason Williams, brother of Councilmember Mary Ann Lutz, and Laulan Kong, mother of Administrative Services Employee Marguerite Wong Closed Session convened at 10 00 P M and adjourned at 10 35 P M

APPROVED



Rob Hammond, Mayor

ATTEST



Linda B Proctor, MMC, City Clerk