

**MINUTES OF THE REGULAR MEETING
OF THE
MONROVIA CITY COUNCIL
HELD TUESDAY, NOVEMBER 4, 2008, 7:30 P.M.**

CONVENE: Mayor Pro Tem Dan Kirby convened the Regular Meeting of the Monrovia City Council of Tuesday, November 4, 2008, at 7:34 P.M. in City Council Chambers in honor of Natalie Isabel Avalos, born October 4, 2008, to Parents Brenda and Jesus Avalos. In attendance were City Manager Scott Ochoa, City Attorney Craig A. Steele and City Clerk Linda B. Proctor.

INVOCATION: Youth Pastor Ulises Gutierrez gave the Invocation.

PLEDGE OF ALLEGIANCE: Mayor Pro Dan Kirby led the Flag Salute.

ROLL CALL: In attendance were Councilmembers Tom Adams, Joe Garcia, Mary Ann Lutz, Mayor Pro Tem Dan Kirby, and Mayor Rob Hammond (arrived at 8:02 P.M.).

PRESENTATION/PROCLAMATION:

PR-1 Recognition of Sponsors for the 2008 Halloween Event "Ghostly Green Goulash": Community Services Commission Chair Paul Larsen assisted the Mayor and City Council in recognizing the sponsors of the 2008 Halloween Carnival and Costume Contest. The main event sponsors included Kim's Hapkido Karate, Monrovia Youth Baseball league, Carden of the Foothills, City of Monrovia Department of Public Works, and Monrovia Old Town merchants.

STUDENT GOVERNMENT REPRESENTATIVE REPORT: Student Liaison David Zook reviewed the events at Monrovia High School.

CONSENT CALENDAR: It was moved by Councilmember Lutz, seconded by Councilmember Garcia, to approve the Consent Calendar. There were no objections. The Consent Calendar consisted of the following Agenda items:

CC-1 Unadopted Minutes of the October 21, 2008 Regular Meeting of the Monrovia City Council

CC-2 Payroll No. 22 in the Amount of \$601,731.19, and Voucher Nos. 154384 through 154703 in the Amount of \$861,045.81

CC-3 Amendment No. 3; One-Year Extension of Contract between the City of Monrovia and Athens Services for the Old Town Franchise Area Ending December 2009: On November 10, 1998, the City of Monrovia and Athens Services entered into an Exclusive Franchise Agreement. The contract was executed on December 16, 1998 for six years with two, two-year extensions. On February 4, 2004, City Council granted the first extension. A second extension was granted on November 21, 2006, expiring on December 16, 2008.

Athens Services performed all contract services in a satisfactory manner. Staff recommended the City Council amend the contract to extend the term for one year with the option of a six-month extension. The amendment would allow Old Town merchants to lock in the lower rates and allow time to further research future solid waste service options. The contract amendment will continue to provide the City with a 16% Franchise Fee.

CC-4 Set for Public Hearing on November 18, 2008; Historic Landmark HL-125 for the Property Located at 101 East Greystone Avenue, Applicant Carolyn K. Young: At its meeting of October 29, 2008, the Historic Preservation Commission voted to forward a nomination statement recommending approval of Historic Landmark status for the property at 101 East Greystone Avenue to the City Council.

CC-5 Set for Public Hearing on November 18, 2008; Historic Landmark HI-124/Mills Act Contract MA-118 for the Property Located at 510 West Maple Avenue, Applicants Christina and Matthew Crabtree: At its meeting of October 29, 2008, 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 510 West Maple Avenue to the City Council.

CC-6 Amendment No. 2; Twenty-month Extension of Contract with Parking Company of America for Vehicle Maintenance Services Ending June 2010, in the Amount Not to Exceed \$95,680.00 Annually: The City Council approved a three-year contract with Parking Company of America (PCA) on October 4, 2005, at a fixed-price agreement, which in its final year was in the amount of \$26,584.03 per month. On January 1, 2008, the contract was renegotiated to provide more flexibility and less liability for both parties, and monthly costs determined by total labor hours worked plus parts, materials and subcontractor costs. The result was a monthly charge of actual costs, saving approximately \$10,000.00 per month. PCA exceeded staff's expectations. The 20-month term of the extension would revise the contract renewal date to synchronize with the City's fiscal calendar ending June 2010, and would secure the fleet maintenance services without increasing contractual cost. Funding was available through the Equipment Maintenance Fund.

CC-7 Denial of Liability Claim, Sandra Linder vs. City of Monrovia: Ms. Linder alleged that berries from a City palm tree dropped on her vehicle resulting in dents to the vehicle. She maintained that the City did not regularly maintain the trees. A review of Public Works records indicated that the City regularly maintained and inspected the tree. Therefore, the City bore no responsibility for this matter.

PUBLIC INPUT

1. Chuck Keen, Monrovia

The following items were taken out of order:

ADMINISTRATIVE REPORTS:

AR-1 Calling and Giving Notice of the April 14, 2009 General Municipal Election, Resolution No. 2008-57; Providing Regulations for Candidates, Resolution No. 2008-58; and Requesting Specified Services from the Board of Supervisors of Los Angeles County, Resolution No. 2008-59, and an Agreement with Martin & Chapman Company for Election Consulting Services in an Amount Not to Exceed \$52,000.00

City Clerk Linda Proctor reviewed the Staff Report

Every two years, the City Council sets the schedule for the upcoming general municipal election by officially taking a few preliminary steps required by the State Election Code by the adoption of resolutions which set into place the policy on Candidate's Statements, the use of County services, and the calling of the Election

As determined by the Elections Code, the filing period for candidates was December 22, 2008 through January 16, 2009. City Clerk office hours would be posted in the lobby. Nomination Papers could be taken out and returned during regular working hours, 7:00 A.M. to 6:00 P.M., Monday through Thursday, and 7:00 A.M. to 5:30 P.M. on Fridays. Those seats up for re-election were held by Mayor Rob Hammond, Councilmember Joe Garcia, Mayor Pro Tem Dan Kirby, City Clerk Linda B. Proctor, and City Treasurer Stephen R. Baker.

Changes in years' past elections included the need to print the ballot in a third language for one precinct due to the increase of over 3% of Chinese voters in the southwest portion of Monrovia. The Candidate's Statement, if a candidate chose to submit one, would require a deposit in the amount of \$1000.00 for the 200-word statement in all three languages in the sample ballot pamphlet.

Staff had estimated \$52,000.00 for the City's portion of the Martin & Chapman election costs and \$1,180.00 for services provided by the County. These funds were included as part of the 2008-2009 fiscal year budget. Other expenditures included costs of the Multi-Lingual Consultant, training of polling officers, Elections Assistant salary, use of polling sites and polling officers' stipends.

It was moved by Councilmember Adams, seconded by Councilmember Lutz, to adopt Resolution Nos. 2008-57, 2008-58 and 2005-59, approve an agreement with Martin & Chapman Company in an amount not to exceed \$52,000.00, and authorize the City Manager to execute the necessary documents.

ROLL CALL:

**Ayes: Councilmembers Adams, Garcia, Lutz, Mayor Pro Tem Kirby
Excused: Mayor Hammond
Motion carried: 4-0**

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

MRA CONSENT CALENDAR: It was moved by Vice-Chairman Kirby, seconded by Boardmember Adams, to approve the Consent Calendar. There were no objections. The Consent Calendar consisted of the following Agenda items:

MRA CC-1 Unadopted Minutes of the October 21, 2008 Regular Meeting of the Monrovia Redevelopment Agency

MRA PUBLIC HEARINGS/MEETINGS

MRA PH-1 To be Opened and Continued to November 18, 2008; Joint Public Hearing; Disposition and Development Agreement with Miyachi Unitek Corporation Regarding Property Located at 1616 South California Avenue; City Resolution No. 2008-52 and Agency Resolution No. 10-2008

PUBLIC HEARING OPENED AND CONTINUED: Chairman Hammond opened and continued the Joint Public Hearing to November 18, 2008.

MRA ADMINISTRATIVE REPORTS: None

MRA ADJOURNMENT: Chairman Hammond adjourned the Meeting at 8:14 P.M.

RECONVENE MONROVIA CITY COUNCIL MEETING

PUBLIC HEARINGS/MEETINGS:

PH-1 Adoption of the Station Square Specific Plan, Resolution No. 2008-62, and Zone Change (ZC2008-02) for the Properties Bounded by Duarte Road, Evergreen, Myrtle and Magnolia Avenues; Introduction and First Reading of Ordinance No. 2008-09

Steve Sizemore, Planning Division Manager reviewed the Staff Report.

In January 2008, the City adopted a new Land Use Element that created land use goals and standards for future development south of the 210 Freeway. The Land Use Element was a continuation of the City's plan to build along the planned Gold Line route and incorporate additional areas surrounding the light rail train station. The General Plan called for orderly development in this area and required the preparation of a Specific Plan to ensure development was consistent with the vision established in the General Plan. The Station Square Specific Plan was prepared to guide development in the first phase of the Transit Village.

The Specific Plan identified four specific land uses as well as access, circulation, infrastructure, phasing and future development potential. The four land uses were residential, office, retail and open space. The residential components of the Land Use Plan would provide a variety of residential opportunities as well as sufficient recreation facilities to serve the residents living in the project area. The remaining land uses would include a mixture of retail and office uses to complement the transit station and residential development. The Station Square Specific Plan was designed to provide flexibility in the arrangement of land uses to respond to the market at the time development occurs.

The Residential land use component consisted of approximately seven acres of the Specific Plan area and allowed for up to 700 residential units. The maximum allowable density for the site was up to 115 dwelling units per acre. The high density development was consistent with the transit-oriented nature of the project. The residential designation allowed for recreational amenities, including courtyards, green spaces and swimming pools.

The Office component was located on approximately 5.5 acres of property. Up to 450,000 square feet of office space able would be allowed to accommodate a variety of business types. Pedestrian walkways would be designed to connect the office buildings to surrounding buildings and uses as well as the proposed Gold Line transit station.

Retail used within the Specific Plan area would occur in conjunction with the proposed residential and office development. Retail would be allowed to occupy the ground floor of the residential and office buildings. Retail uses were expected to occupy up to 40,000 square feet of building area providing tenant spaces for a mix of retail, commercial and restaurant uses.

The Open Space component of the Specific Plan included a linear park, a central open space area, water elements, passive open space areas, pedestrian walking trails and smaller pocket parks. Community gathering places including plazas, courtyards and green spaces would be incorporated throughout the Specific Plan project area to ensure the site was pedestrian friendly. In conjunction with the development of open space, the historic train depot would also be renovated and integrated into the project site. The linear park was designed as a community gathering space to be used for picnicking, jogging, hiking, and bicycle riding for residents as well as the public. The linear park was also intended to connect the land uses in the Specific Plan Area to later development phases of the Transit Village.

The Circulation Plan complemented the Land Use Plan by linking the residential, office and retail land uses to each other. The circulation system consisted of roadways, trails and a linear park designed to enhance connectivity, walkability and facilitate the movement of pedestrians, bicyclists and vehicles. In accordance with the Circulation Element of the General Plan, street types within the Specific Plan area would be designed, built, and improved in relation to anticipated traffic volumes.

The adoption of the Specific Plan was consistent with the 2008 Land Use Element which identified environmental impacts associated with implementation of the Land Use Element. An Environmental Impact Report was prepared and certified by the City Council on January 15, 2008 for the General Plan Project. The California Environmental Quality Act Guidelines allowed a Negative Declaration to be adopted when an EIR had previously been prepared for a project and a later project that was consistent with that program would not result in any significant effects which were not examined in that previous EIR. In order to tier upon an EIR, the later project had to be consistent with the general plan and zoning of the applicable city or county. The adoption of the Station Square Specific Plan was being tiered upon this EIR as a result of its consistency with the 2008 General Plan Land Use Element. On this basis, an Initial Study/Negative Declaration was prepared and the Planning Commission recommended that the City Council adopt the Negative Declaration which indicated that the proposed project would have no adverse impact on the environment.

On October 15, 2008, the Planning Commission held a public hearing on the application. At the hearing, there were four residents and one businessperson who spoke. Their concerns revolved around noticing, private property, traffic/parking, density, and low-income rental issues. At the conclusion of the public hearing, the Planning Commission voted 6-1 recommending approval to the City Council of the Station Square Specific Plan, the rezoning of the Subject Property from PD to SP, and the adoption of a Negative Declaration.

Discussion ensued including Councilmembers' concerns that a section be added regarding resident lighting, options to stay green in having pavers not just concrete, that no draught resistant plants were listed, and mitigation of the sound from the train. Community Development Director Griselle stated that Staff would be bringing back very specific plans at a later date.

PUBLIC HEARING OPENED: Mayor Hammond opened the Public Hearing.

Those against:

1. Bonnie Kaufmann, concerning price of the plan
2. John Helping, Airtro, concerning logistics of getting 6 lanes on Myrtle Avenue

In favor:

1. Paul Greenwood, concerning that the plan didn't feel like a transit plan, that he wanted the future plan area taken out, and that a pretty rigorous traffic pattern needed to be figured out

PUBLIC HEARING CLOSED: Mayor Hammond closed the Public Hearing as there was no one else who wished to speak for or against the matter.

Discussion ensued. Mayor Hammond requested that the street be closed to traffic leading to the linear park, or perhaps the capability of being able to close it on weekends. Other issues discussed was the parking structure location, the need for a second traffic study, and a safe central meeting spot.

It was moved by Councilmember Lutz, seconded by Mayor Hammond, to incorporate the language talked about, have the Traffic Engineer review the traffic for more options and open and continue the Public Hearing to the December 2, 2008 City Council Meeting.

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

PUBLIC HEARING OPENED: Mayor Hammond reopened the Public Hearing. The matter was opened and continued to the December 2, 2008 City Council Meeting.

SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, November 18, 2008, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

PUBLIC INPUT, CONTINUED, IF NEEDED: None

ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED: None

ANNOUNCEMENT: Mayor Hammond stated that the mid-year Budget review would be given at the December 16, 2008 City Council Meeting. He requested that the City Manager make a report of the State's financial status at each City Council Meeting.

ADJOURNMENT TO CLOSED SESSION: At 10.31 P.M., Mayor Hammond announced that the City Council would meet in Closed Session to discuss the following matter and would announce the findings at the conclusion of Closed Session:

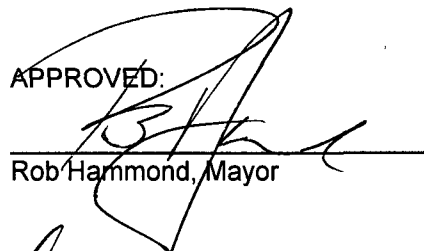
ACS-1 Real Property Negotiations Pursuant to Government Code §54956.8; APN 8530-002-900, Agency Negotiators, City Manager and City Attorney; Under Negotiation, Price and Terms of Payment.

RECONVENE AND REPORT OF CLOSED SESSION: At 11:00 P.M., City Attorney Steele announced that no reportable action was taken on the following matter:

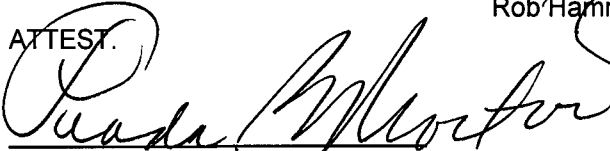
RCS-1 Real Property Negotiations Pursuant to Government Code §54956.8; APN 8530-002-900, Agency Negotiators, City Manager and City Attorney; Under Negotiation, Price and Terms of Payment.

ADJOURNMENT: Mayor Hammond adjourned the Meeting at 11:00 P M in memory of Larry Gonzalez, Father-in-Law of Code Enforcement Officer Rick Macias, and Constance Morrow, Long-time Monrovia Volunteer.

APPROVED:


Rob Hammond, Mayor

ATTEST.


Linda B. Proctor, MMC, City Clerk