



SPECIAL MEETING
of the
MONROVIA CITY COUNCIL
City Council Chambers
Tuesday, April 15, 2008
6:30 P.M.
CLOSED SESSION
to discuss
Public Employee Performance Evaluation,
Government Code §54957, City Manager

REGULAR MEETING
of the
MONROVIA CITY COUNCIL
City Council Chambers
7:30 P.M.

AGENDA SUMMARY

CONVENE	Mayor Rob Hammond
INVOCATION	Pastor Dorothy Scott
PLEDGE OF ALLEGIANCE	Councilmember Mary Ann Lutz
ROLL CALL	Councilmembers Adams, Garcia, Lutz, Mayor Pro Tem Kirby, and Mayor Hammond

PRESENTATIONS/PROCLAMATIONS

PR-1 Introduction of Newly Hired Firefighter/Paramedic Greg Dellenbach and Newly Promoted Engineer Tino Buccola

Battalion Chief Scott Haberle will be on hand tonight to introduce newly hired Firefighter/Paramedic Greg Dellenbach and newly promoted Engineer Tino Buccola to the Mayor, City Council and the community.

PR-2 Recognition of Sponsors for the 2008 Spring Egg Hunt and Healthy Kids Day, "Celebrate Spring"

Community Services Commission Chair Gloria Crudgington will be on hand tonight to assist the Mayor and City Council in recognizing the sponsors of the 2008 Spring Egg Hunt and YMCA Healthy Kids Day, which was held Saturday, March 22, 2008 from 10:00am – 12:00pm in Recreation Park. The sponsors include Jodi Breneman of Dickson Podley Realtors, Sierra Autocars, Inc., Kim's Hapkido Karate, Diane Balsamo of Countywide Home Loans, Post Alarm Systems and Monrovia Police Officers Association.

Student Government Representative Report

Student Liaison Rachel Jamieson

CONSENT CALENDAR

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

CC-2 Payroll No. 7 in the Amount of \$575,931.76 and Voucher Nos. 150279 through 150591 in the Amount of \$1,696,147.20

CC-3 One Year Extension for Tentative Tract Map No. TTM066036/Conditional Use Permit CUP2006-10 to Construct a 6-unit, Detached, Two-story Planned Unit Development at 1232 South Mayflower Avenue by Ron Rossiter

At the April 4, 2006 City Council meeting, the Council approved a tentative tract map and conditional use permit for a 6-unit, detached, two-story planned unit development at 1232 South Mayflower Avenue. The applicant is now requesting a one year time extension.

The buildings are a Spanish style with low pitched, tile roofs, smooth stucco, arches, and multi-paned windows, some with shutters. The overall building design reflects the Spanish style in its simplicity with varied roof lines and building planes that provide interest in the design. The development conforms to all the applicable development standards in the RH zone. The six-unit Planned Unit Development will blend in with the multiple family residences found in the neighborhood.

Staff recommends approval of the One Year Extension for Tentative Tract Map No. TTM066036/Conditional Use Permit CUP2006-10.

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

Approve the One Year Extension for Tentative Tract Map No. TTM066036/Conditional Use Permit CUP2006-10 to April 6, 2009.

CC-4 Set for Public Hearing on May 6, 2008; Tentative Tract Map No. 070409; Conditional Use Permit CUP2008-04 to Construct a 16,349 Square Foot, 10 Unit Industrial Condominium in the Manufacturing (M) Zone located at 239 West Chestnut Avenue by Edgar Bourne, Applicant

On April 9, 2008, the Planning Commission reviewed an application to construct a 10-unit industrial condominium on a site that is 34,196 square feet located at the northeast corner of Magnolia and Chestnut Avenues.

Staff recommends that the City Council set May 6, 2008 as the date of the Public Hearing.

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

Set May 6, 2008 as the date of the Public Hearing.

CC-5 Procurement of Two (2) State Contract Type 4 Low-Floor ADA Accessible Minivans from Creative Bus Sales in the Amount of \$78,990.32

The City of Monrovia has operated Monrovia Transit Dial-a-Ride since 1983. Currently, the Monrovia Transit fleet consists of nine (9) vehicles; which are all city-owned. As part of the City's vehicle replacement program, Staff is proposing to replace two vehicles with an economically efficient vehicle. The retired vehicles will be sold and the monies will be returned to the Proposition A fund, as required by the Metro. The fleet would remain at nine vehicles.

Based on the City Council's direction to find more economically and environmentally friendly options, staff has identified the Type 4 Low-Floor ADA Accessible minivan. These vehicles are typically used by Access Paratransit Services, which provides a regional transit service. These vehicles are an economically efficient alternative with a more fuel efficient engine (V-6 engine in lieu of the standard V-10 engine). These vehicles also have a maximum seating capacity of 6 passengers, while having the capability to accommodate 2 wheelchair passengers (equal maximum capacity of the larger 18-passenger transit vehicles).

In efforts to gauge public response in the procurement of these smaller vehicles, staff held several presentations with the New Horizon and the Red Hat Gadabouts senior groups. Staff described the proposed vehicle and the benefits of these vehicles. There was a discussion about the added convenience these vehicles may bring by providing a smaller and more accommodating vehicle, as well as providing an economically feasible way to meet our current rider demand. Many of the seniors at these presentations were familiar with these vehicles, having ridden with Access Paratransit Services. The sentiment from these groups was positive.

The total cost of the two vehicles is \$78,990.32, plus a 1% State Procurement Fee, for a total of \$79,780.22. Staff secured additional funds through a grant from Metro which will pay for the difference of approximately 75% of these vehicles, for a total of \$59,835. Further, as part of the City's agreement with Los Angeles County for transit service to County residents, the County will reimburse the City for 35% of the remaining cost (\$6,980). The City's Proposition A Local Return Funds will be used for the balance of the purchase of these vehicles for a final cost for the two vehicles of \$12,965.22.

Staff feels that purchasing the new vehicles from Creative Bus Sales Inc. through the Public Agency/State Contract is the most cost effective option for the City.

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

Approve the purchase of two paratransit vehicles from Creative Bus Sales, Inc. in the amount of \$78,990.32.

CC-6 Denial of Liability Claim; Kaya and Mary Ann Pekerol vs. City of Monrovia

Claimants allege that the City has engaged in malicious prosecution, intentional infliction of emotional distress and negligent supervision of employees related to City code enforcement actions initiated against them.

Staff has had this matter reviewed by counsel. It appears that the basis for this claim is barred by prosecutorial immunity. Therefore, the City bears no responsibility for this matter.

Staff recommends that Council deny this claim.

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

Deny the claim of Kaya and Mary Ann Pekerol.

PUBLIC INPUT

PUBLIC HEARINGS / MEETINGS

PH-1 Opened and Continued from April 1, 2008; Appeal the Planning Commission Decision Upholding the Development Review Committee's Decision of DRC2007-135 Approving Roof Mounted Wireless Telecommunication Panels with a Mansard Roof Design in Lieu of the Applicants Proposal to Screen the Equipment with a Partial Parapet Design at 428 West Chestnut Avenue by Sequoia Deployment Services, Inc., Applicant

On February 19, 2008, the City Council held a Public Hearing to consider the appeal of the Planning Commission decision approving roof mounted wireless telecommunication equipment with a mansard roof design wrapping around the entire building with the exception of the south side where the mansard roof would be returned on either side and the remainder would be open. An engineering report that addressed concerns regarding the possible effects of a mansard roof wrapping the entire building was submitted to the City Council just prior to the February 19th meeting. The Council concluded the hearing by requesting a 30-day continuance to allow sufficient time for them to review the engineering report and for the applicant to meet with Staff to see if there were other design solutions.

Staff met with Donna Leiby, the property owner, Pete Shubin and Jay Banks from Sequoia Deployment, Inc. and their structural engineer Scott Bentacourt and the applicant agreed to forward the suggestions discussed at the meeting to his architect. The applicant was

unable to submit revised drawings in time for the March 18th City Council meeting and was granted a continuance to the April 1st meeting. The revised drawings have been completed but the photo-simulations were not completed in time for the April 1st meeting and another continuance was granted to the April 15th meeting. The applicant is now requesting a continuance to the May 6th City Council meeting to allow additional time to complete the photo-simulations.

Staff recommends that the City Council continue the Public Hearing until May 6, 2008.

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

Open and Continue the Public Hearing to May 6, 2008.

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

MRA CONVENE

Chairman Hammond

MRA ROLL CALL

Boardmembers Adams, Garcia, Lutz, Vice-Chair Kirby, and
Chairman Hammond

MRA CONSENT CALENDAR

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

MRA CC-2 Extension of the Exclusive Negotiating Agreement with Samuelson & Fetter, LLC, for a Six-Month Period for a Portion of the Station Square Study Area, Generally located North of Duarte Road, East of Magnolia Avenue, South of Evergreen Avenue, and West of Myrtle Avenue

On November 15, 2005, the Agency Board granted authorization to enter into an initial Exclusive Negotiating Agreement ("ENA") with Samuelson & Fetter, LLC (the "Developer") for the purpose of studying the area designated as "Station Square" (the "Site"). The area they are specifically studying is generally located north of Duarte Road, east of Magnolia Avenue, south of Evergreen Avenue, and west of Myrtle Avenue. The site is generally an older, obsolete industrial area that is occupied by a variety of incompatible businesses, as well as a number of residential units. During this initial period, an Environmental Impact Report was completed, and the parties initiated extensive studies of site acquisitions and site plan design. Since the initial ENA, three extensions have been granted to the Developer due to the complexity and magnitude of the development. An additional six-month extension is being proposed to allow for the completion of the project analyses.

The extended exclusive negotiation period will provide the Agency and the Developer the opportunity to conduct various analyses to determine the feasibility of various site

models. Based on the results of these studies, the decision whether to proceed to a Disposition and Development Agreement will be made.

Staff recommends approval of a six-month extension to the Exclusive Negotiating Agreement with the Developer.

If the Agency Board concurs, the appropriate action would be a motion to:

Approve an extension to the Exclusive Negotiating Agreement with Samuelson and Fetter LLC., and authorize the Executive Director to execute the necessary documents.

MRA PUBLIC HEARINGS/MEETINGS

None

MRA ADMINISTRATIVE REPORTS

None

MRA ADJOURNMENT

RECONVENE MONROVIA CITY COUNCIL MEETING

REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

- RCC1** Mayor Hammond
- RCC2** Mayor Pro Tem Kirby
- RCC3** Councilmember Adams
 - (a) Review of Outsourcing Municipal Services
- RCC4** Councilmember Garcia
- RCC5** Councilmember Lutz

REPORTS OF COMMISSIONS, BOARDS AND COMMITTEES

None

REPORTS OF STAFF MEMBERS

None

ADMINISTRATIVE REPORTS

AR-1 Architectural Design for Police Facilities Roof, Air Conditioning, Ventilation and Heating; Award of Contract to Cornwall Associates in the Amount of \$60,000.00

Daniel Iwata, Operations Division Manager, will review the Staff Report.

The Police Department building has exposed air ducts on the roof that leak, the roof sags in several areas and the original roofing has never been replaced. The HVAC system is the original air conditioning unit which has become antiquated and very inefficient.

Replacement of the existing air conditioning system in a first phase and replacement of the roofing system in a second phase would allow for continued occupancy. These improvements will increase the overall energy efficiency, improve the work environment and will be in compliance with the Monrovia Environmental Accords.

This project has been identified in the five-year plan for capital improvement projects. Recent rains have accelerated the deterioration of the roof and should be completed during the 08-09 fiscal year.

Staff received quotes from two architectural firms; both have successfully completed prior projects for the City. After evaluating each bid, Cornwall Associates appears to be the lowest qualified bidder.

Funding for this project is available in the Facilities Capital Improvement Budget.

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

Award a contract to Cornwall Associates in the amount of \$60,000.00 for the Police Facilities Roof, Air Conditioning, Ventilation and Heating Architectural Design.

AR-2 Purchase of one 2008 Chrysler 300 Touring Sedan for Scheduled Replacement of Police Department Administrative Staff Vehicle in the Amount of \$27,062.50 from Glendora Chrysler Jeep Dodge

Captain Jim Hunt will review the Staff Report.

This report provides the recommendations for the scheduled replacement of a police department administrative staff vehicle with the purchase of one 2008 model Chrysler 300 Touring sedan. The funds for this purchase are available in the Police Department's vehicle fleet replacement account. The Police Department recommends purchasing one 2008 Chrysler 300 Touring sedan from Glendora Chrysler Jeep Dodge for a total price of \$27,062.50.

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

Approve the purchase of one 2008 Chrysler 300 Touring sedan from Glendora Chrysler Jeep Dodge in the amount of \$27,062.50 from the police vehicle fleet replacement fund.

AR-3 Purchase of Twenty X26E Tasers with Holsters, and Five Additional Holsters from Proforce in the Amount of \$17,805.77

Captain Jim Hunt will review the Staff Report.

This report provides the recommendations for the purchase of twenty X26E Tasers with holsters and five additional holsters for the police department. Tasers are another less lethal force option for officers to help insure their safety and the safety of suspects. The funds for this purchase are available from the Police Department's Expenditure Control Budget savings account. The police department recommends purchasing twenty X26E Tasers with holsters and an additional five holsters from Proforce for a total price of \$17,805.77.

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

Approve the purchase of twenty X26E Tasers with holsters, and five additional holsters from Proforce in the amount of \$17,805.77.

AR-4 Memorandum of Understanding; Amend Personnel Rules and Regulations to Provide for Compensation and Supplemental Benefits Effective Fiscal Year 2007-08 for Elected and Appointed Employees, Appendix "D", Resolution No. 2008-18.

Theresa St. Peter, Director of Human Resources, will review the Staff Report.

It was brought to Staff's attention that Appendix D, describing compensation and benefits provided for City Council members was inaccurate. Therefore, City Council directed Staff to update Appendix D to clarify compensation and benefits provided for elected officials in the City of Monrovia.

The attached Appendix D clearly describes the compensation and benefits provided for elected officials.

Staff recommends that City Council adopt Resolution 2008-18.

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

Adopt Resolution No. 2008-18.

AR-5 Approval of Library Park Master Plan; Award of Contract for Landscape Architectural Services to Lawrence Moss & Associates in an Amount Not to Exceed \$128,000

David Fike, Director of Public Works, will review the Staff Report.

With the design of the new 28,000 square foot library building, the footprint will cover a different area of Library Park than the previous building. There are changes to Library Park that need to be considered. On December 19, 2007, the Library Construction Committee reviewed the Library Park Master Plan and provided input. On January 10, 2007, the Community Services Commission reviewed the Library Park Master Plan and also provided input. The City hired a Landscape Architect, Lawrence Moss & Associates, to design preliminary plans. The plans will show possible modifications to Library Park, incorporating the input from both parties.

The Library Park Master Plan includes the following features for the City Council's consideration: Grand Walkway/Water Feature, Library Entrance Area, Reflective Memorial Area, Tiered Seating Walls to adjust for change in grade, New Proposed Outdoor Theater, and Playground Area.

Funding is provided by the Library Bond proceeds.

Staff recommends the City Council approve the Library Park Master Plan as presented and award a contract to Lawrence Moss & Associates for Landscape Architectural Services.

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

Approve the Library Park Master Plan as presented and authorize the City Manager to enter into an agreement with Lawrence Moss & Associates to provide Landscape Architectural Services in an amount not to exceed \$128,000.

AR-6 Review of the Library Interior Design Program

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

The Library architects, Gonzalez/Goodale have worked with staff to develop the criteria used in the selection of materials for the interiors. The following criteria provided guidance to the process and this criterion was discussed by the Library Board and the community in the early development phases for the new library;

- The interiors should bring the park inside. The park is part of the history of the evolution of the Library and the serenity and colors should be represented in the interiors.
- The furniture should be rich in color and have a craftsman element of style to it and be durable to withstand heavy use for many years.
- The children's area should be colorful, playful and interesting to children.
- Take into consideration the previous Library was in place for 50 years, so the maintenance and heavy use of the furniture and flooring needs to be cost effective to maintain and stand up to heavy daily use.
- The interiors should wherever possible meet LEED Certification requirements.

Using this criterion, Gonzalez/Goodale gave a presentation to the Library Construction Committee on Feb. 13, 2008. At this meeting the Library Construction Committee directed Staff to have the architects present the interior recommendations to the Library Board.

The Library Board met on March 27, 2008 and Gonzalez/Goodale presented options for carpeting, cork flooring, wall treatment in the circulation area, door treatment throughout the library and furniture (see the Staff Report for details regarding the interior recommendations). The presentation by Gonzalez/Goodale at the City Council meeting will include the Library Board's recommendations for the interiors of the new Monrovia Public Library.

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

Adopt the Library Interior Design Program.

AR-7 Award of Contract for the Monrovia Public Library, Bid Group No. 3, for Bid Package ML-06, Roofing and Sheet Metal to Alcal Arcade Contracting, Incorporated in the Amount of \$652,707.00

David Fike, Director of Public Works, will review the Staff Report.

Bid Group No. 3, ML-06, continues the building construction for the Library roof, flashing and trim. Staff is continuing to work with Bernards Building Management Services, who coordinates the project and provides construction over-sight and daily construction monitoring.

On April 8, 2008, four (4) bids were received and opened by the City Clerk ranging from \$652,707.00 to \$876,857.00. The apparent low bidder is Alcal Arcade Construction, Inc. of Riverside, CA, in the amount of \$652,707.00. The Engineer's Estimate is \$700,000.00. Staff has confirmed all references and they have reported favorable and found them to be in order.

Funding for the project is being provided by the Library Bond proceeds.

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

Award a contract to Alcal Arcade Contracting in the amount of \$652,707.00 for the Monrovia Public Library Project bid package ML-06, Roofing and Sheet Metal.

AR-8 Legislative Bulletin, Including Resolution No. 2008-17 Opposing Proposition 98

Tito Haes, Deputy City Manager, will review the Staff Report.

This report will highlight and summarize pending State legislation that may be important to Monrovia and provides a brief analysis of the potential impacts to the City. The recommendations made by staff reflect the City's priorities and programs, as well as the direction taken by the League of California Cities.

Proposition 98, the California Property Owners and Farmland Protection Act, which has been dubbed the Hidden Agendas Scheme, would make major changes to laws governing use of property, including use of eminent domain and regulation of land use.

While the proponents of the measure claim the measure is solely about eminent domain and property rights, hidden in the measure is a provision that would prohibit rent control ordinances and make local inclusionary housing ordinances unconstitutional. Also hidden in the measure is a provision that would prohibit the use of eminent domain for the consumption of natural resources. This would effectively prevent any new water storage or conveyance projects in California. The measure also prohibits laws and regulations that would transfer an economic benefit from one private party to another. The courts have ruled that virtually all land-use decisions transfer an economic benefit, and so this provision

would hurt cities' and counties' ability to make land use decisions, whether they are to approve new housing or businesses or to protect the environment.

In light of the harmful impacts of this measure, staff recommends the City Council adopt a Resolution opposing Proposition 98.

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

Accept the Legislative Bulletin, direct Staff to contact Monrovia's elected representatives for their support, and adopt Resolution No. 2008-17.

SCHEDULED MEETINGS

The next Regular Meeting of the Monrovia City Council is scheduled for Tuesday, May 6, 2008, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

PUBLIC INPUT, CONTINUED, IF NEEDED

ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED

ADJOURNMENT

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott Ochoa", written in a cursive style.

Scott Ochoa
City Manager

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