

**MINUTES OF THE REGULAR MEETING OF THE  
MONROVIA CITY COUNCIL  
HELD TUESDAY, DECEMBER 20, 2011, 7:30 P.M.**

**CLOSED SESSION:** Mayor Mary Ann Lutz convened the Closed Session Meeting of the Monrovia City Council at 6:00 p.m. on Tuesday, December 20, 2011, in City Council Chambers, 415 South Ivy Avenue, Monrovia, California, at which all Councilmembers were present, with the exception of Councilmember Clarence R. Shaw who was excused, to discuss the following Closed Session items: CC-1 Public Employment Pursuant to Government Code §54957: City Manager. The meeting adjourned at 6:45 p.m.

**CONVENE:** Mayor Mary Ann Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, December 20, 2011, at 7:30 p.m. in City Council Chambers, preceded by a reception honoring departing City Manager Scott Ochoa, and in honor of Tayler Sidney Barnett Lehner, born December 14, 2011, to Tatum Barnett and Stefan Lehner. In attendance were City Manager Scott Ochoa, City Attorney Craig A. Steele, and City Clerk Alice D. Atkins.

**INVOCATION:** Pastor Dorothy Scott led the invocation.

**PLEDGE OF ALLEGIANCE:** Councilmember Tom Adams led the Pledge of Allegiance.

**ROLL CALL:** In attendance were Councilmembers Tom Adams, Becky A. Shevlin, Mayor Pro Tem Joe Garcia, and Mayor Mary Ann Lutz. Councilmember Clarence R. Shaw was excused.

**REPORT OF CLOSED SESSION:** City Attorney Craig A. Steele stated that no reportable action was taken.

**PRESENTATIONS/PROCLAMATIONS:**

**PR-1 Recognition of Winners for the 2011 "Holiday Home Decorating Contest":** Recreation Supervisor Lisa Hansberger assisted the Mayor and City Council in recognizing the winners of the annual Holiday Home Decorating Contest.

**PR-2 Recognition of Pokrajac Construction and CERT Members for their Volunteer Efforts Related to the Recent Wind Storm:** The Mayor and City Council presented Certificates of Appreciation to Pokrajac Construction and CERT (Community Emergency Response Team) Members for their extraordinary volunteer efforts immediately following the recent wind storm disaster.

Director of Public Works Ron Bow and Fire Chief Chris Donovan provided an update regarding the declaration of disaster and cleanup efforts.

**PR-3 – Recognition of the 100<sup>th</sup> Anniversary of The Leven Oaks:** The Mayor and City Council presented a certificate of appreciation to Lisa Magno, Director, for the service provided to the community over the past century.

The following item was taken out of order:

**REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES**

**RCC-1** Mayor Lutz

(b) Bob Machuca, Senior Regional Manager, and Carrie Rogers from the Los Angeles Economic Development Corporation reviewed the LAEDC mission statement and purpose of the EDDY awards, and presented a proclamation from the Board of Supervisors in recognition of Monrovia receiving the "Most Business Friendly City" award.

**STUDENT GOVERNMENT REPRESENTATIVE REPORT:** Student Liaison Kevin Greenwood was excused.

**ORDER OF BUSINESS:** City Manager Scott Ochoa stated that there were no changes to the order of business.

**CONSENT CALENDAR:** Consent Calendar item CC-1 was pulled and rescheduled to the January 17, 2012, Regular Meeting. **It was moved by Councilmember Adams, seconded by Councilmember Shevlin, to approve the consent calendar.** The motion carried unanimously. The Consent Calendar consisted of the following Agenda items:

**CC-1 Unadopted Minutes of the December 1, 2011, Special Meeting and the December 6, 2011, Regular Meeting of the Monrovia City Council:** This item was pulled.

**CC-2 Payroll No. 25 in the Amount of \$561,024.47 and Voucher Nos. 174972 through 175151 (Checks) and 29 through 31 (EFT) in the Total Amount of \$771,367.18:** The City Council approved the Payroll and Vouchers as presented.

**CC-3 Approval of the 2012 Local Appointments List and Designation of the Monrovia Public Library to Receive a Copy of the List:** The City Council approved the Local Appointments List for 2012 and designated the Monrovia Public Library to receive a copy.

**CC-4 Set for Public Hearing on January 17, 2012; Proposed 38<sup>th</sup> Year (FY 2012-2013) Community Development Block Grant (CDBG) Programs:** The City Council set January 17, 2012, as the date for the Public Hearing.

**CC-5 Award of Contract to Hogle-Ireland, Inc., in the Amount of \$38,262.00 for the Preparation of a Supplemental Environmental Impact Report to the Monrovia Land Use and Circulation Element EIR to Address Alternative Locations for a Public Parking Structure:** The City Council awarded a contract to Hogle-Ireland, Inc., in the amount of \$38,262.00 for the preparation of a Supplemental Environmental Impact Report to the Monrovia Land Use and Circulation Element to address alternative locations for a public parking structure, and authorized the City Manager to execute the necessary documents.

#### **PUBLIC INPUT**

1. Gwendolyn Jones and Elizabeth Gergely, Monrovia

**PUBLIC HEARINGS / MEETINGS:** None.

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

**MRA CONVENE:** Chairman Mary Ann Lutz convened the Meeting of December 20, 2011, of the Monrovia Redevelopment Agency Board of Directors at 8:33 p.m. in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting.

**MRA ROLL CALL:** Those in attendance were Boardmembers Tom Adams, Becky A. Shevlin, Vice-Chairman Joe Garcia and Chairman Mary Ann Lutz. Boardmember Clarence R. Shaw was excused.

**MRA CONSENT CALENDAR:** Consent Calendar item CC-1 was pulled and rescheduled to the January 17, 2012, Regular Meeting. **It was moved by Vice-Chairman Garcia, seconded by Boardmember Shevlin, to approve the Consent Calendar.** The motion carried unanimously. The Consent Calendar consisted of the following Agenda items:

**MRA CC-1 Unadopted Minutes of the December 6, 2011, Regular Meeting of the Monrovia Redevelopment Agency:** This item was pulled.

**MRA CC-2 Annual Report of Financial Transactions to the State Controller, Fiscal Year 2010-2011:** The Agency Board approved the State Controller Report and directed the Executive Director to execute the appropriate documents.

**MRA PUBLIC HEARINGS/MEETINGS:** None.

**MRA ADMINISTRATIVE REPORTS:** None.

**MRA ADJOURNMENT:** Chairman Lutz adjourned the Meeting at 8:34 p.m.

## RECONVENE MONROVIA CITY COUNCIL MEETING

### REPORTS OF CITY COUNCILMEMBERS & SUB-COMMITTEES

#### **RCC-1 Mayor Lutz:**

- (a) Update on Windstorm Recovery: This item was taken out of order and heard during Presentations above.
- (b) LAEDC Most Business Friendly City – Los Angeles County Board of Supervisors Recognition: This item was taken out of order and heard during Presentations above.
- (c) Tzu-chi Foundation Appreciation Luncheon and Disaster Aid Efforts
- (d) Monrovia Boys Republic and Girls Republic
- (e) Wished everyone Happy Holidays

#### **RCC-2 Mayor Pro Tem Garcia:**

- (a) Wished everyone Happy Holidays

#### **RCC-3 Councilmember Adams:**

- (a) Wished everyone Happy Holidays
- (b) Consideration of Temporary Replacement of Councilmember Clarence R. Shaw during Active Military Duty: **Councilmember Adams moved to consider Bob Bartlett as temporary replacement.** Mayor Lutz suggested hearing the report from Staff under item AR-8 before making a decision. The motion failed for lack of a second.

**RCC-4 Councilmember Shaw** was excused.

#### **RCC-5 Councilmember Shevlin:**

- (a) 2011 Holiday Parade Award Recipients
- (b) First Annual New Year's Eve Celebration
- (c) Upcoming Job Seekers Event at the Monrovia Public Library
- (d) Wished everyone Happy Holidays

### ADMINISTRATIVE REPORTS:

#### **AR-1 Temporary Salary Adjustment for Interim City Manager Mark Alvarado**

City Manager Scott Ochoa reviewed the Staff Report.

Following brief discussion, **it was moved by Mayor Pro Tem Garcia, seconded by Councilmember Shevlin, to award a temporary salary increase of 10% to Administrative Services Director/Assistant City Manager Mark Alvarado during his assignment as Interim City Manager.** The motion carried on the following vote: **AYES:** Councilmember Shevlin; Mayor Pro Tem Garcia; Mayor Lutz. **NOES:** Councilmember Adams. **ABSENT:** Councilmember Shaw.

#### **AR-2 Evaluation of 2011 Friday Night Live Program**

Lauren Vasquez, Management Analyst II, reviewed the Staff Report.

Public Input:

1. Pam Fitzpatrick, Old Town Merchant
2. Gwendolyn Jones, Monrovia

Following discussion, **it was moved by Councilmember Shevlin, seconded by Councilmember Adams, to authorize the City Manager to execute an agreement with the YMCA for the 2012 Friday Night Live Program, inclusive of the recommendations detailed in the Staff Report and funding as detailed under Option 3.**

**AR-3 2011-12 Mid-Year Budget Review, Resolution No. 2011-55**

Mark Alvarado, Director of Finance, reviewed the Staff Report.

**It was moved by Councilmember Adams, seconded by Councilmember Shevlin, to adopt Resolution No. 2011-55.** The motion carried unanimously.

Mayor Lutz called a 15 minute recess at 9:55 p.m. The meeting reconvened at 10:02 p.m.

Presentation of the following two items, AR-4 and AR-5, was combined.

**AR-4 Approval of a New Business Recycling Program and Execution of Related Non-Exclusive Franchise Agreements with Arakelian Enterprises, Inc. (dba Athens Services), Burrtec Waste Services, LLC, and Consolidated Disposal Service, LLC****AR-5 Amendment to Title 8 (Health & Safety), Chapter 8.10 of the Monrovia Municipal Code Relating to Collection and/or Disposal of Commercial and Industrial Waste and Recyclable Materials; Introduction and First Reading of Ordinance No. 2011-07**

Heather Maloney, Sr. Management Analyst, reviewed the Staff Reports.

Extensive discussion ensued regarding a customer's ability to continue with existing contract as long as it did not extend past the term of the proposed franchise, versus all contracts having to be renewed, even if terms remained the same. Analyst Maloney explained the intent of putting the burden on the hauler to contact customers and establish new contracts to be sure businesses were aware of options available under the new franchise.

Following further discussion, **It was moved by Councilmember Adams, seconded by Councilmember Shevlin, to approve the Business Recycling Program and authorize the City Manager to execute non-exclusive franchise agreements with Arakelian Enterprises, Inc. (dba Athens Services), Burrtec Waste Services, LLC, and Consolidated Disposal Service, LLC., including language that businesses may verbally opt out of a new agreement and continue with their current agreement so long as they currently contract with an approved franchise hauler, that the current term does not extend beyond the term of the franchise, and that the current agreement complies with AB 341 and the proposed ordinance.** The motion carried unanimously.

**It was moved by Councilmember Adams, seconded by Councilmember Shevlin, to introduce, waive further reading, and read by title only Ordinance No. 2011-07.** The motion carried unanimously.

City Attorney Steele read the title of Ordinance No. 2011-07 as follows:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, AMENDING CHAPTER 8.10 OF TITLE 8 COLLECTION AND/OR DISPOSAL OF COMMERCIAL AND INDUSTRIAL WASTE AND RECYCLABLE MATERIALS****AR-6 Three-Year Exclusive Franchise Agreement with Family Festival Productions, Inc. (FFPI) for Production of a Weekly Street Faire in Old Town**

Dan Bell, Management Analyst II, reviewed the Staff Report.

Public Input:

1. Pam Fitzpatrick, Old Town Merchant

**It was moved by Mayor Pro Tem Garcia, seconded by Councilmember Shevlin, to approve a three-year exclusive franchise agreement with Family Festival Productions, Inc.**

**AR-7 Six-Month Pilot Program for Rental Housing Inspections**

Steve Sizemore, Community Development Director, and Sheila Spicer-Batice, Neighborhood Services Manager, reviewed the Staff Report.

Discussion ensued regarding process for citing and correcting violations and benefits of the program, with a strong focus on complaints related to the existing Code Enforcement and Administrative Fine Programs, including perceptions of abuse and focus on generation of revenue.

Mayor Lutz directed Staff to bring back an evaluation of the Administrative Fine program in order to move past that and to reconsider the rental housing inspection program after that discussion.

**AR-8 Consideration of Options Regarding the Seat of Councilmember Clarence R. Shaw While on Active Military Duty**

City Manager Scott Ochoa reviewed the Staff Report.

Public Input:

1. Pam Fitzpatrick

Following discussion of the options available, **it was moved by Mayor Pro Tem Garcia, seconded by Councilmember Shevlin, to appoint Larry Spicer as a temporary replacement for Councilmember Shaw during his deployment on active duty.** The motion carried on the following vote: **AYES:** Councilmember Shevlin; Mayor Pro Tem Garcia; Mayor Lutz. **NOES:** Councilmember Adams. **ABSENT:** Councilmember Shaw.

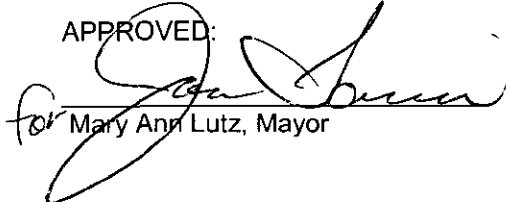
**PUBLIC INPUT, CONTINUED, IF NEEDED:** None.

**ITEMS PULLED FROM CONSENT CALENDAR, IF NEEDED:** None.

**SCHEDULED MEETINGS:** The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, January 17, 2012, 7:30 p.m., City Council Chambers, 415 South Ivy Avenue, Monrovia, California. The January 3, 2012, Regular Meeting was cancelled.


**ADJOURNMENT:** At 11:52 p.m., Mayor Lutz adjourned the meeting, congratulating City Manager Ochoa and wishing him the very best in his new position at the City of Glendale.

APPROVED:



for Mary Ann Lutz, Mayor

ATTEST:



Alice D. Atkins, CMC, City Clerk