

**MINUTES OF THE REGULAR MEETING OF THE  
MONROVIA CITY COUNCIL  
HELD TUESDAY, NOVEMBER 17, 2009, 7:30 P.M.**

**CONVENE:** Mayor Mary Ann Lutz convened the Regular Meeting of the Monrovia City Council of Tuesday, November 17, 2009, at 7 30 P M , City Council Chambers, 415 South Ivy Avenue, Monrovia, California In attendance were City Manager Scott Ochoa, City Attorney Craig A Steele, and City Clerk Alice D Atkins

**INVOCATION:** Pastor Dorothy Scott gave the Invocation

**PLEDGE OF ALLEGIANCE:** Mayor Pro Tem Tom Adams led the Flag Salute

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

**PRESENTATIONS/PROCLAMATIONS:**

**PR-1 Recognition of the Second Monrovia Area Partnership (MAP) Neighborhood Leadership Academy Graduates:** Alexis Newell, Neighborhood Services Specialist, assisted the Mayor and City Council in recognizing Monrovia's new Neighborhood Leaders. Tony Alexandrovich, Christine Bennett, Frances Calderon, Rosemary Calderon, Maria Gallegos, Ulises Gutierrez, Cristina Lopez, Daniel Lundgren, Megan Lundgren, Dr John Mastrogiovanni, Hugo Mora, Monica Palomares, and Bijan Ranjbari Through the MAP Program, the Neighborhood Leadership Academy focused on fostering and encouraging resident activism in the community through education.

**PR-2 Recognition of 2009 "Make a Difference Day" Contributors:** Amy Gray, Volunteer Services Coordinator of the Volunteer Center, recognized the sponsors of the October 24, 2009 Make a Difference Day Nineteenth Annual day of volunteerism A short presentation was played highlighting the event

**PR-3 Recognition of Ralph Walker for his Longstanding Service to the Community through the Media of Cable Public Access Television:** The Mayor and City Council recognized Ralph Walker for his many outstanding contributions and longstanding service to the community through the media of cable public access television for the betterment of Monrovia Mr Walker was on hand to receive the Certificate of Recognition Lance Mungia, Community Media of the Foothills Executive Director, along with CMF Boardmember Scott Austin, also thanked Mr. Walker for his involvement with KGEM and presented him with a plaque recognizing him for his service to KGEM.

**STUDENT GOVERNMENT REPRESENTATIVE REPORT:** Student Liaison Savannah Spicer reported on past and future activities at the high school

**ORDER OF BUSINESS:** There were no changes to the order of business.

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

**CC-1 Unadopted Minutes of the November 3, 2009 Regular Meeting of the Monrovia City Council**

**CC-2 Payroll No. 23 in the Amount of \$569,903.81 and Voucher Nos. 161651 through 161861 in the Amount of \$1,040,035.42**

**CC-3 Amendment to the Service Agreement with Curbside, Inc., in the Amount of \$30,000.00, Ending November 30, 2011:** State laws and regulations banned Household Hazardous Waste (HHW) and electronic waste (E-Waste) from disposal in solid waste facilities. The City of Monrovia contracted with Curbside, Inc , for HHW collection services since 2002 The current term expired November 30, 2009 with the option of three two-year extensions Over the prior three years, this program collected 20,523 pounds of HHW and 9,858 pounds of E-Waste.

Since 2002, Curbside, Inc., had consistently received high ratings on customer service response cards, and had made special accommodations for those needing assistance

The collection of these materials was consistent with Action Five of the Monrovia Environmental Accords to reduce toxic and hazardous waste in our community. This program provided residents with a convenient option to comply with the State of California regulations.

Curbside, Inc., had requested to increase each collection service rate by \$2.00 to cover increased operational costs. The City's annual contract cost was not to exceed \$15,000.00 per year and would be paid from the Waste Management Fund.

Staff recommended approving the amendment to the service agreement with Curbside, Inc., in the amount of \$30,000.00, ending November 30, 2011.

**CC-4 Legislative Bulletin:** This report highlighted and summarized pending State legislation that might be important to Monrovia and provided a brief analysis of the potential impacts to the City. The recommendations made by Staff reflected the City's priorities and programs, as well as the direction taken by the League of California Cities, and were as follows: Support, AB715, SB346, Bills failed (2 year deadline), Oppose, AB479, AB1004, SB355, Support, SB696, SB652

**CC-5 Set for Public Hearing on December 1, 2009; Historic Landmark HL-109/Mills Act Contract MA-103 for Property Located at 338 Highland Place by Property Owners Lynne Burns and David Norinsky:** At its meeting of October 28, 2009, the Historic Preservation Commission held a Public Hearing to review an application for historic landmark designation and approval of a Mills Act Contract for the property at 338 Highland Place. The house at 338 Highland Place was constructed in 1926 and represented one of Monrovia's few examples of Pueblo Revival architecture.

At the close of the hearing, the Commission unanimously voted to forward a Nomination Statement to the City Council recommending approval of historic landmark designation for the property. The Commission also voted to recommend approval of a Mills Act Contract. Staff recommended that the City Council set December 1, 2009 as the date of the Public Hearing.

**CC-6 Set for Public Hearing on December 1, 2009; Historic Landmark HL-126/Mills Act Contract MA-120 for Property Located at 303 North Magnolia Avenue by Property Owners Cheryl Caputi and Scott Langer:** The owners of 303 North Magnolia Avenue applied for historic landmark designation and approval of a Mills Act Contract. This ranch style house was built in 1949.

At its meeting of October 28, 2009, the Historic Preservation Commission held a Public Hearing to review the application. At the close of the Public Hearing, the Commission voted 5-2 to forward a Nomination Statement to the City Council recommending approval of historic landmark designation for the property and approval of a Mills Act Contract. Staff recommended that the City Council set December 1, 2009 as the date for the Public Hearing.

**CC-7 Establishment of a Line of Credit Reserve with Wells Fargo Bank; Resolution 2009- 68:**

The City of Monrovia adopted a balanced budget every year, appropriating certain expenditures to be met with anticipated revenues that were projected to be received by the City of Monrovia during the same fiscal year. Budgeted revenues were not received by the City evenly throughout the fiscal year. Property tax, which was the City's biggest revenue source, was not received until December. Along with other revenues that were received at different times throughout the year, it was difficult at times to match operational expenditures and/or construction project costs with available revenues.

City staff believed it was prudent to enter into an agreement with Wells Fargo Bank to open up a line of credit reserve for an amount not to exceed \$2 million. This line of credit would only be drawn upon if certain opportunities presented themselves that called for capital improvement projects and/or operational needs to begin or be met sooner than what was anticipated in the budget.

Staff recommended adoption of Resolution No. 2009-68

**PUBLIC INPUT:**

1. Dr. John Mastrogiovanni, Monrovia
2. Al Contreras, President, Upper San Gabriel Valley Municipal Water District

3 Gwendolyn Jones, Monrovia

### **PUBLIC HEARINGS/MEETINGS:**

#### **PH-1 Amendment to Title 17 (Zoning) of the Monrovia Municipal Code pertaining to regulations for Electronic Message Boards; Introduction and First Reading of Ordinance No. 2009-06**

Planning Division Manager Steve Sizemore reviewed the Staff Report.

Earlier in the year, the City received two separate requests from a church and private school requesting permission to install an electronic message board. Electronic message boards were often seen at public schools and civic facilities. Currently, the City of Monrovia Sign Code (Chapter 17 24) prohibited signs that rotated, gyrated, blinked or moved in any animated fashion, which prohibited an electronic message board. With the advent of light emitting diode (LED) technology, churches and public and private institutions were finding reader boards had several distinct advantages over traditional neon based signs including energy efficiency, flexibility, space saving, and low maintenance. As a result, many cities were allowing electronic message boards subject to regulations that reduced their impacts to the community.

Staff reviewed a number of recently adopted ordinances of other communities and an April 2008 Zoning Practice report from the American Planning Association (APA) which discussed the issues related to electronic message boards. The purpose of the review was to determine if it was appropriate to amend the City of Monrovia Sign Ordinance to allow electronic message boards. On the basis of this review, Staff determined that it was appropriate to create regulations to allow electronic message boards for churches and private institutions. In order for this to occur, the City's Sign Ordinance needed to be amended to allow electronic message boards. Staff prepared a draft Ordinance and submitted it to the Planning Commission for their review. The draft ordinance created development regulations that addressed size, animation, brightness, on-site messaging, automated shutdown technology and contact information. In addition to the development regulations, all electronic message boards would be required to obtain a minor conditional use permit from the Development Review Committee. The entitlement process allowed for a noticed Public Hearing which gave an opportunity to adjacent neighbors to come to the noticed meeting and speak for or against the application. The Development Review Committee could impose, in addition to the required conditions, additional conditions such as turning the sign off after certain hours, or other appropriate conditions. The full report had all the required conditions spelled out.

On October 14, 2009, the Planning Commission held a Public Hearing to review the proposed Ordinance. During the hearing, one person, Pastor Phil Reed of the Monrovia Church of the Nazarene, spoke in favor of the application. He detailed his efforts working with a sign company and city staff to create regulations which would allow them to replace their existing changeable copy sign. No one spoke in opposition of the application. After the close of the Public Hearing, the Commission discussed the proposed Ordinance and raised several issues, including aesthetics and potential problems with adjacent neighbors and businesses. Through their discussion, they recommended the following changes to the ordinance:

- Any structures, visible devices, cages, or shielding related to or attached to an Electronic Message Board would be prohibited unless reviewed and approved by the Development Review Committee prior to installation.
- After approval of a minor Conditional Use Permit for an Electronic Message Board, the permit could be reviewed and additional conditions and limitations could be imposed by the Development Review Committee, including, without limitation, lighting, illumination, hours of operation or intensity of the electronic message board, if complaints, subject to verification by Staff, were received from the public.

With the recommended amendments, the Planning Commission voted unanimously to recommend approval of the ordinance to the City Council which was option 1 of four options in the Staff report.

**PUBLIC HEARING OPENED:** Mayor Lutz opened the Public Hearing.

Those opposed: None

Those in favor:

1. Reverend Phil Reed, Church of the Nazarene, Monrovia

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

Councilmember Shaw voiced concerns related to safety, the potential for accidents by motorists distracted by the sign, the potential cost to the City in terms of responses by the Police and Fire Departments, as well as the possibility of sign owners adjusting brightness and animation after initial installation. City Manager Ochoa confirmed with Staff that there had been no reports of complaints or accidents directly related to the current electronic message boards at the sites of Clifton and Santa Fe Middle Schools. With respect to traffic and enforcement of conditions, Staff could bring the item back for review and advise the City Council regarding any issues or impacts experienced.

**After discussion, it was moved by Mayor Pro Tem Adams, seconded by Councilmember Shevlin, to introduce, read by title only, and waive further reading of Ordinance No. 2009-06; and direct Staff to bring the item back for review in 12 months.** There were no objections.

City Attorney Steele read as follows

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA AMENDING CHAPTER 17.28 OF TITLE 17 (ZONING) OF THE MONROVIA MUNICIPAL CODE CREATING SIGN REGULATIONS FOR ELECTRONIC MESSAGE BOARDS**

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

**MRA CONVENE:** Chairman Mary Ann Lutz convened the Meeting of November 17, 2009, of the Monrovia Redevelopment Agency Board of Directors at 8:48 P M in City Council Chambers, 415 South Ivy Avenue, without adjourning the City Council Meeting.

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

**MRA CONSENT CALENDAR:** It was moved by Boardmember Garcia, seconded by Boardmember Shaw, to approve the Consent Calendar. There were no objections. The Consent Calendar consisted of the following item

**MRA CC-1 Minutes of the Regular Meeting of the Monrovia Redevelopment Agency of November 3, 2009**

**MRA PUBLIC HEARINGS/MEETINGS:** None

**MRA ADMINISTRATIVE REPORTS:** None

**MRA ADJOURNMENT:** Chairman Lutz adjourned the Meeting at 8:48 P M

**RECONVENE MONROVIA CITY COUNCIL MEETING**

**REPORTS OF CITY COUNCILMEMBERS AND SUB-COMMITTEES:**

**RCC1 Mayor Lutz** reported that

**(a) Overview of Crime Stoppers Program.** Crime Stoppers was a program, brought to her attention by Former Mayor Rob Hammond and other community members, which provided a way for residents to report crime anonymously and receive a small reward if the tip resulted in an arrest. The program was beginning to spread through the Los Angeles Region and had been joined by the Los Angeles City Police Department as well as the Los Angeles County Sheriffs Department. The toll free number to call for anonymous crime reporting was (800) 222-tips. Police Chief Roger Johnson indicated that it was very similar to the program Monrovia had for some time called We-Tip.

**(b) Discussion of Formative Years Program.** Chief Johnson explained the program, which targeted parents of students in grades 1 through 3, including information on parenting, safe and healthy strategies for life, bullying, media influence, internet safety, child predator safety, and drug and gang awareness. The first successful offering included 10 parents, 21 children, and high school student mentors who worked with the Youth Officers. The program had already received positive feedback and follow-up surveys would be conducted in 6-12 months, and the next offering would be in Spring 2010.

(c) **Environmental Media Association (EMA) California Green Communities Challenge.** On October 30, 2009, she attended with City Manager Ochoa and Environment Services Sr Management Analyst Sharon Gallant an event hosted by the Environmental Media Association, Southern California Gas Company, and Southern California Edison to kick off the California Green Communities Challenge. The City had been chosen as one of ten leaders in the region who were already working toward a greener community. Each City would be partnered with a celebrity and corporate partner to help achieve existing goals.

(d) The Gold Line Eastside Extension opened on Saturday, November 14, 2009, as another example that Los Angeles was going to catch up with its mass transit system.

(e) She congratulated Councilmember Shaw for his speech at the Veteran's Day Observance and Monument Dedication, as well as for recently receiving the Monrovia-Duarte Black Alumni Association's Mwalimu Award.

**RCC2 Mayor Pro Tem Adams** reported that

(a) **Proclaiming April 17, 2010 as "Earth Day" and Community Work Day at Canyon Park.** He announced that a Community Work Day was planned at Canyon Park in coordination with Earth Day on April 17, 2010, where different community groups would adopt one parcel of the Park to work on.

(b) He was impressed by the recent Veteran's Day celebration he attended at Library Park, where Councilmember Shaw did an outstanding job as the key note speaker. He thanked City Manager Ochoa and all of the Staff who worked to put together the breathtaking memorial, bringing all of the veteran's monuments in one spot, and thanked everyone who took part in the celebration.

**RCC3 Councilmember Garcia** reported that

(a) On October 22, 2009, the Metro Gold Line Foothill Extension received the necessary commitments to move forward, with a ground breaking tentatively scheduled for June 2010. On Saturday, November 21, the Foothill Extension Construction Authority was hosting a kick-off party at the Historic Santa Fe Train Depot and future sight of the Monrovia Gold Line Station.

(b) There were many points of celebration, times to be thankful and many challenges in 2009, and he thanked the community for banding together. He hoped everyone had a wonderful Thanksgiving and asked that people pause for a moment of silence to remember those who were serving our country who wouldn't be as fortunate to take part in Thanksgiving Day celebrations.

**RCC4 Councilmember Shaw** had no report at this time.

**RCC5 Councilmember Shevlin** reported that.

(a) Senator Bob Huff, 29<sup>th</sup> District, was sponsoring a "There Ought to be a Law" contest from which he hoped to choose one key piece of new legislation to champion in the new year. The contest would run through November 30, 2009, with a winner announced in January 2010. More information was available at [www.senate.ca.gov/huff](http://www.senate.ca.gov/huff)

(b) She attended the Monrovia-Duarte Black Alumni Association Mwalimu Awards Ceremony, and congratulated Clarence Shaw for being one of this year's recipients of the award. The theme of the 2009-2010 Award was "Men Who Value Education and Community."

(c) She reviewed the upcoming community events.

(d) She wished everyone a warm and wonderful Thanksgiving.

#### **ADMINISTRATIVE REPORTS:**

**AR-1 One-Year Extension and Amendment to the Agreement with John L. Hunter for NPDES (National Pollutant Discharge Eliminations System) Industrial/Commercial Storm Water Inspections and Hazardous Materials Inspections in the Amount of \$40,290.00, Ending December 31, 2010**

Heather Maloney, Sr Management Analyst, reviewed the Staff Report

In 2001, the California Regional Water Quality Control Board issued the Municipal Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for the County of Los Angeles to the Los Angeles County Flood Control District and all co-permittee cities, including Monrovia. The State mandated that the County and co-permittee cities implement an Industrial/Commercial Facilities Control Program (Inspection Program) to inspect industrial and commercial sites within the City for pollutant reduction and control measures to prevent pollutant discharges to the storm drain systems.

Since 2003, John L. Hunter and Associates had provided excellent service to successfully implement the City of Monrovia's Industrial/Commercial Facilities Program, and help the City meet its NPDES permit and hazardous materials inspection requirements.

New to this contract extension were hazardous materials inspections which had been added to the agreement's scope of services. A staff reduction within the Fire Prevention Bureau, combined with a change in the educational requirements to conduct hazardous materials inspections, resulted in the need to contract for these inspections.

The proposed contract amendment/extension provided services to fulfill the Industrial/Commercial Storm Water Inspections mandated in the City's NPDES permit, assistance with TMDL (Total Maximum Daily Loads) compliance reporting and program planning, and hazardous materials inspections. Additionally, the inspections would help educate businesses on best management practices (BMP's), helping to prevent pollutants discharged into the stormwater system and prevent fires due to improper use/storage of hazardous materials.

The following funds would cover contract costs. \$29,890.00 from the Storm Drain Maintenance Fund, \$400.00 from the Sewer Fund to cover FOG (Fat Oil Grease) inspection costs, and \$10,000.00 from the Hazardous Materials Fund for inspections. Hazardous materials inspection costs would be replenished by the hazardous materials inspection fee charged to businesses.

**After discussion, it was moved by Mayor Pro Tem Adams, seconded by Councilmember Shaw, to approve a one-year extension and amendment to the agreement with John L. Hunter for NPDES Industrial/Commercial storm water inspections and hazardous materials inspections.**

**ITEMS PULLED FROM CONSENT CALENDAR:** None

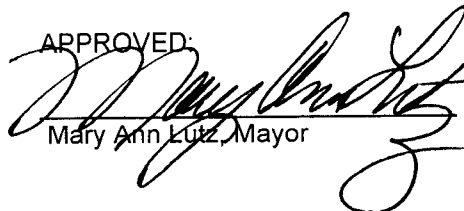
#### **SCHEDULED MEETINGS**

The next Regular Meeting of the Monrovia City Council was scheduled for Tuesday, December 1, 2009, 7:30 P.M., City Council Chambers, 415 South Ivy Avenue, Monrovia, California.

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

**ADJOURNMENT:** At 9:23 P.M. Mayor Lutz adjourned the Meeting.

APPROVED:



Mary Ann Lutz, Mayor

ATTEST



Alice D. Atkins, CMC, City Clerk