

September 1, 2023

Dear Distinguished Members of City Council, Monrovia:

I would like to express my feedback regarding Ordinance No. 2023-02 (to Establish Automotive Repair Operational Requirements). First, I would like to point out that I was very unclear what the process was and what my rights as a property and business owner in the City of Monrovia are. I am not an attorney nor have any legal background, and as a small business owner, do not have the time or access to legal or financial resources as a city government might have. Put simply, I am extremely concerned about the proposed ordinance and do not feel I was given enough information or time to provide my feedback. When the agenda for the September 5, 2023 council meeting was published today (September 1, 2023), it is the first time I am reading the details of the ordinance.

We were not notified of all the opportunities to provide feedback on the proposed ordinance. I have evidence (emails and letters) to support that communication regarding public meetings was inconsistent and not properly delivered. Here is the timeline of the communications we received:

3/16/23: Received email from the City regarding an Auto Repair Town Hall Meeting held on 3/23/23 and 3/27/23. The email did not give details on the ordinance. I asked for an agenda and was told the only item was a presentation that would be shown at the meeting. My wife and I attended one of the sessions and asked to be emailed a copy of the presentation which we never received. Since this was the first time we were hearing of the ordinance at the town hall meeting, we were not prepared to provide feedback at that meeting.

The next communication I received was not until early August 2023.

Early August: Mike from Lima Auto Repair hand delivered a letter (Notice of City Council Meeting on 8/1/23) that was dated 7/26/23 and addressed to my business but at the wrong address (it was mailed to our old location at 1136 Myrtle). This is especially surprising to me because we already had our Monrovia Business License updated with our new address. We did not receive this communication until after the meeting occurred on 8/1/23.

8/11 or 8/12/23: Received a letter via mail at the correct address informing us that if approved in the first City Council meeting, the new ordinances would take effect on October 5, 2023. The letter only listed very high level summaries of the ordinance requirements along with a questionnaire. We still did not have a clear understanding of exactly what the ordinance entails.

My wife and I then requested a meeting with Justin Edson and Krystina Livraga from the City to discuss in more detail. We met on Thursday, 8/31/23 and were encouraged to submit our feedback via email prior to the 9/5/23 meeting after the agenda and ordinance details were published. Again, we're only reviewing the details of the ordinance today, 9/1/23.

Feedback and Questions on Ordinance Items:

I do understand the goal of the ordinance and can appreciate that it is to keep the City free from "visual nuisances" and to ensure automotive businesses are being respectful and courteous to its neighbors. I personally am a big proponent of this, within reason, and have made every effort to ensure my neighbors are not inconvenienced or have a problem with my operation. In fact, some of our neighbors, both commercial and residential residents, are customers of mine and I've heard on numerous occasions that they are grateful that we are so conveniently located. My concern is that the ordinance does not seem to be written with any regard to a small business owner or anyone with experience running an auto repair business. This is evident because the limitations of the ordinance would impose severe negative impacts on an auto repair business. My specific questions and feedback are detailed below:

SECTION 2: We were not notified of the 4/12/23 public meeting and therefore did not get an opportunity to provide feedback as the ordinance states.

SECTION 3: We were not properly notified of the 8/1/23 public meeting (see details above) and therefore did not get an opportunity to provide feedback as the ordinance states.

SECTION 4. CEQA Findings: I'm not an environmental expert, but requiring all repair work to be conducted inside may pose harmful to the person doing the repair if they have no open air to vent fumes. Have the new ordinance requirements been reviewed from an OSHA perspective?

SECTION 6.

- 5.84.010 Definitions, AUTOMOTIVE REPAIR FACILITY: What is the difference between heavy and light repairs?
- 5.84.020 Operating Requirements
 - A. *"All repair activities and operations shall be conducted entirely within an enclosed building."* This statement is broad and overreaching. Our operations include and are not limited to pulling cars in and out of bays, test driving, leaving the car running to test and diagnose issues. All of these things cannot be done safely in an enclosed building.
 - B.
 - *"All vehicles awaiting repair shall be parked on the premises of the automobile repair facility and shall not be stored at the facility for more than 14 days."* How was the 14 days timeframe decided upon? Was a survey conducted, or any analyses performed? To illustrate how long a repair job could take, let's say you take apart a car to figure out an issue, and you need to order parts. Parts alone, especially with supply chain issues that commonly afflict us today, can take weeks to arrive. Then you

have to factor in time to complete the job and put the car back together. Also the customer may take some time to come pick up their vehicle. Complex engine jobs on older vehicles can take months to figure out. It took me eight weeks to get U.S. passports for my kids, yet we're expected to fix every car in no later than 14 days? From my 14 years of experience running an auto repair business and 30+ years actually working on cars, I would say 90 days would be a more reasonable timeframe.

- *"There shall be no vehicles associated with the automobile repair facility parked on a public street, including those vehicles that are towed to the automobile repair facility and parking of vehicles owned by employees and patrons of the business."* This seems discriminatory in my opinion. Does the City expect us to say to our customers and employees that they cannot park on the public street, but if they're a customer or employee of the business next door they can? In order for us to pay the mortgage on our property and keep our employees employed, we need to utilize all of the space on our property to generate revenue (spaces are reserved for cars that are waiting to be picked up by customers, waiting on parts to arrive, etc.), so we have very limited parking on the premises. Therefore we need the ability for some customers and employees to park on the street. Some additional examples of why our customers need to park on the public street:
 - Many customers drop off their vehicle with a friend or family member in a second car so that they have a ride home or to work. The second person needs a space to park the car while our customer drops off their vehicle.
 - For the convenience of customers, we have a lockbox to allow them to drop off their vehicle in the evenings or on weekends when we are closed. Every convenience we provide helps us to attract and retain customers and keeps our business alive.
- G. *"No used or discarded automotive parts or equipment, or disabled, junked or wrecked vehicles may be stored outside the enclosed building."* All spaces in our current building are utilized for a customer waiting area, office space, storage of parts/inventory or repair work. We would need the funds and the ability to build another structure to keep oversized parts, discarded/used parts, and inoperable vehicles enclosed in a building. Similar to local or state governments providing credits for solar powered energy or dry landscaping, is there any chance assistance would be provided by the City to help shops comply with these new requirements? For example credits or grants to purchase storage containers or build enclosed structures? We do try our best to get rid of discarded parts and vehicles as quickly as possible but getting the waste tire hauler to come for a few tires doesn't work. They will only come if there is a significant amount of tires to pick up (just an example). Also getting rid of abandoned or junk cars also takes time as there is a specific legal process required. For example, we are required to give the owner 30 days to claim the vehicle before we can get rid of it.

- The term “public view” is used throughout the ordinance but I would like it to be defined more clearly. When we spoke with Krystina, we were told this meant visible from the street level. My concern is that the units on the high floors of the large apartment complex (Avalon) across the street can see everything on my property. Per Krystina, that should not be considered public view and I would like to ensure the term “public view” is not interpreted differently later on.
- 5.84.030 Permit Required for Nonconforming Uses
 - A. (3) *“The outdoor work does not involve the use of pneumatic tools or power tools unless battery-powered.”* These tools are necessary for certain activities, for example to remove tires. This requirement is severely limiting. Not being able to use power tools slows everything down, which does not help with getting cars off the premises faster.
 - A. (4) *“The outdoor work is not audible at the property line of the nearest residential property.”* This is very difficult to achieve. We are always conscious of the noise we make and ensure we keep it to a minimum, however you can hear a car just driving down the street from inside a house if it has a loud exhaust. This is very hard to control and limitations should be set for duration of the noise or hours of the day. However, prohibiting audible noise entirely seems impossible.
 - A. (6) *“Oversized vehicles shall not be stored outdoors overnight.”* We will need to be able to park oversized vehicles outdoors overnight, especially if no parking on the public street is allowed. For clarification, regular sized vehicles are allowed to be outdoors per 5.84.030 (B) but not oversized vehicles?
- 5.84.040 Permit Application. Where can we find the filing fee information (where is section 2.56.060 located)?

In summary, I would like to kindly request more review on the ordinance with consideration of my feedback and feedback from other Monrovia shops before it is approved by City Council. I would also like to ask City Council to consider a phased approach of rolling out these requirements and/or a subsidization plan, allowing us to build up funds and give us more time to make sure we can comply. While I can appreciate its intent and purpose, compliance with the ordinance as currently written is unrealistic and without a good understanding of how a shop operates and what is feasible. Implementation and enforcement of the ordinance could put me and my employees at extreme risk. We are barely scraping by, like many other small businesses, and this ordinance would worsen the situation. Essentially, limiting work to only indoors, limiting the amount of parking and therefore potentially number of employees and customers, limiting the tools we can use and how long cars can be on our property, reduces the revenue we can make and our ability to survive and serve our customers.

Just a little bit more about my business, RPM Garage. We have operated in Monrovia for the last 14 years and have served the local community as well as customers from as far as New York. Not only do we provide a cost efficient alternative to getting cars fixed by a dealership, we do a lot of work that no other business can provide (for example alignments for modified trucks) or custom work on older vehicles. Because of this, we have customers from all over southern

California, sometimes even out of state. As a property and business owner in this City, we contribute not only to property tax but also sales tax. Our customers often frequent Old Town Monrovia while they're visiting our shop, helping sales for other businesses in the City. We feel we can bring a lot of value, visibility and culture to the Monrovia community, as an authority in the off-road, camping and overland space, which is growing rapidly. (Per Grandview Research, "the global off-road vehicle market size was estimated at USD 22.09 billion in 2022 and is expected to grow at a compound annual growth rate (CAGR) of 5.3% from 2023 to 2030").

We really hope that you get a better understanding of a small business owner's perspective on the proposed auto repair business ordinance. If any of the Council Members would like to discuss directly with me, I am more than happy to share more of my thoughts and experience.

Respectfully,

A handwritten signature in black ink, appearing to read "Steve Lam", written over a horizontal line.

Steve Lam
Owner, RPM Garage
119 W. Walnut Ave
Monrovia, CA 91016

Sarah Godinez

To: Sarah Godinez
Subject: FW: Request to Continue Repair Shop Ordinance Consideration
Attachments: Monrovia Auto Repair Shop Collective Request for Time.pdf

From: Dean Richards <dean@lfg.la>

Date: September 4, 2023 at 6:52:03 PM PDT

To: C Steele <csteele@rwglaw.com>, Alice Atkins <aatkins@ci.monrovia.ca.us>

Subject: Request to Continue Repair Shop Ordinance Consideration

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Steele & Ms. Atkins,

Please find attached a copy of a request sent from a number of automotive repair facilities located in the City of Monrovia, the original of which I understand was hand delivered to the City Clerk's office last Thursday. These shops were largely unaware of whether the proposed repair facility ordinance(s) would be on the agenda for Tomorrow evening, September 5, 2023, or not. As is, they understand that the version being considered by the City Council has been modified from a previous version discussed at a prior city council meeting. Although notice was thought to have been sent to Monrovia based repair facilities, it appears that an old list was used that did not include a number of the present shops and many were delayed in the mail. While there are a number of shops appearing as signatories to the attached letter, there are far more interested parties who were simply unavailable to sign last Thursday afternoon when the Collective discovered the modified proposed ordinance(s) would be on the agenda.

To the extent that the council plans to vote on the adoption of the proposed ordinance(s), these repair facilities respectfully request that such a vote be postponed and provisions be made for representatives of the shops to meet with city personnel to discuss any perceived problems and potential resolutions. The repair facilities wish to fully cooperate with the city and collectively address such concerns and their resolutions – including the need for any new city ordinances – in a thoroughly constructive manner.

Your consideration will be greatly appreciated.

Very truly yours,

Dean Richards

Tel: (626) 934-9200

Fax: (626) 961-0411

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**MONROVIA AUTOMOTIVE
REPAIR SHOP COLLECTIVE**

To The Honorable City Council, City of Monrovia:

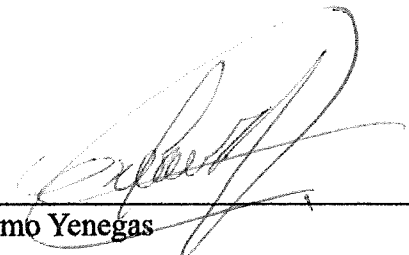
The undersigned automotive repair shops, all currently located in and licensed to do business in the City of Monrovia, hereby respectfully request that any pending vote on proposed city ordinance(s) that would impact automotive repair facilities located in the city be postponed until city staff have had an opportunity to meet with all members of the Monrovia automotive repair community. This request is based in part on the following:

1. Although a notice was apparently sent to some automotive repair shops located in the City of Monrovia, not all shops received the notice in time to provide their input prior to the council meeting currently scheduled for September 5, 2023, at 7:30 pm.
2. A substantial number of the Monrovia automotive repair community have concerns about aspects of the proposed ordinances that would severely impact their ability to conduct business.
3. Some members of the Monrovia automotive community question the Constitutionality of the proposed ordinances and wish an opportunity to meet with the elected members of the City Council that represent their particular business location, and to voice their concerns before the City Council enacts ordinances that may be discriminatory in nature.
4. The undersigned members of the Monrovia automotive repair community would like an opportunity to understand the proposed ordinances, discuss such proposed ordinances amongst themselves and elect several representatives amongst the collective Monrovia automotive repair community to meet with staff to set forth their concerns, suggestions and potential alternative resolutions to address concerns the City Council may believe to exist.

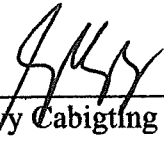
Respectfully submitted this 31st Day of August, 2023.


Ohannes Panossian

All-Brite Auto Body & Collision
131 E. Foothill Blvd.
Monrovia, CA 91016


Guillermo Yenegas


Coach Craft
1401 S. Myrtle
Monrovia, CA 91016


Aryy Cabigtng

C&C Autowerks
450 W. Duarte Rd.
Monrovia, CA 91016

Vartan Martabetian

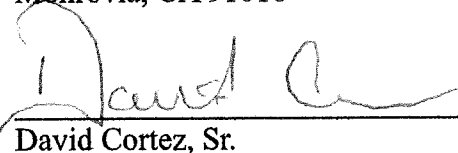
Foothill Towing
150 E. Pomona Ave.
Monrovia, CA 91016


Jim Sebastian

JDS Car Care
450 W. Duarte Rd.
Monrovia, CA 91016

Mike Bruni

Lima Auto Repair
1136 S. Myrtle Ave
Monrovia, CA 91016


David Cortez, Sr.

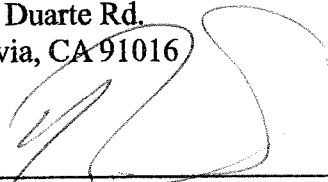
Monrovia Tire
511 S. Ivy Ave.
Monrovia, CA 91016


Dean Calderon

C&C Autowerks
450 W. Duarte Rd.
Monrovia, CA 91016

Yosuf Maiwandi

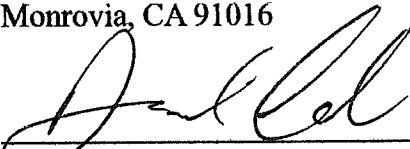
Homer's Truck & Auto Service, Inc.
450 W. Duarte Rd.
Monrovia, CA 91016


Leonel Garcia

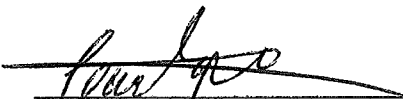
Leonel Auto
319 W. Maple Ave.
Monrovia, CA 91016


David Cortez, Jr.

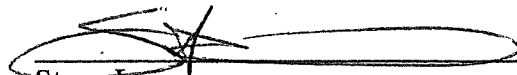
Monrovia Alignment
843 W. Duarte Rd
Monrovia, CA 91016


Patricia Cortez

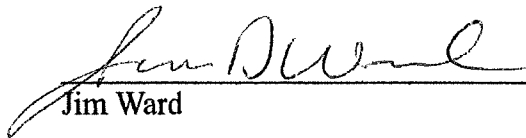
Monrovia Tire
511 S. Ivy Ave.
Monrovia, CA 91016


Chant Johaniai


Myrtle Auto Service
1827 S. Myrtle Ave.
Monrovia, CA 91016


Steve Lam

RPM Garage
119 W. Walnut
Monrovia, CA 91016


Jim Ward

Ward Service
130 Railroad Ave
Monrovia, CA 91016


Michael Chiranian

Route 66 Rent
866 E. Huntington Dr.
Monrovia, CA 91016


Miguel Garcia Martinez

Star Auto Electric
207 W. Foothill
Monrovia, CA 91016

