



AGENDA

REGULAR MEETING OF THE CITY COUNCIL AND THE REDEVELOPMENT AGENCY

**AZUSA AUDITORIUM
213 EAST FOOTHILL BOULEVARD**

**MONDAY, APRIL 6, 2009
6:30 P.M.**

AZUSA CITY COUNCIL

**JOSEPH R. ROCHA
MAYOR**

**KEITH HANKS
COUNCILMEMBER**

**ANGEL CARRILLO
COUNCILMEMBER**

**URIEL E. MACIAS
MAYOR PRO-TEM**

**ROBERT GONZALES
COUNCILMEMBER**

NOTICE TO THE PUBLIC

Copies of staff reports or other written documentation relating to each item of business referred to on the Agenda are on file in the Office of the City Clerk and are available for public inspection at the City Library.

Persons who wish to speak during the Public Participation portion of the Agenda, shall fill out a card requesting to speak and shall submit it to the City Clerk prior to the start of the City Council meeting. When called, each person may address any item on or off the agenda during the public participation.

6:30 P.M.

CEREMONIAL

1. Presentation of Proclamation in recognition of National Donate Life Month.
2. Certificates to Recognition to Andres Hooper and Richard Lopez Casillas, local wrestlers of Azusa, for winning first place in the California Folkstyle State Championship.
3. Presentation of Proclamation in recognition of the Census Program.

CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Gov. Code Sec. 54956.9 (a)).**
Daniel Torres v. City of Azusa, and DOES 1 through 10, Case No. CV 09-01211

2. **CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION (Gov. Code Sec. 54956.9. (c)).**
Sakata Moon - One Case.

3. **REAL PROPERTY NEGOTIATIONS (Gov. Code Sec. 54956.8)**

Agency Negotiators: City Manager Delach and Assistant City Manager Makshanoff
Under Negotiation: Price and Terms of Payment

Atlantis Gardens

Address: 611 East Lime Street, Azusa, CA 91702

Negotiating Parties: James Youngstrom

Address: 610 East 6th Street, Azusa, CA 91702

Negotiating Parties: Ernesto & Elena Castruita

Address: 670 East 6th Street, Azusa, CA 91702

Negotiating Parties: Ernesto & Elena Castruita

Address: 627 East Lime Street, Azusa, CA 91702

Negotiating Parties: Augustine Juarez

Address: 600 East 6th Street, Azusa, CA 91702

Negotiating Parties: Thang Huynh & Jenny Sau Cheung Tang

Address: 641 Glenfinnan Avenue, Azusa, CA 91702

Negotiating Parties: Gonzalo & Maricela Cruz

Address: 601 North Cedarglen Drive, Azusa, CA 91702

Negotiating Parties: Lupe Rubio

Address: 615 North Cedarglen Drive, Azusa, CA 91702

Negotiating Parties: Lupe Rubio

Address: 628 North Cedarglen Drive, Azusa, CA 91702

Negotiating Parties: Guillermo Martinez

Address: No Site Address 8608-001-001

Negotiating Parties: Joyce C. Moline Trust

4. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Gov. Code Sec. 54956.9 (a)).** AJDM v. City of Azusa, et al. Los Angeles Superior Court, Case No. BS111893 and City of Azusa v. AJDM Corp. Los Angeles Superior Court, Case No. KC051862. (D-Club)

Any person wishing to comment on any of the Closed Session items listed above may do so now.

7:30 P.M. - REGULAR MEETING OF THE CITY COUNCIL.

1. Call to Order
2. Pledge to the Flag –
3. Invocation – Pastor Dale Winslow of Foothill Community Church

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A. PUBLIC PARTICIPATION

(Person/Group shall be allowed to speak without interruption up to five (5) minutes maximum time, subject to compliance with applicable meeting rules. Questions to the speaker or responses to the speaker's questions or comments shall be handled after the speaker has completed his/her comments. Public Participation will be limited to sixty (60) minutes time.)

B. REPORTS, UPDATES, AND ANNOUNCEMENTS FROM STAFF/COUNCIL

1. Mayor Rocha – a. Discussion regarding security systems and associated city fees. b. Request for a proclamation for the Azusa Ministerial Association, to be presented at the May 20, Mayor's breakfast.
2. Mayor Pro-Tem Macias – Request for a proclamation for farewell celebration of Mayor Hammond in Monrovia.
3. A power point presentation on Clean and Green Month to highlight programs.
4. Update on enforcement of temporary banner signs in the City of Azusa

C. SCHEDULED ITEMS

1. **REPORT ON MEASURES TAKEN TO ALLEVIATE THE CONDITIONS WHICH LED TO THE ADOPTION OF URGENCY ORDINANCE 08-02 ESTABLISHING A MORATORIUM ON THE ESTABLISHMENT OF BUSINESSES OFFERING MESSAGES PENDING STUDY AND ADOPTION OF REGULATORY AND ZONING STANDARDS**

RECOMMENDED ACTION:

Accept the following: Report on measures taken to alleviate the conditions which led to the adoption of Urgency Ordinance 08-02 establishing a moratorium on the establishment of businesses offering massages pending study and adoption of regulatory and zoning standards.

D. CONSENT CALENDAR

*The **Consent Calendar** adopting the printed recommended actions will be enacted with one vote. If Councilmembers or Staff wish to address any item on the **Consent Calendar** individually, it will be considered under **SPECIAL CALL ITEMS**.*

1. **APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF MARCH 16, 2009.**

RECOMMENDED ACTION:

Approve Minutes as written.

2. **HUMAN RESOURCES ACTION ITEMS.**

RECOMMENDED ACTION:

Approve Personnel Action Requests in accordance with Section 3.3 of the City of Azusa Civil Service Rules and applicable Memorandum of Understanding(s).

3. **CITY TREASURER'S REPORT AS OF FEBRUARY 28, 2009.**

RECOMMENDED ACTION:

Receive and file the Report.

4. **PURCHASE OF HDL CODE ENFORCEMENT SOFTWARE.**

RECOMMENDED ACTION:

Waive formal sealed bids in accordance with Azusa Municipal Code Using alternative purchasing procedures for purchases not involving public projects. Section 2-523 section B, computers: when purchasing computer software and 2-523 section C, no competitive market and approve the purchase of the HdL Code Enforcement Software module in the amount not to exceed \$39,895.00, and authorize the City Manager to execute the agreement, per municipal code section 2-526.

5. **APPROVAL OF PURCHASE AND INSTALLATION OF NEW SCOREBOARD AT MEMORIAL PARK NORTHWEST BALL DIAMOND.**

RECOMMENDED ACTION:

Approve the purchase and installation of a new scoreboard at the Memorial Park Northwest Ball Diamond in the amount of \$12,974.99.

6. **REQUEST FOR PROPOSAL FOR ON-SITE COOKING FOR THE SENIOR MEAL PROGRAM**

RECOMMENDED ACTION:

Approve the Request for Proposal for on site cooking for the Senior Meal Program, allowing implementation of the open bid procedure as required by the Los Angeles County Area on Aging to secure senior meals for 2009 - 2010.

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7. **APPROVAL OF LEASE AGREEMENT WITH STATE DEPARTMENT OF GENERAL SERVICES (DGS) FOR USE OF THE MEMORIAL PARK NORTH RECREATION CENTER (NRC),**

FORMERLY THE CALIFORNIA NATIONAL GUARD ARMORY.

RECOMMENDED ACTION:

Approve the five-year lease agreement between the City of Azusa and the State of California Department of General Services for use of the Azusa Armory and authorize the Mayor to execute the lease on behalf of the City in adopting Resolution No. 09-C28.

8. **PURCHASE OF CLIMATE CONTROLS AND STORAGE SYSTEM FOR COMMUNICATIONS CENTER.**

RECOMMENDED ACTION

Approve the purchase of personal climate controls for four workstations from Xybix Systems, Inc. It is further recommended the City Council approve the purchase of the climate controls based on a competitive bid process completed by the City of La Mirada where dispatch furniture was purchased for the La Mirada Community Sheriff's Station. This "piggyback" purchase is authorized by AMC Section 2-523(E) when the competitive bid process has already been completed.

9. **NOTICE OF COMPLETION - MEMORIAL PARK ROOF REPLACEMENT.**

RECOMMENDED ACTION:

Approve a Notice of Completion for the Memorial Park Roof Replacement Project and authorize staff to file the Notices of Completion with the Los Angeles County Clerk.

10. **AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS - PAVEMENT MANAGEMENT 08-09/FOOTHILL BOULEVARD RECONSTRUCTION PHASE II.**

RECOMMENDED ACTION:

Authorize staff to solicit Request for Proposals (RFP) for Pavement Management 08-09 and Foothill Boulevard Reconstruction Phase II.

11. **AUTHORIZATION TO ENTER INTO PROFESSIONAL SERVICES AGREEMENT FOR PROFESSIONAL TRAFFIC ENGINEERING SERVICES.**

RECOMMENDED ACTION:

Authorize staff to enter into separate professional services agreements with KOA Corporation and Transportation & Energy Solutions, Inc. to provide general professional traffic engineering services on an as-needed basis in an amount not to exceed \$20,000.

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12. **A RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE SAN DIMAS WASH BEN LOMOND SPREADING GROUNDS INTERCONNECTING DRAIN TO CITRUS**

SPREADING GROUNDS PROJECT - LOS ANGELES COUNTY FLOOD CONTROL DISTRICT (LACFCD).

RECOMMENDED ACTION:

Adopt Resolution No. 09-C29, approving the plans and specification for the San Dimas Wash Ben Lomond Spreading Grounds interconnecting drain to the Citrus Spreading Grounds Project by the LACFCD.

13. **WARRANTS. RESOLUTION AUTHORIZING PAYMENT OF WARRANTS BY THE CITY.**

RECOMMENDED ACTION:

Adopt Resolution No. 09-C30.

E. **AGENCY SCHEDULED ITEMS**

1. **PUBLIC HEARING - CONSIDERATION OF A FIRST AMENDMENT TO TWO COMMERCIAL LEASE AGREEMENTS FOR AGENCY OWNED PARCELS LOCATED AT 803 NORTH DALTON AVENUE, AND 826 NORTH AZUSA AVENUE.**

RECOMMENDED ACTION:

Conduct a public hearing to receive testimony regarding proposed first amendments to lease agreements between the Agency Board and the following individuals: 1) Arthur B. and Anna M. Ramirez (“Ramirez”); and 2) Martin Habern, Teresa Habern, and Martin G. Habern, D.C. (“Habern”), for property located at: 1) 803 North Dalton Avenue, and 2) 826 North Azusa Avenue, respectively. It is further recommended that the Agency Board authorize the Executive Director to execute the First Amendment to the Commercial Lease Agreements in Exhibits “A” and “B”.

2. **AUTHORIZATION TO RELEASE A REQUEST FOR PROPOSALS FOR REDEVELOPMENT CONSULTING AND REAL ESTATE ADVISORY SERVICES.**

RECOMMENDED ACTION:

Authorize staff to release the Request for Proposals for redevelopment consulting and real estate advisory services.

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3. **CONSIDERATION OF AN EXCLUSIVE NEGOTIATION AGREEMENT WITH RICH DEVELOPMENT FOR THE NORTHEAST CORNER OF ARROW HIGHWAY AND AZUSA**

AVENUE (17511 AND 17523 EAST ARROW HIGHWAY, APN 8621-024-017, 8621-024-001 AND APN 8621-024-002)

RECOMMENDED ACTION:

Approve and authorize the Executive Director to execute the attached Exclusive Negotiation Agreement with Rich Development for the northeast corner of Arrow Highway and Azusa Avenue (17511 and 17525 East Arrow Highway, APN 8621-024-017, 8621-024-001 and 8621-024-002).

4. **INFORMAL PUBLIC HEARING - \$6.0M APPROPRIATION FOR FY 2008/09 FOR THE PURCHASE OF PROPERTIES FOR AFFORDABLE HOUSING PROJECTS.**

RECOMMENDED ACTION:

Hold an informal public hearing to discuss and adopt Resolution No. 09-R17, approving appropriation of \$6,000,000 of 2008B Housing Revenue Bond proceeds for the acquisition and related costs of real property for affordable housing projects within the City.

5. **CONSIDERATION OF A PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT 600 EAST SIXTH STREET (HUYNH-TANG).**

RECOMMENDED ACTION:

Authorize the Executive Director to execute a Purchase and Sale Agreement ("PSA") for the acquisition of real property located at 600 East Sixth Street (APN: 8612-001-017). Adopt Resolution No. 09-R18, approving the PSA.

6. **CONSIDERATION OF A PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT 601 NORTH CEDARGLEN DRIVE (RUBIO).**

RECOMMENDED ACTION:

Authorize the Executive Director to execute a Purchase and Sale Agreement ("PSA") for the acquisition of real property located at 601 North Cedarglen Drive (APN: 8612-001-052). Adopt Resolution No. 09-R19, approving the PSA.

7. **CONSIDERATION OF A PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT 615 NORTH CEDARGLEN DRIVE (RUBIO).**

RECOMMENDED ACTION:

Authorize the Executive Director to execute a Purchase and Sale Agreement ("PSA") for the acquisition of real property located at 615 North Cedarglen Drive (APN: 8612-001-064). Adopt Resolution No. 09-R20, approving the PSA.

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8. **CONSIDERATION OF A PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT 627 EAST LIME AVENUE (JUAREZ).**

RECOMMENDED ACTION:

Authorize the Executive Director to execute a Purchase and Sale Agreement ("PSA") for the acquisition of real property located at 627 North Lime Street (APN: 8612-001-039). Adopt Resolution No. 09-R21, approving the PSA.

9. **CONSIDERATION OF A PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT 628 NORTH CEDARGLEN DRIVE (MARTINEZ).**

RECOMMENDED ACTION:

Authorize the Executive Director to execute a Purchase and Sale Agreement ("PSA") for the acquisition of real property located at 628 North Cedarglen Drive (APN: 8612-001-033). Adopt Resolution No. 09-R22, approving the PSA.

10. **CONSIDERATION OF A PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT 641 GLENFINNAN AVENUE (CRUZ).**

RECOMMENDED ACTION:

Authorize the Executive Director to execute a Purchase and Sale Agreement ("PSA") for the acquisition of real property located at 641 Glenfinnan Avenue (APN: 8612-001-012). Adopt Resolution No. 09-R23, approving the PSA.

F. AGENCY CONSENT CALENDAR

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1. **APPROVAL OF MINUTES OF THE REGULAR MEETING OF MARCH 16, 2009.**

RECOMMENDED ACTION:

Approve Minutes as written.

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2. **APPROVAL OF A REQUEST FROM THE AZUSA ROTARY CLUB TO USE THE AGENCY OWNED PARKING LOT LOCATED ON ALAMEDA AVENUE AND FOOTHILL BOULEVARD TO HOST A RUMMAGE SALE.**

RECOMMENDED ACTION:

Approve the request from the Azusa Rotary Club to use the Agency owned parking lot located northwest corner of Alameda Avenue and Foothill Boulevard on April 17th and 18th to host a rummage sale.

3. **AGENCY TREASURER'S REPORT AS OF FEBRUARY 28, 2009.**

RECOMMENDED ACTION:

Receive and file the Report.

4. **WARRANTS. RESOLUTION AUTHORIZING PAYMENT OF WARRANTS BY THE AGENCY.**

RECOMMENDED ACTION:

Adopt Resolution No. 09-R24.

G. ADJOURNMENT

1. Adjourn.

UPCOMING MEETINGS:

April 20, 2009, City Council Meeting – 6:30 p.m. (Auditorium)

April 27, 2009, Utility Board Meeting – 6:30 p.m. (Light and Water Conference Room)

May 4, 2009, City Council Meeting – 6:30 p.m. (Auditorium)

May 18, 2009, City Council Meeting – 6:30 p.m. (Auditorium)

In compliance with Government Code Section 54957.5, agenda materials are available for inspection by members of the public at the following locations: Azusa City Clerk's Office - 213 E. Foothill Boulevard, Azusa City Library - 729 N. Dalton Avenue, and Azusa Police Department Lobby - 725 N. Alameda, Azusa, California.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a city meeting, please contact the City Clerk at 626-812-5229. Notification three (3) working days prior to the meeting when special services are needed will assist staff in assuring that reasonable arrangements can be made to provide access to the meeting.