



**AGENDA**

**REGULAR MEETING OF THE CITY COUNCIL,  
THE REDEVELOPMENT AGENCY, AND THE  
AZUSA PUBLIC FINANCING AUTHORITY**

**AZUSA AUDITORIUM  
213 EAST FOOTHILL BOULEVARD**

**TUESDAY, SEPTEMBER 8, 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**

Presentation of proclamation to Grace Ruelas Ayon in celebration of her 100<sup>th</sup> Birthday.

Presentation of Certificates of Recognition to Azusa American Little League, who won the 2009 District 19, 7 and 8 year old Tournament of Champions.

Proclamation declaring the month of September 2009, as “LA. County Fair Month” in the City of Azusa.

**CLOSED SESSION**

1. **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

- a. Address: 634 N. San Gabriel Avenue (Fashion Sportswear)  
Negotiating Parties: Kwon, Soon I (Owner)
- b. Address: 246 N. Azusa Avenue  
Negotiating Parties: Jakes Hotdogs and Sausages/EDLP (Tenants)
- c. Address: Sierra Madre Avenue/Azusa Avenue and San Gabriel Canyon Road Property (APN# 8608-001-001)  
Negotiating Parties: Joyce C. Moline and Leo C. Nasser (Owners)
- d. Address: 845 and 849 N. Alameda Avenue, Azusa (Cruz Property)  
Negotiating Parties: Cruz, Lucio and Caroline TRS Cruz Trust (Owner)

e. **DOWNTOWN NORTH A2 & A3 Site**

Addresses: 858 N. Azusa Avenue, Azusa, CA  
832 N. Azusa Avenue, Azusa, CA  
826 N. Azusa Avenue, Azusa, CA  
812 N. Azusa Avenue, Azusa, CA  
830 N. Azusa Avenue, Azusa, CA  
801 N. Alameda Avenue, Azusa, CA  
810 N. Alameda Avenue, Azusa, CA  
803 N. Dalton Avenue, Azusa, CA  
805 N. Dalton Avenue, Azusa, CA  
809 N. Dalton Avenue, Azusa, CA

f. **ENTERPRISE PROPERTY**

Address: 229 S. Azusa Avenue (APN 8614-014-058)  
Negotiating Parties: Rogers Lillie M/Roger Lillie M  
Address: 229 S. Azusa Avenue (APN 8614-014-056)  
Negotiating Parties: Rogers Lillie M/Roger Lillie M  
Address: (APN 8614-014-057) - No Address  
Negotiating Parties: Rogers Clifton & Lillie/Roger C & L /tr

g. **TALLEY PROPERTY**

Address: 621 N. Azusa Avenue, Azusa  
Negotiator: 621 Talley LLC

2. **CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code Sec. 54957.6)**

Agency Negotiators: City Manager Delach and Administrative Services Director-CFO Kreimeier  
Organizations: IBEW

3. **CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION (Gov. Code Sec. 54956.9 (c))**. 1 Case.

4. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code Sec. 54957)**

Title: City Manager

5. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATION/INITIATION OF LITIGATION (Gov. Code Sec. 54956.9 (c))**. 1 potential case. (403 S. Vernon)

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 - Raymond Estrada
3. Invocation – Reverend Rick MacDonald of House of Nations

**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. City Manager Delach to introduce the new Director of Utilities, Mr. George Morrow.
2. Mayor Rocha -
  - a. Request to have a Joint City Hall on the Move with Azusa Unified School District Board on Saturday, October 17, 2009 at Magnolia School from 9-11 a.m.
  - b. Announcement of the Community Walk Program.
  - c. Request for sponsorship in the amount of \$100 to Ms. Kayla Trujillo, sophomore at Azusa High School to support her in an educational opportunity in a trip to France and Spain in the summer of 2010.
3. Mayor Pro-Tem Macias – Request for sponsorship in the amount of \$200 to Gladstone High School 2009 Cross Country Team to go towards the purchase of uniforms.
4. Councilmember Gonzales – Request for certificates of appreciation for hair stylist and cutters for haircut drive for Azusa kids and request for recognition for Azusa American Little League Executive Board for past 09 season.
5. Schedule a date for Board and Commission Interviews.

**C. SCHEDULED ITEMS**

None.

**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 JULY 20, 2009, AND SPECIAL MEETINGS OF JUNE 29<sup>TH</sup> AND JULY 27<sup>TH</sup>, 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 REPORTS FOR THE MONTHS OF JUNE AND JULY, 2009.**

**RECOMMENDED ACTION:**

Receive and file the Reports.

4. **AWARD OF CONTRACT TO ACE ELECTRIC, INC. IN THE AMOUNT OF \$224,500 FOR THE ATHLETIC FIELD LIGHTING REPLACEMENT PROJECT AT NORTHSIDE PARK.**

**RECOMMENDED ACTION:**

Award the contract to Ace Electric in the amount of \$224,500 for the Athletic Field Lighting Replacement Project at Northside Park.

5. **AUTHORIZATION TO SOLICIT BIDS FOR DIESEL HEAVY-DUTY VEHICLE EXHAUST RETROFITS.**

**RECOMMENDED ACTION:**

Authorize the solicitation of bids for diesel heavy-duty vehicle exhaust retrofits.

6. **AWARD OF CONTRACT - THERMOPLASTIC APPLICATOR.**

**RECOMMENDED ACTION:**

Award a contract to Pervo Paint Company of Los Angeles, California in the amount of \$18,624.58 for the purchase of a thermoplastic applicator.

7. **NOTICE OF COMPLETION - CITY HALL REMODEL PHASE II.**

**RECOMMENDED ACTION:**

Approve a Notice of Completion for the following project and authorize staff to file the Notice of Completion with the Los Angeles County Clerk. City Hall Remodel Phase II - \$185,788.00 - Advantage Project Builders.

8. **AWARD OF CONTRACT - POLICE STATION UNDERGROUND STORAGE TANK RETROFIT**

**RECOMMENDED ACTION:**

Award a contract to Pacific Systems Electric of Winchester, California in the amount of \$27,490.00 for the installation of a Phase II Enhance Vapor Recovery System as mandated by the California Air Resources Board.

9. **CIP PROJECT: ROSEDALE TRAFFIC MITIGATION; AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH TRANSPORTATION & ENERGY SOLUTIONS, INC. TO PREPARE PLANS, SPECIFICATIONS, AND ESTIMATES FOR THE ROSEDALE TRAFFIC MITIGATION PROJECT.**

**RECOMMENDED ACTION:**

Authorize staff to enter into a professional services agreement with Transportation & Energy Solutions, Inc. (TES) to prepare plans, specifications, and estimates (PS&E) for the Rosedale Traffic Mitigation Project for an amount not to exceed \$174,203.

10. **CIP PROJECT: AWARD OF CONTRACT - ZACATECAS PARK STORM DRAIN**

**RECOMMENDED ACTION:**

Authorize staff to award a contract to Alcon Colorado Engineering, Inc. for the new storm drain at Zacatecas Park in an amount not to exceed \$145,391.40 (\$132,174 + 10%).

11. **CIP PROJECT: AWARD OF CONTRACT - FOOTHILL BOULEVARD RECONSTRUCTION FROM TODD AVENUE TO ORANGE AVENUE.**

**RECOMMENDED ACTION:**

Authorize staff to award a contract to Sully Miller Contracting Company for the reconstruction of Foothill Boulevard from Todd Avenue to Orange Avenue in an amount not to exceed \$891,171.75 (\$813,792.50 +10%).

12. **A RESOLUTION DECLARING INTENTION TO VACATE A PORTION OF SAN GABRIEL AVENUE AND A PORTION OF NINTH STREET IN THE CITY OF AZUSA.**

**RECOMMENDED ACTION:**

Adopt Resolution No. 09-C70, entitled: “A Resolution Of The City Council Of The City Of Azusa Declaring Its Intention To Vacate A Portion Of San Gabriel Avenue And A Portion Of Ninth Street In The City Of Azusa.”

13. **A RESOLUTION DECLARING INTENTION TO GRANT AN EASEMENT TO TARGET CORPORATION FOR BUILDING CONSTRUCTION PURPOSES ALONG SAN GABRIEL AVENUE, NINTH STREET, AND AZUSA AVENUE IN THE CITY OF AZUSA**

**RECOMMENDED ACTION:**

Adopt Resolution No. 09-C71, entitled: “A Resolution Of The City Council Of The City Of Azusa Declaring Its Intention To Grant An Easement To Target Corporation For Building Construction Purposes Along San Gabriel Avenue, Ninth Street, And Azusa Avenue In The City of Azusa”.

14. **A RESOLUTION DECLARING INTENTION TO GRANT AN EASEMENT TO TARGET CORPORATION FOR DRAINAGE FACILITY PURPOSES ALONG SAN GABRIEL AVENUE IN THE CITY OF AZUSA.**

**RECOMMENDED ACTION:**

Adopt Resolution No. 09-C72, entitled: “A Resolution Of The City Council Of The City Of Azusa Declaring Its Intention To Grant An Easement To Target Corporation For Drainage Facility Purposes Along San Gabriel Avenue In The City of Azusa”.

15. **CIP PROJECT – NEW TRAFFIC SIGNAL CITRUS AVENUE; APPROVAL OF A COOPERATION AND REIMBURSEMENT AGREEMENT WITH THE AZUSA PACIFIC UNIVERSITY FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL ON CITRUS AVENUE BETWEEN FOOTHILL BOULEVARD AND ALOSTA.**

**RECOMMENDED ACTION:**

Authorize staff to enter into a Cooperation and Reimbursement Agreement with Azusa Pacific University for installation of a new traffic signal on Citrus Avenue.

16. **WARRANTS. FOUR SEPARATE RESOLUTIONS AUTHORIZING PAYMENT OF WARRANTS BY THE CITY.**

**RECOMMENDED ACTION:**

Adopt Resolution Nos. 09-C73 through 09-C76.

**E. AGENCY SCHEDULED ITEMS**

1. **CONSIDERATION OF A PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT 633 GLENFINNAN AVE. (THE BELTRAN FAMILY TRUST).**

**RECOMMENDED ACTION:**

Authorize the Executive Director to execute a Purchase and Sale Agreement (“PSA”) for the acquisition of real property located at 633 Glenfinnan Avenue (APN: 8612-001-013). It is also recommended that the Agency Board adopt acquisition Resolution No. 09-R43, for the proposed purchase.

2. **FIRST AMENDMENT TO THE EXCLUSIVE NEGOTIATION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF AZUSA AND LEWIS INVESTMENT COMPANY, LLC FOR THE DOWNTOWN NORTH REDEVELOPMENT PROJECT.**

**RECOMMENDED ACTION:**

Authorize the Executive Director to enter into the First Amendment to the Exclusive Negotiation Agreement with Lewis Investment Company, LLC for the development of the Downtown North Redevelopment Project.

3. **SPECIFICATION APPROVAL TO THE BID FOR THE ABATEMENT OF LEAD-BASE PAINT/ASBESTOS AND DEMOLITION OF TWELVE-FIFTEEN, 4-UNIT (QUADRUPLEXES) MULTIFAMILY PROPERTIES/STRUCTURES AND OTHER SUBSURFACE PARKING AREAS LOCATED AT THE ATLANTIS GARDENS PROJECT SITE.**

**RECOMMENDED ACTION:**

Approve the bid and specification packet for 1) the abatement of lead-base paint/asbestos and demolition of: twelve-fifteen, 4-Unit (Quadruplexes) multifamily properties, structures and other subsurface parking areas located at the Atlantis Garden project site; and 2) authorize advertisement of the bid.

4. **AUTHORIZATION TO NEGOTIATE REDEVELOPMENT AGENCY FINANCIAL ASSISTANCE FOR POTENTIAL RESTAURANT(S) LOCATED AT THE CITRUS CROSSING PROJECT SITE AND/OR THE NORTHEAST CORNER OF AZUSA AVENUE AND ARROW HIGHWAY.**

**RECOMMENDED ACTION:**

Authorize the Executive Director to enter into negotiations with potential restaurant developers for the Citrus Crossing and/or Arrow/Azusa sites to provide financial assistance

5. **CONSIDERATION OF A PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF THE REAL PROPERTY LOCATED AT 622 N. SAN GABRIEL AVENUE (MILLER PROPERTY)**

**RECOMMENDED ACTION:**

Adopt Resolution No. 09-R44, approving the Purchase and Sale Agreement (“PSA”) for the acquisition of real property located at 622 North San Gabriel Avenue, commonly known as Los Angeles County Assessor’s Parcel Number 8611-004-012 and 8611-004-013 (“Subject Property”). It is further recommended that the Agency Board approve an appropriation for this property acquisition.

**F. AGENCY CONSENT CALENDAR**

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

1. **APPROVAL OF MINUTES OF THE REGULAR MEETING OF JULY 20, 2009 AND THE SPECIAL MEETING OF JULY 27<sup>TH</sup>, 2009.**

**RECOMMENDED ACTION:**

Approve Minutes as written.

2. **TWO AGENCY TREASURER'S REPORTS FOR THE MONTHS OF JUNE AND JULY, 2009.**

**RECOMMENDED ACTION:**

Receive and file the Reports.

3. **PROFESSIONAL SERVICE CONTRACTS REPORT THROUGH JUNE 30, 2009.**

**RECOMMENDED ACTION:**

Review and file the report.

4. **NOTICE OF COMPLETION FOR THE ABATEMENT, DEMOLITION AND SOIL REMEDIATION LOCATED AT 9TH AND AZUSA ALSO KNOWN AS THE PROPOSED TARGET PROJECT SITE.**

**RECOMMENDED ACTION:**

Accept the abatement, demolition and soil remediation project located at 9<sup>th</sup> and Azusa as complete and authorize staff to file the attached Notice of Completion with the County Recorder's Office and release contract retention payment to R. B. Holt, Inc. in the amount of \$26,446.80.

5. **WARRANTS, SEVEN SEPARATE RESOLUTIONS AUTHORIZING PAYMENT OF WARRANTS BY THE AGENCY.**

**RECOMMENDED ACTION:**

Adopt Resolution Nos. 09-R45 through 09-R51.

**G. AZUSA PUBLIC FINANCING AUTHORITY**

1. **APPROVAL OF MINUTES OF THE REGULAR MEETING OF MAY 4<sup>TH</sup> AND JUNE 1<sup>ST</sup>, 2009.**

**RECOMMENDED ACTION:**

Approve Minutes as written.

2. **AUTHORITY TREASURER'S REPORT AS OF JUNE 30, 2009.**

**RECOMMENDED ACTION:**

Receive and file the Report.



## **H. ORDINANCES/SPECIAL RESOLUTIONS**

1. **AN ORDINANCE OF THE CITY OF AZUSA, CALIFORNIA, ADOPTING THE CITYWIDE ART IN PUBLIC PLACES POLICY MANUAL BY AMENDING CHAPTER 2, ARTICLE V, DIVISION 3 AND ADDING CHAPTER 88.39 OF THE AZUSA MUNICIPAL CODE. (Public Hearing held on July 20, 2009)**

### **RECOMMENDED ACTION:**

Read by title only, waive further reading and adopt Ordinance No. 09-04, Art in Public Places Policy Manual.

## **I. ADJOURNMENT**

1. Adjourn in memory of Tony Ruelas, Joseph A. Estrada, Maria Socorro Robles and Evelyn Sanchez Castaneda.

### **UPCOMING MEETINGS:**

September 21, 2009, City Council Meeting – 6:30 p.m. (Auditorium)  
September 28, 2009, Utility Board Meeting – 6:30 p.m. (Light and Water Conference Room)  
October 5, 2009, City Council Meeting – 6:30 p.m. (Auditorium)  
October 19, 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.*