



**CITY OF AZUSA**  
**MINUTES OF THE CITY COUNCIL**  
**REGULAR MEETING**

**MONDAY, DECEMBER 15, 2008 – 6:30 P.M.**

The City Council of the City of Azusa met in regular session at the above date and time in the Azusa Auditorium, located at 213 East Foothill Boulevard, Azusa, CA, 91702.

**CLOSED SESSION**

Closed Sess

The City Council recessed to Closed Session at 6:31 p.m. to discuss the following:

Recess

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Gov. Code Section 54956.9 (a)).** Case Name: Betty Stone Johnson v. City of Azusa, et al. Case Number: Los Angeles County Superior Court Case No. KC054131 Conf w/labor
  
2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code Sec. 54956.9 (a)).** Conf w/legal Cnsl  
AJDM v. City of Azusa, et al. Los Angeles Superior Court, Case No. BS111893 and City of Azusa v. AJDM AJDM D-Club  
Corp. Los Angeles Superior Court, Case No. KC051862. (D-Club)
  
3. **REAL PROPERTY NEGOTIATIONS (Gov. Code Sec. 54956.8)** Real Prop Negotiations  
Agency Negotiators: City Manager Delach and Assistant City Manager Makshanoff  
Under Negotiation: Price and Terms of Payment

**RANCH MARKET**

Property Address: 150 W. 9th Street, Azusa, CA 91702  
Negotiating Parties: King Ranch Market, Aner Iglesias, Business Owner

Ranch Mkt

**TARGET SITE**

Address: 802 N. San Gabriel Avenue, Azusa, CA 91702  
Address: 120 West 9th Street, Azusa, CA 91702  
Address: 150/190 West 9th Street, Azusa, CA 91702  
Address: 809 N. Azusa Avenue, Azusa, CA 91702  
Address: MTA Site - APN# 8608-024-900  
Negotiating Parties: Target Corporation

Target Site

The City Council reconvened at 7:42 p.m. There was reportable action taken in Closed Session.

Reconvened  
No Reports

Mayor Rocha called the meeting to order.

Call to Order

Mr. Richard Gomez Jr. led in the Salute to the Flag.

Flag Salute

**INVOCATION** was given by Ms. Veronica Calvary of Praise Chapel Azusa.

Invocation

**ROLL CALL**

Roll Call

**PRESENT:** COUNCILMEMBERS: GONZALES, CARRILLO, MACIAS, HANKS, ROCHA  
**ABSENT:** COUNCILMEMBERS: NONE

**ALSO PRESENT:**

Also Present

City Attorney Carvalho, City Manager Delach, Assistant City Manager Makshanoff, Police Chief Garcia, Economic and Community Development Director Christianson, Assistant Community Development Director McNamara, Director of Public Works/Assistant City Manager Haes, Public Information Officer Quiroz, Administrative Services Director-Chief Financial Officer Kreimeier, Library Director Tovar, Assistant City Librarian Shahsavari, City Clerk Mendoza, Deputy City Clerk Toscano.

**CEREMONIAL**

Ceremonial

The entire Council presented Certificate of Welcome Home to Mr. Richard Gomez Jr., of the United States Navy.

R. Gomez, Jr.  
Welcome

**PUBLIC PARTICIPATION**

Pub Part

Mr. Joe Guarrera, President of the Azusa Sister City Committee addressed Council providing a brief history of the Azusa Sister City Committee noting that it began in 1966 with the Sister City Zacatecas, Mexico. He introduced the newly installed Board Members as follows: Nick Rosales, Vice President, Rose Montes, Treasurer, Maria Salazar, Secretary, Sue Guarrera, Corresponding Secretary and the following Board Members: Greg Ahern, Peggy Martinez, Jorge Rosales, and Francis Nelson.

J. Guarrera  
Comments

Mr. Mike Lee addressed Council noting the success of the sending packages to the soldiers in Iraq; he urged all to support local businesses; urged all to continue to clean up the City; talked about the success of local activities and wished all a happy holidays.

M. Lee  
Comments

Mr. Eddie Alvarez addressed Council and thanked all for participating in the Toy Drive at Jake's Hot Dogs over the weekend where they collected 500 toys; gave 80 to Saint Frances of Rome Church and sent the rest to food banks. He thanked all who participated in the successful event including fellow Navy reservists who donated from Moreno Valley; owner of Canyon City Barbeque; Pork Chop Tom and many people from car clubs from other areas.

E. Alvarez  
Comments

Mr. Nick Rosales thanked Sister City participants and all who attended their Annual Christmas event and donated to the food banks. He announced that the Downtown Business Association will be having a monthly Save Your Home Program which will help people modify home loans. The class will be offered the first Wednesday of each month beginning January, from 5-8 p.m., at 530 N. Azusa. Mr. Mike Mesa will be aiding him and they will also offer rental modification information between landlord and tenant. He announced that he is running for City Council and wished all candidates the best and invited all to his coffee at 730 N. Azusa Avenue on Saturday, December 20, 2008 at 9:30 a.m.

N. Rosales  
Comments

Mr. Art Morales acknowledged the great Christmas festivities held at City Hall over the weekend; thanked Joe Guarrera for his involvement with Sister City; recognized the San Gabriel Valley Tribune for recognizing the Councilmembers; and talked about the success of the Azusa Canyon City Toy Drive at Jakes, congratulating all who attended with special thanks to Eddie Alvarez.

A. Morales  
Comments

Ms. Peggy Martinez wished good luck to all the candidates who will run in the March 2009 election. She announced that applications for the Miss Azusa and Miss Outstanding Teen are available and that the pageant will be held on March 21, 2009, for additional information call 812-5818. She also noted that Downtown Business Association will be helping Nick Rosales with the loan modification workshop. Lastly, she talked about the Banner Project stating that Northrup Grumman has given them a grant for the program in the amount of \$1,500 to help residents who cannot afford a banner; she praised the project and the Mayor for being the leader of volunteers.

P. Martinez  
Comments

Mr. Tony Glassman of California Amforge and Chairman of the Azusa Chamber of Commerce addressed Council expressing his opinion in favor of bringing Target to the City.

T. Glassman  
Comments

Ms. Valerie Vazquez, announced that she placed second runner up in the Azusa Miss Outstanding Teen in April and that she has been invited to participate in the Miss Outstanding Teen of the San Fernando Valley on the 27<sup>th</sup> of December; she will represent Azusa and asked for support of her sponsor page; she thanked Council for helping her achieve her goals. City Manager Delach was given direction to award the sponsorship.

V. Vazquez  
Comments

Mr. Dennis Willut addressed Council stating that a utility power pole has caused fire damage to grass, plants and vegetation at a senior landlords home; he requested a moratorium of the enforcement not to cite the landlord as the Azusa Utility is subleasing the area to the cable company. Mr. Willut continued to express his opinion regarding several issues of concern. City Manager Delach responded to Mr. Willuts concern regarding damage to property and aid to seniors.

D. Willut  
Comments

**REPORTS, UPDATES COUNCIL BUSINESS AND ANNOUNCEMENTS-STAFF**

Rpts/Updates

City Manager Delach announced that the Ribbon Cutting Ceremony for the newly renovated Memorial Park North Recreation Center (formerly Armory) will be held on Saturday, December 20, 2008, in conjunction with Breakfast with Santa, courtesy of the Knights of Columbus, 7 a.m. – 10:00 a.m., Ceremony immediately following, at 340 N. Orange Place, Azusa. He also advised that the digital television service will begin on February 17<sup>th</sup>, 2009 and people can call the City's Public Information Officer Martin Quiroz at 812-5200, for information to assist residents.

City Mgr  
comments

Administrative Services Director-Chief Financial Officer Kreimeier addressed Council announcing that the sale of Redevelopment Housing Bonds was completed November 25<sup>th</sup> yielding approximately 9.8 million dollars in new funds that may be used for low income housing purposes and the sale of non housing tax in exempt Redevelopment Bonds is scheduled to close Thursday, and will yield approximately an additional 5.7 million dollars in new funding for the Redevelopment Agency. The Pension Obligation Bond issue is pending and is being marketed to investors.

A. Kreimeier  
Comments

Moved by Mayor Pro-Tem Carrillo, seconded by Councilmember Gonzales and unanimously carried to approve request for certificates of recognition for the Azusa High School Varsity Football Team for winning the Mountain View League Champions.

Cert of Rec to  
AHS Varsity  
Football CIF

Mayor Pro-Tem Carrillo thanked and congratulated the Azusa Parks and Recreation Department for the wonderful holiday celebration, i.e. Tree Lighting Ceremony, Holiday Boutique, etc. He wished all a Happy Holiday Season, Merry Christmas, Happy Hanukah, Quanza, etc.

Carrillo  
Comments

Councilmember Macias noted that the bollard lights are still out at Rancho Park and requested a status report from City Manager. He advised of a notification by Charter Communications that they are no longer required to broadcast or man the City Council meetings and requested a report on how this would be handled without interruption of service. He shared his experience on a recent visit to Hawaii and the Peal Harbor Memorial.

Macias  
Comments

Councilmember Gonzales congratulated the Parks and Recreation Department on the success of the Holiday events; thanked all who participated in City Hall on the Move, and wished all a Merry Christmas.

Gonzales  
Comments

Councilmember Hanks announced that the City is in receipt of notification of a Mexican Fruit Fly Abatement in the area and the County will trap and bate and will release sterile male fruit flies in an attempt to eradicate them. He announced that the Gold Line Construction Authority met and have a tentative funding schedule that is being submitted to the MTA. The timeline will show proposed revenue service to start in 2013. He wished all a Merry Christmas.

Hanks  
Comments

Mayor Rocha requested that the meeting be adjourned in memory of Margarita Gonzales and Lloyd Davies. He thanked members of the Azusa Canyon City Car Club for the Toy Drive held and thanked President Navarette, Vice President Abasta, and George Romero. He asked that all continue to pray for the safe return of our soldiers, and announced the Azusa High School Academy of the Art play: How Santa Got His Christmas Tree.

Rocha  
Comments

**SCHEDULED ITEMS**

Sched Items

**CONVENE JOINTLY WITH THE REDEVELOPMENT AGENCY TO CONSIDER THE FOLLOWING:**

Convене Jntly  
w/CRA

CONTINUED JOINT PUBLIC HEARING - ON DISPOSITION AND DEVELOPMENT AGREEMENT WITH TARGET CORPORATION FOR THE DEVELOPMENT OF A TARGET STORE AT 809 NORTH AZUSA AVENUE.

Con't Pub Hrg  
Target DDA

Economic and Community Development Director Christianson addressed the issue presenting the 33433 Summary Report asking Council to review the cost and findings of the report and to adopt a resolution, approving a Disposition and Development Agreement with Target Corporation. He stated that as part of the review they found that the project is consistent with the Environmental Impact Report and the Development Agreement will set parameters about the project, i.e. hours of operation; the 15 year minimum Operating Covenant; the project will bring in an excess of 18 million dollars of Tax Increment for the city. He stated over the 15 year period the project will bring in over \$500,000 per year and it will equate to 7.5 million dollars of sales tax to the city. He talked about the report and what it outlines and recommended approval of the resolutions presented. Mr. Kareem Ali, Real Estate Manager with the Target Corporation thanked staff and expressed his excitement about building the store in Azusa. Councilmembers thanked him for coming to Azusa.

K. Christianson  
Comments

Mr. Dennis Willut addressed the Public Hearing asking the cost of the property; how it will impact local citizens and surrounding areas; how it will impact the City due to the economic trends; what type of agreement is in place if they decide to leave and what type of tax relief will be given to Target.

D. Willut  
Comments

Mr. Mike Lee welcomed Target to the City adding that it will create more jobs; and hoped the new administration will help out the whole Country.	M. Lee Comments
Mr. Art Morales addressed the Hearing asking if merchandise being sold is environmentally friendly and if residents would receive reduced prices.	A. Morales Comments
Ms. Peggy Martinez, President of the Downtown Business Association, welcomed Target to the City of Azusa and talked about the possibilities of bringing a market in across the street from Target.	P. Martinez Comments
City Manager Delach responded to questions posed stating that the cost of the project is eighteen million, two hundred forty-five thousand dollars; the general and environmental impact were reviewed by Planning Commission and public commented on it; it's financed through Redevelopment Tax Increment with no direct cost from residents; he talked about the process; Target has no tax relief; there is no lease, Target is purchasing the property and if they close, the Agency has the opportunity to repurchase the property; there are no impacts on surrounding businesses; and the City is working with Ranch Market on the closure.	City Mgr Comments
Moved by Mayor Pro-Tem Carrillo, seconded by Councilmember Hanks and unanimously carried to close the Public Hearing.	Hrg closed
Mayor Rocha asked about the enforceable of the removal of graffiti within 48 hours; City Manager responded that it is a city ordinance and City Attorney advised that if the ordinance is not followed the city would removed at \$500 per incident cost to the owner.	Rocha Comments
Councilmember Hanks offered a Resolution entitled:	
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF AZUSA AND TARGET CORPORATION, AND MAKING CERTAIN FINDINGS PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 33433 IN CONNECTION THEREWITH.	Res. 08-C112 Target DDA & findings Sec. 33433
Moved by Councilmember Hanks, seconded by Councilmember Macias to waive further reading and adopt. Resolution passed and adopted by the following vote of the Council:	
AYES: COUNCILMEMBERS: GONZALES, CARRILLO, MACIAS, HANKS, ROCHA NOES: COUNCILMEMBERS: NONE ABSENT: COUNCILMEMBERS: NONE	
Director Carrillo offered a Resolution entitled:	
A RESOLUTION OF THE GOVERNING BOARD OF THE REDEVELOPMENT AGENCY OF THE CITY OF AZUSA, CALIFORNIA, APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF AZUSA AND TARGET CORPORATION.	Res. 08-R49 Appvg DDA Target Corp.
Moved by Director Carrillo, seconded by Director Gonzales to waive further reading and adopt. Resolution passed and adopted by the following vote of the Board Members:	
AYES: DIRECTORS: GONZALES, CARRILLO, MACIAS, HANKS, ROCHA NOES: DIRECTORS: NONE ABSENT: DIRECTORS: NONE	
<b>REDEVELOPMENT AGENCY RECESSED AND CITY COUNCIL CONTINUED AT 9:07 P.M.</b>	CRA Recess
RESOLUTION APPROVING AND ADOPTING AMENDED APPENDIX OF THE CONFLICT OF INTEREST CODE PURSUANT TO THE 2008 MANDATORY REVIEW AND FILED BIENNIAL NOTICE.	Amend Conflict of Interest Code
Councilmember Hanks offered a Resolution entitled:	
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, APPROVING AND ADOPTING AN AMENDED APPENDIX TO THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974.	Res. 08-C113 Amend Conflict of Interest Code
Moved by Councilmember Hanks, seconded by Councilmember Gonzales to waive further reading and adopt. Resolution passed and adopted by the following vote of the Council:	
AYES: COUNCILMEMBERS: GONZALES, CARRILLO, MACIAS, HANKS, ROCHA NOES: COUNCILMEMBERS: NONE ABSENT: COUNCILMEMBERS: NONE	

The **CONSENT CALENDAR** consisting of Items D-1 through D-10 was approved by motion of Mayor Pro-Tem Carrillo, seconded by Councilmember Gonzales and unanimously carried with the exception of items D-2 and D-9, which were considered under the Special Call portion of the Agenda. Mayor Rocha and Councilmember Hanks abstained from the Special Meeting of October 13<sup>th</sup> as they were absent.

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| 1.  | The minutes of the regular meeting of December 1, 2008; special meetings of October 13 <sup>th</sup> ; November 24 <sup>th</sup> ; and December 1, 2008, were approved as written.  | Min appvd  |
| 2.  | SPECIAL CALL ITEM.  | Spec Call  |
| 3.  | The following resolution was adopted and entitled:<br><br>A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID.  | Res. 08-114<br>Warrants  |
| 4.  | Approval was given for the issuance of a Purchase Order in an amount not to exceed \$20,903 including sales tax and all other applicable fees, to West Covina Motors, Inc./Clippinger Chevrolet of West Covina, CA for the purchase of a 2008 Chevrolet Express 2500 Cargo ¾ ton van.   | Purchase of<br>Chev Cargo Van  |
| 5.  | A RESOLUTION OF THE CITY COUNCIL OF THE CITY FO AZUSA DECLARING ITS APPROVAL OF FINAL TRACT MAP NO. 70189.  | Res. 08-C115<br>Tract Map 70189  |
| 6.  | Pursuant to City of Azusa Civil Service Rules Section 3.3 and 3.9, approval was given for the creation of a new position in the Police Department, Court Liaison Officer, as well as the associated salary recommendation and approval was give for the reclassification of Community Service Officer Debbie Ursua into the new job classification.   | New Position<br>Court Liaison<br>Officer                                   |
| 7.  | Pursuant to City of Azusa Civil Service Rules Section 3.3 and 3.9, Approval was given for the creation of a new position in the Police Department, Training Coordinator, as well as the associated salary recommendation and approval was given for the reclassification of Community Service Officer Sandy Willison into the new job classification.   | New Position<br>PD Training<br>Coordinator                                 |
| 8.  | A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT 2005-IA1 FACILITIES, ORDERING JUDICIAL FORECLOSURE OF CERTAIN PROPERTIES FOR WHICH THE PAYMENT OF SPECIAL TAXES ARE DELINQUENT PURSUANT TO THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982, APPROVING AND RATIFYING CERTAIN ACTIONS OF THE CITY ATTORNEY AND ORDERING THAT THE TAX COLLECTOR BE CREDITED WITH THOSE SPECIAL TAXES. | Res. 08-C116<br>City Mgr Initiate<br>Judicial<br>Foreclosure<br>within CFD |
| 9.  | SPECIAL CALL ITEM.  | Spec Call  |
| 10. | A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA DECLARING ITS APPROVAL OF FINAL TRACT MAP NO. 68355.  | Res. 08-C117<br>Final Map 68355  |

**SPECIAL CALL ITEMS**

Spec Call Items

Mayor Rocha addressed the HR Action items asking that with the reclassification of the CSO's, if there would be a loss or lack of CSO's. Chief of Police Garcia and City Manager Delach responded stating that the action was a reclassification of those positions with titles that best describe their administrative type duties and the positions would stay intact.

Moved by Mayor Pro-Tem Carrillo, seconded by Councilmember Gonzales and unanimously carried that the Human Resources Action Items were approved as follows:

HR Action  
Items  
Approved

**Merit Increase and/or Regular Appointments:** S. Shahsavari, g. Espinoza, and G. Conrad.

**Flexible Staffing Promotion:** D. Baird, Water Distribution Wrk II, and B. Bommarito, Customer Service Rep. II.

**Reclassification:** D. Ursua, Court Liaison Officer, and S. Willison, Training Coordinator.

Mayor Rocha addressed the item regarding the City Hall Basement Remodel asking if it was also for the upstairs portion of the building. City Manage Delach responded stating that it is just for downstairs basement which will house the Office of Emergency Services Area D Coordinator. There was typographical errors pointed out and staff responded that they would be corrected. Moved by Mayor Pro-Tem Carrillo, seconded by Councilmember Gonzales and unanimously carried to award the Contract for City Hall Basement Remodel to Advantage Project Builders Inc., in the amount of \$110,882.00 for construction services.

Advantage Prj  
Bldrs Remodel

**THE CITY COUNCIL RECESSED AND THE REDEVELOPMENT AGENCY CONVENE AT 9:14 P.M. P.M. THE CITY COUNCIL RECONVENED AT 9:39 P.M.**

CRA Convene  
Cncl reconvened

It was consensus of Councilmembers to adjourn in memory of Margarita Gonzales and Lloyd Davies.

Adjourn in  
memory of  
Margarita  
Gonzales and  
Lloyd Davies

**UPCOMING MEETINGS:**

Upcoming  
Meetings

January 5, 2009, City Council Meeting – 6:30 p.m. (Auditorium)

January 12, 2009, Special Meeting – Closed Session, EOC – City Manager/City Attorney Evaluation 6:00 p.m.

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

January 26, 2009, Utility Board Meeting – 6:30 p.m. (Light and Water Conference Room)

**TIME OF ADJOURNMENT: 9:40 P.M.**

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**CITY CLERK**

**NEXT RESOLUTION NO. 2009-C1.**

**NEXT ORDINANCE NO. 2009-O1.**