



CITY OF AZUSA
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
MONDAY, MAY 4, 2009 – 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 E. Foothill Boulevard, Azusa, CA 91702.

CEREMONIAL

Ceremonial

Ceremonial was moved to the 7:30 p.m. portion of the meeting,

Mvd to 7:30 p.m.

CLOSED SESSION

Closed Sess

The City Council recessed to Closed Session at 6:35 p.m. to discuss the following:

Recess

1. **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

- a) Address: 809 N. Azusa Negotiating Parties: CBS Outdoor (aka Viacom Outdoor)
- b) Address: 106 S. Azusa (Reader Board) Negotiating Parties: Redevelopment Agency of the City of Azusa
- c) Address: 832 N. Azusa Avenue, Azusa, CA 91702 Negotiating Parties: Alexios & Tashia Vagenas
- d) Address: Taylor House - 2330 N. San Gabriel Canyon Road. Negotiating Parties: City Manager Delach and Assistant City Manager Makshanoff

2. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Gov. Code Sec. 54956.9 (a)).** City of Azusa Redevelopment Agency v. Vagenas, Los Angeles, Superior Court BC 388163.

Conf w/legal
Cnsl Vagenas

3. **CONFERENCE WITH LEGAL COUNSEL - LIABILITY CLAIM (Gov. Code Sec. 54956.95).** Claimant: Picasso's Café, Bakery, Catering Co. Claim No. 08-30.

Conf w/legal
Picasso's Café

4. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Gov. Code Sec. 54956.9(a)).** Case Name: Daniel Torres v. City of Azusa, Case Number: US District Court Central District Case No. CV09-01211 PSG (JWJx)

Conf w/legal
Cnsl Torres

5. **PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code Sec. 54957).**

Public Emp
Dis/Dism/Rlse

The City Council reconvened at 7:40 p.m. City Attorney Carvalho advised that there was no reportable action taken in Closed Session and that they will be reconvening at the end of the meeting to discuss the remaining items.

Reconvened
No Reports
Cont to end

Mayor Rocha called the meeting to order.

Call to Order

Mr. Louie Miranda led in the Salute to the Flag.

Flag Salute

INVOCATION was given by Pastor Samuel Martinez of Christian Faith Center of the Valley

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, Azusa Police Chief Garcia, Director of Public Works/Assistant City Manager Haes, Economic Development Director Christianson, Library Director Tovar, Public Information Officer Quiroz, Director of Information Technology Graf, Director of Recreation and Family Services Jacobs, Assistant Community Development Director McNamara, Information Technology Analyst Donnelson, Planning Technician Acosta, Police Officer Dennis, Administrative Technician Hernandez, City Clerk Mendoza, Deputy City Clerk Toscano.

CEREMONIAL

Ceremonial

Mayor Rocha presented a Certificate of Recognition to Ms. Elvira Lopez in honor of her being chosen as the 2009 Outstanding School Crossing Guard of the Year for the City of Azusa. Mr. Tony Contreras and the City Council presented Ms. Lopez with flowers.

Cert to
E. Lopez

Councilmember Gonzales presented a Proclamation from the Mayor of Seal Beach to Maricela Cuevas in recognition of Azusa Beautiful participation in Save Our Beach Campaign.

Pro to M. Cuevas
Save Our Beach

PUBLIC PARTICIPATION

Pub Part

Mr. Paul Miller, apartment building owner, addressed Council regarding charges for business tax. He compared tax with surrounding cities, asked for clarification on the term tax or a license, stated they should be in line with other communities, and commented on the 20% late fee.

P. Miller
Comments

Mr. Mike Lee wished all a happy Cinco de Mayo and Mother's Day, reminded all to vote in election, announced congressional candidates' debate at Baldwin Park Senior Center, 7 p.m., and announced Post Office food drive, Saturday, May 9th.

M. Lee
Comments

Mr. Glen Kennedy addressed Council presenting his volunteer graffiti program and requested that he be allowed to work in the City of Azusa; he responded to questions posed by Council regarding his program.

G. Kennedy
Graffiti

Mr. Gustavo Aguirre announced a fund raiser for Aids Lifecycle, the battle against HIV and aids. He stated that he will be riding his bicycle this week end to raises funds, he provided statistics, i.e. dates and research regarding the disease; his goal is to raise \$3,000 by May 30th.

G. Aguirre
Fund Raiser
Aids Lifecycle

Pastor Samuel Martinez President of the Azusa Ministerial Association made the following announcements: Annual National Day of Prayer, Thursday, May 7th at 7 p.m. at the First Presbyterian Church at the corner of Soldano and Foothill and Mayor's Prayer Breakfast on May 20th, at Azusa Pacific University at 7:30 a.m. For questions and to purchase tickets call 991-8251.

S. Martinez
Announcements

Ms. Virginia Brown addressed Council in opposition to the agenda item requesting authorization to solicit request for RFP proposals for Azusa Transit Operations and Fleet Services. She praised the Azusa Dial A Ride Services stating the buses are clean and safe; drivers are courteous and helpful. She noted the negative aspects of contract drivers and talked about bad experiences she has had with other types of public transportation.

V. Brown
Comments

Ms. Paula Mitton and Josephine Gehring addressed Council in favor of the current Dial a Ride Service; they read letter into record requesting that Dial a Ride not be changed and talked about the advantages of it. They submitted the letter with signatures attached requesting that the current service remain.

P. Mitton
J. Gehring
Comments

Ms. Carolyn Crawford addressed Council in favor of the current Azusa Transportation Program and spoke about its benefits and expressed concern about possible decrease in senior services if there is a change.

C. Crawford
Comments

Ms. Joan Helvey addressed Council thanking all who are supporting the department, she detailed the history of the dial a ride program and its growth as well as the need of the residents who are transported, she noted the personal care given by the drivers and office staff.

J. Helvey
Comments

Mr. Mike Gaston representing Azusa City Employees Association addressed Council expressing his concern about contracting out the Azusa Transportation Department. He talked about the benefits of the programs and urged Council to consider the human factor and not approve the Request For Proposals.

M. Gaston
Comments

Mr. Joe Guarrera addressed Council and talked about the personal care the drivers provide and about another time in 80's when the services were contracted out and the negative outcome. He talked about Prop A and Prop C funds and what they covered when he administered the program; the importance of training and requested the item be tabled.

J. Guarrera
Comments

Mr. Carlos Guido, Azusa Transportation driver addressed Council regarding the RFP and read a memo into the record regarding the proposed action and the benefits and quality of the current program to residents. He introduced the employees being affected by the proposed action and requested to give the proposal more thought.

C. Guido
Comments

City Attorney Carvalho responded to question from Paul Miller regarding the fee vs. tax. She stated that it is a tax and detailed how it came about in the 80's. City Manager Delach responded the question from Glen Kennedy stating that he and the Director of Public Works would meet with him. Mayor Rocha announced that there will be brochures on the back table left by Mr. Aguirre. City Attorney Response

Ms. Yvonne Lee addressed Council and expressed her opposition to contracting out Azusa Transit and praised the loyalty of the current employees and asked to find other ways to save money. Talked about the human aspect which should be taken into consideration. Y. Lee Comments

Mr. Bob Donnelson addressed Council and thanked city for supporting Relay For Life; noted and thanked staff members and Council members who participated in the event. He gave special thanks to VFW and Azusa Veterans Committee for recognizing his son in -law, Staff Sergeant Nicholas Dospital who received a Bronze Star Medal. B. Donnelson Comments

Azusa City Clerk Mendoza advised that she received letters in support of the Azusa Transportation Program from Robert Jensen, Paula Milker, Charlotte Morgan, and Councilmember Hanks advised that he received a phone call from Doreen Kaufman in favor of the program. City Clerk Ltrs

City Manager Delach responded to Azusa Transit issue stating that staff approached the issue with compassion and the purpose was to see if there would be cost savings. He talked about the high cost of workers compensation claims in this department and felt it was important to bring it to Councils attention. City Mgr Response

REPORTS, UPDATES COUNCIL BUSINESS AND ANNOUNCEMENTS-STAFF

Updates/cncl

City Manager Delach announced that Assemblyman Dr. Ed Hernandez will be at the Azusa Senior Center on Saturday, May 9th at 9:30 a.m. providing an update on voter approved Measure R which may fund the upcoming Gold Line. City Manager Comments

Moved by Councilmember Gonzales, seconded by Councilmember Carrillo and unanimously carried to approve Mayor Rocha - request for proclamation for Alan Thorndike in honor of his retirement from the Azusa Unified School District. Proc A. Thorndike

Moved by Councilmember Hanks, seconded by Mayor Pro-Tem Macias and unanimously carried to approve Request by Staff for a proclamation to proclaim the week of May 17th - 23rd as American Public Works Week, in the City of Azusa. Proc Public Works Week

Moved by Councilmember Carrillo, seconded by Mayor Rocha and unanimously carried to approve request for proclamation for First Sergeant John B. Wood of the National Guard Armory in honor of his retirement. Proc First Sgt J. B. Wood

Mayor Pro-Tem Macias thanked all who spoke regarding the Azusa Transit Dial a Ride and wished all a Happy Mother's Day. Macias Comments

Councilmember Hanks wished all a Happy Mother's Day. Hanks

Councilmember Gonzales wished all a Happy Mother's Day. Gonzales

Councilmember Carrillo thanked all for comments in support of the Azusa Transit Dial a Ride; he congratulated Parks and Recreation Department for the success of the Cinco de Mayo celebration; all who were involved in the Relay For Life Event and wished Happy Mother's Day to his wife, mother and all others in the community. Carrillo Comments

Mayor Rocha wished all a Happy Mother's Day and announced the following: Sunday, May 10, 9:00 a.m., Mother's Day Event; the hanging of yellow ribbons in front of the Veterans Memorial Monuments and continental breakfast following; re-hanging three new banners on Azusa Avenue for Leroy Harris Kelly and two others; thanks to organizers in the Relay for Life and Cinco de Mayo event; relayed a message regarding bus service, his Mom and friends. Rocha Comments

SCHEDULED ITEMS

None.

Sched Items
None.

The **CONSENT CALENDAR** consisting of Items D-1 through D-11 was approved by motion of Councilmember Gonzales, seconded by Councilmember Carrillo and unanimously carried with the exception of item D-8, which was considered under the Special Call portion of the Agenda.

Consent Calendar
Approved
Spec D-8

1. The minutes of the regular meeting of April 20, 2009, were approved as written.

Min appvd

2. Human Resources Action Items were approved as follows:
Merit Increase and/or Regular Appointments: R. Arevalo, and K. Chagnon.
Flexible Staffing Promotions: C. Cusick, Customer Service Rep. II.

HR Action Items

- | | | |
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| 3. | The purchase of California Standards Authority approved jail plumbing fixtures was awarded to Smardan Supply Company in the amount of \$16,266.93. | Pur Jail plumbing
Fixtures Smardan |
| 4. | The City Treasurer's Report as of March 31, 2009, was received and filed. | Treas Report |
| 5. | RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A DISADVANTAGED BUSINESS ENTERPRISE (DBE) RACE-CONSCIOUS PROGRAM IMPLEMENTATION AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION. | Res. 09-C35
DBE Program |
| 6. | The Citywide Concrete Improvement Project for Fiscal Year 2008-2009, was completed by Martinez Concrete Inc., of Azusa, CA, the Notice of Completion was approved and the Mayor was authorized to execute the document on behalf of the City; the City Clerk was authorized to submit said Notice of Completion for recordation to the County Recorder of Los Angeles County, within ten days of the City Council approval, as required by section 3093 of the California Civil Code. | NOC Concrete
Impv Martinez |
| 7. | As recommended by the Personnel Board and pursuant to the City of Azusa Civil Service Rules Section 3.3, the revised class specifications for Recreation Supervisor were approved. | Specs Rec Spv
Approved |
| 8. | SPECIAL CALL ITEM. | Spec Call |
| 9. | Approval was given for the purchase of two, 2009, Ford Police Interceptor vehicles, from Wondries Fleet Group, 1247 W. Main Street, P.O. Box 3850 Alhambra, CA 91801 in an amount not to exceed \$48,393.40; the purchase of these vehicles was based on the competitive bid process completed by the County of Los Angeles where they ordered Ford Police Interceptor vehicles, Order #DPO-FR-36501761-1, per Azusa Municipal Code Section 2-523(e). | Pur Ford
Interceptor
Vehicles
PD |
| 10. | Approval was given for the renewal of software assurance/support for Microsoft Office Professional for 3 years; and the agreement was awarded to CompuCom in the amount of \$29,911.35 annually. | CompuCom
Software svcs |
| 11. | The following resolution was adopted and entitled:

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. 09-C36
Warrants |

SPECIAL CALL ITEMS

- | | |
|--|---|
| AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS (RFPs) FOR AZUSA TRANSIT OPERATIONS AND FLEET MAINTENANCE SERVICES. | Azusa Transit
Operations |
| Mayor Pro-Tem Macias addressed this item stating that he researched this issue and found that it works well at this time, the quality of service is good, the transportation program works well and he is not in favor of seeking request for proposals. | Macias
Comments |
| Councilmember Gonzales concurred with Mayor Pro-Tem Macias, stating that there are twelve employees in the Azusa Transit Program and there is no guarantee that they will retain their jobs if the service is contract out. He thanked staff for looking into the issue, but stated that the employees are loyal to the City and he received over 50 phone calls confirming that. He expressed his opposition to the RFP. | Gonzales
Comments |
| Mayor Rocha read portions of the contract aloud, expressed his sentiments to the drivers and employees, and expressed his opposition to the RFP stating there is no need for it. | Rocha
Comments |
| Councilmember Hanks addressed the issue acknowledging the phone calls he received from residents and asked staff what the future of the gas tax was. Director of Public Works Haes responded stating that there will be approximately \$330,000 less in than last year. City Manager Delach stated that Prop C money can also be used to pave major thorough fares, there are potential savings and staff was just looking into the feasibility. Councilmember Hanks expressed appreciation to staff for the report and asked about workers compensation, which the City Manager advised was very high. Discussion was held regarding safety training, appreciation to staff, desire to reduce expenses and maintain level of service. | Hanks
Comments
Response by
Haes & Delach |
| Councilmember Carrillo praised staff for the work they did on this project in looking for savings and trying to provide further services to residents. He read from the RFP about the level of services and the offer of jobs to current employees. | Carrillo
Comments |
| City Manager Delach talked about the implications from some people and rumors that they have no compassion, but he and staff do embrace the community and have concern and care for them. | City Mgr
Comments |
| Moved by Mayor Pro-Tem Macias, seconded by Councilmember Gonzales and unanimously carried to approve Not to authorize staff to formally solicit Request for Proposals (RFPs) for the contractual outsourcing of Azusa Transit operations and fleet maintenance services. | Azusa Transit
RFP Not Appvd |

THE CITY COUNCIL CONVENEED JOINTLY WITH THE REDEVELOPMENT AGENCY TO ADDRESS THE FOLLOWING ITEM:	Cncl/CRA convene jointly
PROPOSED CITY-WIDE POLICY REGARDING THE LEASING OF CITY OWNED PROPERTY FOR RETAIL SALES EVENTS.	Leasing of City Owned Property
Economic Development Director Christianson presented the four options regarding the leasing of City owned property for retail sales events as follows: 1) No sales of any type on city -owned property at non city-sponsored events, 2) Sales allowed for City affiliated partners with Council approval, 3) Sales for events where proceeds go to City projects, 4) Sales by any organization (with Council approval). Discussion was held regarding the options and Mr. Christianson advised that he would come back with a combination of the options 2, 3, and 4 as requested.	K. Christianson Comments Discussion No Action taken
THE CITY COUNCIL RECESSED AND THE REDEVELOPMENT AGENCY CONVENEED AT 9:25 P.M. THE CITY COUNCIL RECONVENED AT 9:26 P.M. THE AZUSA PUBLIC FINANCING AUTHORITY CONVENEED AT 9:27 P.M. THE CITY COUNCIL RECONVENED AT 9:28 P.M.	CRA Convene Cncl reconvened APFA Convene Cncl reconvened
The City Council recessed back to Closed Session at 9:28 p.m. to continue discussion of items. The City Council reconvened at 10:10 p.m. There was no reportable action.	Closed Session No Reports
It was consensus of Council to adjourn.	Adjourn
TIME OF ADJOURNMENT: 10:11 P.M.	

CITY CLERK

NEXT RESOLUTION NO. 2009-C37.

NEXT ORDINANCE NO. 2009-O2.