



CITY OF AZUSA
MINUTES OF THE CITY COUNCIL
REGULAR MEETING

MONDAY, OCTOBER 5, 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
Recognition of Azusa Hometown Hero's Alyssa Zamora and Luis Miranda by Senator Gloria Romero's Office, Assemblyman Ed Hernandez' Office and Congresswoman Judy Chu's Office.	Recognition Hometown Hero
Presentation of Proclamation to Mr. Zack Padilla of Azusa, World Boxing Champion, who was inducted into the Boxing Hall of Fame.	Proc Z. Padilla World Boxing
Presentation of Certificates of Appreciation for hair stylists and hair cutters who participated in the "Kool Cuts for Kids" event as follows: Instyles Salon, Big W Barber Shop, Haircut Plus, Beauty Lounge, and also to Options Child Care Service who donated Back to School supplies.	Cert of Apprec. Kool Cuts for Kids
Presentation of Certificates of Recognition to the Azusa American Little League Executive Board for past 2009 season.	Cert of Rec. Azusa Amer Little League Brd
Presentation of Certificates of Appreciation to the sponsors of the 2009 Library Summer Reading Program.	Cert of Apprec. Summer Rdg

CLOSED SESSION

The City Council recessed to Closed Session at 7:05 p.m. to discuss the following:

	Closed Sess
	Recess
1. <u>REAL PROPERTY NEGOTIATIONS (Gov. Code Sec. 54956.8)</u> Agency Negotiators: City Manager Delach and Assistant City Manager Makshanoff Under Negotiation: Price and Terms of Payment	Real Prop Negotiations
a. Address: Easement at 236 N. Viceroy APN #8624-005-001 Negotiator: Ms. Carmen Holthe	
2. <u>CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code Sec. 54957.6)</u> Agency Negotiators: City Manager Delach and Admin Svs Dir-CFO Kreimeier Organizations: IBEW	Conf w/labor Negotiator IBEW

The City Council reconvened at 7:41 p.m. City Attorney Carvalho reported that there was no reportable action taken on item 1, and discussion on item 2 would be held at the end of the City Council Agenda.

Mayor Rocha called the meeting to order.

Mr. Richard Rodriguez led in the Flag salute.

INVOCATION was given by Reverend Rick Mac Donald.

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, Director of Recreation and Family Services Jacobs, Economic Development Director Christianson, Director of Information Services Graf, Acting City Librarian Shahsavari, Public Information Officer Quiroz, Assistant Community Development Director McNamara, City Clerk Mendoza, Deputy City Clerk Toscano.

PUBLIC PARTICIPATION

Pub Part

Mr. David Hooper addressed Council announcing his candidacy for the Citrus college Board of Trustees, Area 3. He thanked Mayor Rocha, Mayor Pro-Tem Macias and Councilmember Gonzales for their endorsement. He stated that he has a grassroots campaign and is encouraged by businesses and churches and thanked all for their support.

D. Hooper
Candidate
Citrus Brd

Mr. Richard Lugo addressed Council announcing his candidacy for the Citrus College Board of Trustees, Area 1. He thanked all who participated in the Field of Dreams Celebrity Softball Event. He asked for Council support.

R. Lugo
Candidate
Citrus Brd

Mr. Mike Lee addressed Council with several comments as follows: thanked all who participated in the Celebrity Softball Game, condolences to family of Karen Pihlak, good Utility Board meeting, thanks for appointments made to Planning commission, his support for the next election, wished good health to several friends, encouraged all to vote, and an honor to meet APU students at Citylinks.

M. Lee
Several Items

Ms. Jennie Avila addressed Council and acknowledged the City and APU on the Citylinks program that helped her with home improvement and also recognized students from the Citrus Cosmetology department who participated in the Kool Kids Haircut Drive.

J. Avila
Citylinks/Haircut
Drive

Messrs. Hilario Milland and Rey Solis, employees of Cities Tow addressed Council expressing their opposition to bringing another tow company into the City stating that the work has been slow and there is no need for another company to come into the City.

H. Milland, R.
Solis Two Co.

Mr. Francisco Prado, General Manager of Cities Tow, addressed Council, expressing his opposition to bringing another tow company into the City, stating that when the three tow companies signed the contract originally, they agreed that if one tow company left they would continue on with the two existing companies.

F. Prado
Tow Co.

Mr. Christian Maldonado addressed Council expressing his opposition to another tow company to work in the City.

C. Maldonado
Tow Co.

Ms. Rona Lundy of Jan's Towing addressed Council invited all to the Taste of the Town Golden Days event for Tuesday, October 6th and detailed its activities.

R. Lundy
Taste of Town

Mrs. Barbara Dickerson addressed Council announcing that the Soroptimist Club of Glendora is giving scholarships to women 14-17 years of age and detailed the information, she also commended the City Council for recognizing groups for achievements within the City.

B. Dickerson
Soroptimist Club
Scholarships

Ms. Peggy Martinez and Miss Azusa, Crystal Munoz, addressed Council detailing the great time they had when they traveled to Azusa's Sister City Zacatecas, Mexico. Ms. Martinez noted that next year Zacatecas will be celebrating its 200th year of independence and looking forward to the great celebration. She provided additional information regarding invitation to Golden Days events.

P. Martinez &
C. Munoz
Zacatecas Sister
City Trip

Mr. Todd Priest announced that Azusa Rock has submitted their application to improve the hillsides in Azusa and the next community meeting will be held on Monday, October 12, 2009, at 6:30 p.m. at Murray Elementary School in Azusa.

T. Priest
Azusa Rock mtg

Mr. Richard Rodriguez addressed Council praising the City for its Police Department, Council and programs. He noted his support of closing the Catwalk at Citrus and Haltern and talked about the problems on Citrus and offered suggestions to eliminate problems.

R. Rodriguez
Catwalk

Mr. Raul Barcenas addressed Council regarding the problems at the Catwalk and asked about the timeline for closure; he thanked all for their response to the problem.

R. Barcenas
Catwalk

Mr. Glenn Kennedy addressed Council thanking Councilmembers who supported him at the Fair. He expressed his appreciation to APU students and the Citylinks programs, which he stated is well organized. He talked about the Celebrity Baseball game and noted the lack of press coverage.

G. Kennedy
Citylinks

NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN of City Board and Commission term of office expirations, ending **September 30, 2009**, for the following:

Notice to the Public
Brd & Com
Term Expirations

- 1 position** **Architectural Barriers Commission**
- 2 positions** **Cultural and Historical Preservation Commission**
(1 unexpired term ending 9/30/12)

Applications are available in the City Clerk’s Office and City Manager's Office, 213 East Foothill Boulevard, City Library, 729 N. Dalton Avenue, Light & Water Department, 729 N. Azusa Avenue, Police Department, 725 N. Alameda, Azusa, and at: www.ci.azusa.ca.us, for interested residents. **Applications will be accepted through November 5, 2009.** For further information please call: (626) 812-5271.

City Manager Delach announced the free flu shot clinics, one at the Azusa Senior Center on Thursday, October 8, 2009, from 9 a.m. – 11 a.m. and the other in conjunction with Los Angeles County Health Department there will be a H1N1 Vaccination Clinic on Thursday, October 29, 2009 from 11 a.m. – 7 p.m. and on Thursday, November 19, 2009, from 11 a.m. – 7 p.m., two phase vaccination, at the Memorial Park North Recreation Center.

City Mgr
Comments
Flu Shots

Mayor Pro-Tem Macias thanked those involved with the Celebrity Softball Game, especially Councilmember Gonzales, noting the fun had by all, and that he looks forward to the rest of the Golden Days events. He also noted that all five Councilmembers are there to help the community and hold it first and foremost.

Macias
Comments

Councilmember Carrillo also thanked those involved in the Celebrity Softball Game, special thanks to Councilmember Gonzales, and looks forward to the rest of Golden Days events, he thanked the committee. He announced that he is in the process of going paperless, hence he is now sporting a lap top at the meeting.

Carrillo
Comments

Councilmember Gonzales thanked those who participated in the Celebrity Softball Game, noting that the celebrities will be back next year to play. He thanked the Mayor for his donation and wished all a great Golden Days week. He requested that certificates of appreciation be approved for Delong and Max’s for their donations to the Celebrity Softball Event.

Gonzales
Comments

Mayor Rocha noted that the meeting will be adjourned in memory of Captain Karen Pihlak. He thanked Councilmember Gonzales for his hard work at the success of the Celebrity Softball Game; he thanked the Azusa Pacific University students and staff for the Citylinks projects completed; he asked that they be allowed to present a power point presentation at the next meeting. He thanked Sylvia Contreras and Gloria Calderon, Golden Days Co-Chairperson, and asked for Certificates of Appreciation for them to be presented at the November 2nd meeting. He reminded all about City Hall on the Move on Saturday, October 17, 2009, at Magnolia Elementary School, from 10 a.m. – 12 noon. He announced that this Wednesday, October 7th is National Walk to School Day and will meet at 7 a.m. at Duell and Pasadena and talked about the Community Walk Project which will begin on November 14th at Zacatecas Park at 9:30 a.m. and noted that dieticians will be there to encourage all to choose healthy snacks for kids and parents.

Rocha
Comments

SCHEDULED ITEMS

Sched Items

PUBLIC HEARING - ORDINANCE AMENDING CHAPTER 14 AZUSA MUNICIPAL CODE AMENDING THE 2007 CALIFORNIA BUILDING CODE AND ADOPTING A RE-CONSTRUCTION AND REPAIR ORDINANCE.

Pub Hrg
Bldg Code

The Mayor declared the Hearing open. The City Clerk read the affidavit of proof of publication of notice of said Hearing published in the San Gabriel Valley Tribune on September 21st and 28th, 2009.

Hrg open

Testimony was solicited but none was received. Moved by Councilmember Gonzales, seconded by Councilmember Hanks and unanimously carried to close the Hearing.

Testimony
None/Close

Councilmember Hanks offered an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AZUSA AMENDING CHAPTER 14 OF THE AZUSA MUNICIPAL CODE BY ADDING SECTIONS 14-66 THROUGH 14-68 RELATING TO REPAIR OF DAMAGED STRUCTURES.

Ord. 09-05
Re-construct
And Repair

Moved by Councilmember Hanks, seconded by Councilmember Carrillo to waive further reading and adopt. Ordinance passed and adopted by the following vote of the Council:

- AYES: COUNCILMEMBERS: GONZALES, CARRILLO, MACIAS, HANKS, ROCHA
- NOES: COUNCILMEMBERS: NONE
- ABSENT: COUNCILMEMBERS: NONE

PUBLIC HEARING – ORDINANCE AMENDING CHAPTER 14 AZUSA MUNICIPAL CODE AND ADOPTION OF EMERGENCY PLACARDS .	Pub Hrg Placards
The Mayor declared the Hearing open. The City Clerk read the affidavit of proof of publication of notice of said Hearing published in the San Gabriel Valley Tribune on September 25 th , 2009. Testimony was solicited but none was received. Moved by Councilmember Gonzales, seconded by Councilmember Hanks and unanimously carried to close the Hearing.	Hrg open Testimony None/Close
Councilmember Carrillo offered an Ordinance entitled:	
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AZUSA, AMENDING CHAPTER 14 OF THE AZUSA MUNICIPAL CODE, BY ADDING SECTIONS 14-10 RELATING TO SAFETY ASSESSMENT PLACARDS USED TO DENOTE CONDITIONS RELATING TO CONTINUED OCCUPANCY OF BUILDINGS.	Ord. 09-06 Safety Assessmt Placards
Moved by Councilmember Carrillo, seconded by Mayor Pro-Tem Macias to waive further reading and adopt. Ordinance passed and adopted by the following vote of the Council:	
AYES: COUNCILMEMBERS: GONZALES, CARRILLO, MACIAS, HANKS, ROCHA NOES: COUNCILMEMBERS: NONE ABSENT: COUNCILMEMBERS: NONE	
POTENTIAL CLOSURE OF PEDESTRIAN WALKWAY BETWEEN CITRUS AVENUE AND VICEROY AVENUE.	Closure Ped Walkway
Director of Public Works/Assistant City Manager Haes addressed the issue providing background regarding the pedestrian walkway stating residents in the area requested closure due to illicit activities within the walkway, creating unsafe and bothersome conditions. Activities included fighting, littering, graffiti, noise, transients sleeping in the walkway and additional pedestrian traffic from non-residents accessing the walkway. At the July 20, 2009 meeting, Council considered and approved closure of the walkway once a permanent alternate pedestrian route through the Citrus Crossing shopping center and condominium project was established, estimated at 2-3 years, since then residents have approached Council and requested, again that the walkway be closed due to many problems. He presented four options created by staff and detailed each one, and recommended option #1. Lengthy discussion was held.	T. Haes Comments
Moved by Mayor Pro-Tem Macias, Councilmember Carrillo and unanimously carried to approve option 1, the closure of the pedestrian walkway between Citrus Ave and Viceroy Ave following installation of a new traffic signal at Mauna Loa and Citrus Ave in approximately six months, with the following addition: median island on Baseline be paved and evened out to meet ADA accessibility, encourage kids to cross where crossing guard is going to be, add a crossing guard if feasible, and post notices regarding the project. Mayor Rocha suggested a neighborhood watch be established, trim trees in the area, cost to be paid by residents, and make sure the safety lighting be left on until dawn. Chief of Police Garcia advised that there is no neighborhood watch program any longer but to call the Service Area Commander to set up a community meeting.	Option 1 selected Pedestrian Walkway Citrus/Viceroy
The <u>CONSENT CALENDAR</u> consisting of Items D-1 through D-8 was approved by motion of Councilmember Hanks, seconded by Councilmember Gonzales and unanimously carried, with the exception of items D-4, D-6 and D-7, which were considered under the Special Call portion of the Agenda.	Consent Calendar D-4, 6, 7, Spec Call
1. The minutes of the regular meeting of September 21, 2009, were approved as written.	Min appvd
2. The Treasurer’s Report as of August 31, 2009 was received and filed.	Treas Rpt
3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA ADOPTING THE INVESTMENT POLICY.	Res. 09-C79 Investment Policy Spec Call
4. SPECIAL CALL ITEM.	
5. The Notice of Completion for the following project was approved and staff was authorized to file the Notice of Completion with the Los Angeles County Clerk: Foothill Boulevard Reconstruction Project No. 66109J – Gentry Brothers, Inc., Irwindale, CA.	NOC Foothill Reconstruction
6. SPECIAL CALL ITEM.	Spec Call
7. SPECIAL CALL ITEM.	Spec Call
8. 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-C91 Warrants

SPECIAL CALL ITEMS

Spec Call Items

Mayor Pro-Tem Macias addressed item regarding MOU for Noah’s Wish, and questioned what the services and cost would be. Chief of Police Garcia responded detailing the reason for the MOU, noting the recent fires in the area and possible disasters, stating that this is a pro-active measure to be prepared for disasters. The organization is non-profit and sponsored by grant funding.

Macias
Noah’s Wish
MOU

Moved by Councilmember Hanks, seconded by Mayor Pro-Tem Macias and unanimously carried to approve the Memorandum of Understanding Agreement with Noah’s Wish, a non-profit volunteer organization that provides rescue and animal sheltering response in disasters.

Noah’s Wish
MOU approved

Councilmember Hanks addressed item regarding Conditional Transfer of Johnny’s Towing Non-Exclusive Franchise Agreement for Tow Truck Services with the City to Royal Coaches Auto Body and Towing, pointing out that letters had been received in opposition to the transfer. City Attorney Carvalho noted that the letters did not state that the City lacks the legal authority to approve the transfer and stated that Council does have the authority to do this. She asked that the approval specify to amend the agreement section 15.B(2) to provide that the storage lot can hold up to 170 vehicles exclusive to the City of Azusa vehicles and contingent on obtaining a Minor Use Permit.

Hanks
Transfer
Johnny’s Tow
City Attorney
Comments

Captain Sam Gonzalez addressed the issue providing details of the agreement and that Royal Coaches has agreed to make the storage lot for 170 vehicles and only vehicles from Azusa, he responded to questions posed and discussion was held.

Capt. Gonzalez
Comments

Moved by Councilmember Hanks, seconded by Mayor Pro-Tem Macias and unanimously carried to approve the conditional transfer of the non-exclusive franchise agreement between the City of Azusa and Johnny’s Towing for tow truck services to Royal Coaches Auto Body and Towing and amend the agreement section 15.B(2) to provide that the storage lot can hold up to 170 vehicles exclusive to the City of Azusa vehicles and contingent on obtaining a Minor Use Permit.

Conditional
Transfer of non-
Exclusive
Franchise Appvd

Councilmember Hanks addressed item regarding resolutions appointments to City Boards and Commission requesting that the Staff Report be read, of which the City Attorney Carvalho responded stating that this is a routine item prepared by the City Clerk’s Staff of which she suggested that the item address the issue of Planning Commissioner candidates who had not attended the interviews and for their failure to file or let staff know of their interest to serve, upon adoption of the resolutions, a finding would be made pursuant to Section 2-32 of the Azusa Municipal Code, they would be removed. Councilmember Hanks requested the following sentence be added to the minutes to let the record reflect: “it is necessary for the good of the City to have a fully staffed and functioning Planning Commission”. Lengthy discussion was held regarding the process/interpretation that was used versus the motion that was taken at the meeting of July 20, 2009, regarding the Planning Commission members being re-interviewed. Mayor Rocha requested that in the future motions be carefully clarified.

Hanks, City
Attorney,
Mayor
Discussion
Process
City Board
And Comm
Appointments

Councilmember Hanks offered the following Resolutions, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA RE-APPOINTING PATRICIA PROWSE TO THE ARCHITECTURAL BARRIERS COMMISSION.

Res. 09-C80
P. Prowse ABC

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA RE-APPOINTING BLANCH WEIR TO THE ARCHITECTURAL BARRIERS COMMISSION

Res. 09-C81
B. Weir ABC

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA RE-APPOINTING NANCY GIBSON TO THE HUMAN RELATIONS COMMISSIONS.

Res. 09-C82
N. Gibson HRC

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA RE-APPOINTING DIANA WILLIAMS TO THE HUMAN RELATIONS COMMISSION.

Res. 09-C83
D. Williams HRC

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA APPOINTING JENNIE AVILA TO THE LIBRARY COMMISSION.

Res. 09-C84
J. Avila Lib

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA RE-APPOINTING FERNANDO RUBIO TO THE PERSONNEL BOARD.

Res. 09-C85
F. Rubio Psnl

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA REAFFIRMING APPOINTMENT OF JESSE ALVA TO THE PLANNING COMMISSION.

Res. 09-C86
J. Alva PC

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA REAFFIRMING APPOINTMENT OF CHRISTOPHER DODSON TO THE PLANNING COMMISSION.

Res. 09-C87
C. Dodson PC

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA APPOINTING DEBBIE KINDRED TO THE PLANNING COMMISSION.

Res. 09-C88
D. Kindred PC

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA APPOINTMENT JACK LEE TO THE PLANNING COMMISSION. Res. 09-C89
J. Lee PC

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA APPOINTMENT SHAWN MILLNER TO THE PLANNING COMMISSION. Res. 09-C90
S. Millner PC

Moved by Councilmember Hanks, seconded by Mayor Pro-Tem Macias to waive further reading and adopt. Resolutions passed and adopted by the following vote of the Council:

AYES: COUNCILMEMBERS: GONZALES, CARRILLO, MACIAS, HANKS, ROCHA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE

THE CITY COUNCIL RECESSED AND THE REDEVELOPMENT AGENCY CONVENE CRA Convene
AT 9:30 P.M. THE CITY COUNCIL RECONVENED AT 9:41 P.M. THE CITY COUNCIL Cncl reconvened
RECESSED AND THE AZUSA PUBLIC FINANCING AUTHORITY CONVENE APFA Convene
AT 9:41 P.M. THE CITY COUNCIL RECONVENED AT 9:42. Cncl reconvened

It was consensus of Councilmembers to recess back into Closed Session to discussion the following: Closed Session

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

Agency Negotiators: City Manager Delach and Admin Svs Dir-CFO Kreimeier Conf w/Labor
Organizations IBEW IBEW Negotiator
IBEW

The City Council reconvened at 10:34 p.m. there was no reportable action taken No Action

It was consensus of Councilmembers adjourn in memory of retired Captain Karen Pihlak of the Azusa Police Department. Adjourn in
Memory of
Karen Pihlak

TIME OF ADJOURNMENT: 10:35 P.M.

CITY CLERK

NEXT RESOLUTION NO. 2009-C92

NEXT ORDINANCE NO. 2009-O7.

