



CITY OF AZUSA
MINUTES OF THE CITY COUNCIL
REGULAR MEETING

MONDAY, DECEMBER 21, 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.

CLOSED SESSION

Closed Sess

Mr. Mike Lee addressed Council stating that he hopes that the Azusa/Arrow Avenue property owners receive a good deal.

M Lee
Comment

The City Council recessed to Closed Session at 6:33 p.m. to discuss the following:

Recess

1. **REAL PROPERTY NEGOTIATIONS (Gov. Code Sec. 54956.8)**
Property: Water Right in the Main San Gabriel Basin
Agency Negotiator: City Manager Delach and Assistant City Manager Makshanoff
Negotiating Party: Monrovia Nursery
Under Negotiation: Price and Terms of Payment
Real Prop Negotiations Water Rights In the Main SG Basin

2. **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
Real Prop Negotiations

 - a. **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
Negotiating Parties: City/Azusa Redevelopment Agency/Lewis Retail Centers
Downtown No.
 - b. **NEC AZUSA/ARROW SITE**
Address: 17511 E. Arrow Hwy, Azusa, CA 91702
Negotiating Parties: Fowler Family Trust
Azusa/Arrow Properties

Address: 17525 E. Arrow Hwy
Negotiating Parties: City of Azusa and City of Azusa Redevelopment Agency

3. **CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION (Gov. Code Sec. 54956.9 (b)).** One Potential Case.
Conf w/legal Cnsl

The City Council reconvened at 7:39 p.m. City Attorney Carvalho advised that there was no reportable action taken in Closed Session.

Reconvened
No Action

Mayor Rocha called the meeting to order.

Call to Order

Miguel Poloalii Leau of Powell Elementary School led in the salute to the Flag.

Flag Salute

INVOCATION was given by City Manager Fran Delach

Invocation

ROLL CALL

Roll Call

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

ALSO PRESENT:

Also Present

City Attorney Carvalho, City Attorney Hull, City Manager Delach, Assistant City Manager Makshanoff, Azusa Police Chief Garcia, Administrative Services Director – Chief Financial Officer Kreimeier, Economic Development Director Christiansen, Assistant Director of Economic and Community Development McNamara, Library Director Johnson, Principal Civil Engineer Bobadilla, Utilities Director Morrow, Public Information Officer Quiroz, City Clerk Mendoza, Deputy City Clerk Toscano.

PUBLIC PARTICIPATION

Pub Part

Mr. Jorge Rosales addressed Council with concerns regarding Lewis Investment Company item, specifically, if they are unable to negotiate a DDA within the timeframes contained in the Second ENA, the Agency will be required to pay the Developer for the properties’ purchase, etc. He stated the five year implementation plan states that a financial issue of the Redevelopment Agency was it’s outstanding loans that are due to the City and Light and Water, it has been necessary to delay payments, etc. and they do not have funds; therefore he is also concerned with the purchase of the Enterprise Property and again the Agency is asking for a loan from the City.

J. Rosales
Comments

Mr. Dennis Willut addressed Council with the following: request Sempra Energy to remove underground gas lines; landlords charged for sewer when there is no tenant, request for code enforcement training manual, vouchers for tenants to pay rent, reduced cost for water and electric bills for seniors, and Monrovia Nursery homes.

D. Willut
Comments

Mr. Mike Lee introduced and honored Roger Hernandez West Covina Councilmember who is running for Assembly; greetings to friends and neighbors, wished all a Merry Christmas, favorite restaurants, pray for soldiers, health care, congrats to new City Librarian, boulder at Mountain Cove, Vulcan Meetings, Townhall Meeting with Duarte, and Planning Commission.

M. Lee
Comments

City Manager Delach responded to questions stating that the Agency is committing to purchase only one property and it should close escrow before the determination of the ENA by Council, information on code enforcement can be found in the Azusa Municipal Code, there are discounts for senior citizens, and with regard to Monrovia Nursery, the master developer is in default and portions of the project are in foreclosure by various lending institutions, but there are developers who are interested in the project and staff is working with them. With regard to Palm Drive, the bridge is complete and according to the development agreement it wouldn’t be used until more homes were occupied.

City Mgr
Comments

REPORTS, UPDATES COUNCIL BUSINESS AND ANNOUNCEMENTS-STAFF

Updates/Cncl

City Manager Delach introduced the new Library Director Nancy Johnson who is looking forward to working with the City of Azusa.

City Mgr
Comments

Moved by Councilmember Gonzales, seconded by Councilmember Carrillo and unanimously carried to approve request for certificates of recognition for the 2009 Azusa Raider Cheer Mascot Squad who won 1st place Mascot Small Division at Citrus College on December 5, 2009.

Cert Azusa
Raider Cheer

It was consensus of Councilmembers to set Saturday, January 23, 2010, from 10:00 a.m. to 12:00 p.m. at Rancho Park in Rosedale for City Hall on the Move.

City Hall on the
Move 1/23/10

Mayor Pro-Tem Macias advised of pot holes on Gladstone Street between Cerritos and Pasadena. He wished all a Merry Christmas and Happy New Year, especially, Azusa Chamber of Commerce, City Employees and Departments, and all who work to make them look good.

Macias
Comments

Councilmember Hanks wished all a very Merry Christmas and a Happy New Year.

Hanks
Comments

Councilmember Gonzales requested certificates of recognition to Slauson Leadership Class, Royal Coaches, and AE AD Sports for all the work they do with the Annual Toy Drive and also thanked Councilmember Carrillo for his help.

Gonzales
Comments

Councilmember Carrillo thanked the staff of the City of Azusa for the work they do in order to continue to have the great quality of life throughout the City as well as the Chamber of Commerce, Commissions and his Colleagues. He expressed a sincere thanks to his wife Suzanna, daughter Sofia and mother Isabel for the support and sacrifice. He wished all a Merry Christmas, and Happy Quanza.

Carrillo
Comments

City Manager Delach stated that Councilmember Hanks has be re-appointed to the Gold Line Construction Authority as Chairman of that board and Uriel Macias has been appointed as Secretary/Treasurer of the Gold Line Board of Directors. City Mgr
Comments

Mayor Rocha stating that the meeting will be adjourned in memory of Poloalii Leau, Jr. He wished all a Merry Christmas and thanked all who contributed to the food and toy drive and announced that Pathfinder Ministries will be distributing food on Christmas Eve and New Year's Eve at 11 a.m. at 595 E. Sixth Street and provided statistics on the giveaway as well as contributors. He noted that an Azusa soldier, Nathan Ashlock called from Afghanistan and thanked all who sent candy and goodies and Mr. Rocha asked to keep soldiers in prayer Rocha
Comments

SCHEDULED ITEMS

Sched Items

IBEW CONTRACT EFFECTIVE AUGUST 1, 2009 THROUGH JULY 31, 2012.

IBEW MOU

Moved by Mayor Pro-Tem Macias, seconded by Councilmember Gonzales and carried to approve the MOU between the International Brotherhood of Electrical Workers (IBEW) and the City of Azusa dated August 1, 2009 through July 31, 2012. Mayor Rocha and Councilmember Hanks dissenting.

Approved

The CONSENT CALENDAR consisting of Items D-1 through D-7 was approved by motion of Councilmember Carrillo, seconded by Councilmember Hanks and unanimously carried.

Consent Calendar
D-1-7

1. The minutes of the regular meeting of December 7, 2009, were approved as written. Min appvd
2. Human Resources Action Items were approved as follows:
Merit Increase and/or Regular Appointment: J. Gascar, G. Conrad and R. Camarena.
Flexible Staffing Promotion: S. Bowman, Customer Service Rep. II
Separation: S. Ramos, Police Officer Trainee. HR Action
Items
3. Approval was given for the revised class specifications for Assistant Director of Electric Operations. Revised Specs
4. Staff was authorized to award the Target Sewer Line Improvements Project No. 66110F to the Whiting-Turner Contracting Company. Target Sewer
Line Imp
5. Staff was authorized to enter into a professional services agreement with Proactive Engineering Consultants for a fee not to exceed of \$13,750.00 to provide topographic survey and mapping services for Citrus Avenue between Alostia Avenue and the northern city limit and Foothill Boulevard between Alostia Avenue and Citrus Avenue. PSA Proactive
Engr.
6. Authorization was given to amend the 2009/2010 Capital Improvement Plan to include "Azusa Schools TLC Program" as a new project and federal Safe Routes to School (SRTS) funds as a funding source; and to authorize staff to solicit proposals to obtain topographic survey and mapping services for Cerritos Avenue from Sixth Street to Rodecker Street and Fifth Street from Rockvale Avenue to 300 west of Cerritos Avenue. CIP include
Azusa Schools
TLC Prgrm
7. 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-C104
Warrants

SPECIAL CALL ITEMS

None.

Spec Call Items

None.

THE CITY COUNCIL CONVENE JOINTLY WITH THE REDEVELOPMENT AGENCY AT 8:33 P.M. TO CONDUCT THE FOLLOWING JOINT PUBLIC HEARING:

CRA Convene
Cncl reconvene

JOINT PUBLIC HEARING – TO CONSIDER A SECOND AMENDMENT TO THE 2008 DISPOSITION AND DEVELOPMENT AGREEMENT WITH TARGET CORPORATION FOR THE DEVELOPMENT OF A TARGET STORE AT 809 NORTH AZUSA AVENUE

Joint Pub Hrg
2nd Amend Target
DDA

Economic and Community Development Director Christiansen addressed the Hearing stating that the Second Amendment to the DDA with Target is an amendment to the Schedule of Performance and he noted that this is to put them in line with what the Capital Expenditures Committee approved and provided an update of the project. K. Christiansen
Comments

The Mayor/Chairman declared the Hearing open. The City Clerk/Secretary read the affidavit of proof of publication of said Hearing published in the Azusa Herald on December 3rd and 10th, 2009.

Hrg open

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

Testimony/none
Hrg closed

Councilmember Carrillo offered a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, APPROVING A SECOND AMENDMENT TO THE 2008 DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF AZUSA AND TARGET CORPORATION. Res. 09-C105
Appvg 2nd
Amend DDA
Target

Moved by Councilmember Carrillo, 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

Director Carrillo offered a Resolution entitled:

A RESOLUTION OF THE GOVERNING BOARD OF THE REDEVELOPMENT AGENCY OF THE CITY OF AZUSA, CALIFORNIA, APPROVING A SECOND AMENDMENT TO THE 2008 DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF AZUSA AND TARGET CORPORATION. Res. 09-R61
Appvg 2nd
Amend DDA
Target

Moved by Director Carrillo, seconded by Director Gonzales, to waive further reading and adopt. Resolution passed and adopted by the following vote of the Agency:

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

ITEM F-2, REGARDING THE ENTERPRISE PROPERTY WAS BROUGHT FORWARD FOR HANDLING DURING THE "JOINT ITEMS" PORTION OF THE MEETING. PSA Enterprise brought fwd

PURCHASE AGREEMENT FOR THE ACQUISITION OF THE REAL PROPERTY LOCATED AT 229 S. AZUSA AVENUE (ENTERPRISE PROPERTY). Enterprise Property

Economic and Community Development Director Christiansen presented the Purchase and Sale Agreement for the acquisition of the Enterprise property stating that they are proposing to purchase the property for \$3,300,000, there is a ninety day due diligence period and escrow shall close within thirty days after that, this is a key site for the City and revenue generating piece of property. The proposed funds to purchase the property will come in the form of a loan from the City's General Fund. He responded to question stating the goal is to market the property with a desirable use and benefit to the City. The RFQ should be put together quickly and the property is proposed to be commercial, retail or hotel. City Manager/Executive Director Delach responded to questions stating that the proposal to fund this project is to borrow back from the seven million dollars that Target paid for the Target site; he reiterated the importance and value of the property. K. Christiansen Comments

Discussion was held between Councilmembers/Directors regarding the purchase of the property at this time due to the economy, and also the benefits and opportunities of the purchase. Discussion

Moved by Director/Councilmember Carrillo, seconded by Director/Councilmember Hanks and carried to approve the purchase agreement for the acquisition of the real property located at 229 S. Azusa Avenue. Mayor/Chairman Rocha voting no. Purchase Agreement Approved

Director Carrillo offered a Resolution entitled:

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF AZUSA APPROVING APPROPRIATION AMENDMENTS FOR FISCAL YEAR 2008/09 PURSUANT TO SECTION 2-450 OF THE AZUSA MUNICIPAL CODE. Res. 09-R62
Appro Amend

Moved by Director Carrillo, seconded by Director Hanks to waive further reading and adopt. Resolution passed and adopted by the following vote of the Agency:

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

Director Carrillo offered a Resolution entitled:

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF AZUSA REQUESTING A LOAN FROM THE CITY OF AZUSA FOR PURPOSES OF THE MERGED REDEVELOPMENT PROJECT AREA. Res. 09-R63
Request Loan

Moved by Director Carrillo, seconded by Director Hanks to waive further reading and adopt. Resolution passed and adopted by the following vote of the Agency:

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

Director Carrillo offered a Resolution entitled:

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF AZUSA APPROVING A PURCHASE AGREEMENT FOR THE PURCHASE OF CERTAIN REAL PROPERTY GENERALLY LOCATED AT 229 S. AZUSA AVENUE (ENTERPRISE PROPERTY) WITHIN THE MERGED REDEVELOPMENT PROJECT AREA. Res. 09-R64
Appvg PA
Enterprise

Moved by Director Carrillo, seconded by Director Hanks to waive further reading and adopt. Resolution passed and adopted by the following vote of the Agency:

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

Councilmember Carrillo offered a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA APPROVING APPROPRIATION AMENDMENTS FOR FISCAL YEAR 2009-10 PURSUANT TO SECTION 2-450 OF THE AZUSA MUNICIPAL CODE. Res. 09-C106
Appro Amend

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

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

Councilmember Carrillo offered a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA AUTHORIZING LOANS FOR PURPOSES OF THE MERGED REDEVELOPMENT PROJECT AREA. Res. 09-C107
Authorizing
Loan

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

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

THE CITY COUNCIL RECESSED AND THE REDEVELOPMENT AGENCY CONTINUED AT 9:16 P.M. THE CITY COUNCIL RECONVENED AT 9:24 P.M. CRA Convene
Cncl Reconvened

Councilmember Gonzales offered an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AZUSA, AMENDING CHAPTER 46 OF THE AZUSA MUNICIPAL CODE BY ADDING SECTIONS 46-324 AND 46-325 RELATING TO POSSESSION AND USE OF AEROSOL SPRAY PRODUCTS BY A MINOR. Ord 09-09
Poss & Use
Aerosol Spray

Moved by Councilmember Gonzales, 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, HANKS, MACIAS, ROCHA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE

It was consensus of Council that the meeting be adjourned in memory of Poloalii Leau, Jr.

Adjourn in
Memory of
Poloalii Leau, Jr.

TIME OF ADJOURNMENT: 9:26 P.M.

CITY CLERK

**NEXT RESOLUTION NO. 2010-C1
NEXT ORDINANCE NO. 2010-O1.**

