



CITY OF AZUSA
MINUTES OF THE CITY COUNCIL
REGULAR MEETING

TUESDAY, JANUARY 19, 2010 – 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

The City Council recessed to Closed Session at 7:01 p.m. to discuss the following:

Recess

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
Real Prop Negotiations
- a. **TALLEY PROPERTY**
Address: 619 - 621 N. Azusa Avenue, Azusa
Negotiator: 621 Talley LLC
Talley Prop.
Shanghai Buffet
- b. **SHANGHAI BUFFET PROPERTY**
Address: 1250 West Foothill Boulevard
Negotiator: Fen-Lan Mu
- c. **DALTON PROPERTIES**
Addresses:
303 E. Foothill Boulevard, Azusa, CA,
716 N. Dalton Avenue, Azusa, CA
726 N. Dalton Avenue, Azusa, CA
728 N. Dalton Avenue, Azusa, CA
APN 8608-028-901, 903 & 905 (Parking Lot), Azusa, CA
APN 8608-028-908 (Former MTA Site), Azusa, CA
Dalton Prop.
- d. **ALAMEDA PROPERTIES**
Address: 906, 908 & 912 N. Alameda Avenue, Azusa, CA 91702
Negotiator: City Manager Delach and Assistant City Manager Makshanoff
Alameda Prop.
2. **CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION (Gov. Code Sec. 54956.9 (c))** One Case.
Conf w/legal Cnsl

The City Council reconvened at 7:34 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

Mr. Ralph Munoz led in the salute to the Flag.

Flag Salute

INVOCATION was given by City Manager Delach

Invocation

ROLL CALL

Roll Call

PRESENT: COUNCILMEMBERS: GONZALES, CARRILLO, MACIAS, ROCHA
ABSENT: COUNCILMEMBERS: HANKS

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 and Community Development Director Christiansen, Administrative Services Director/Chief Financial Officer Kreimeier, Azusa Police Captain Gonzalez, Azusa Police Corporal Sandoval, Director of Recreation and Family Services Jacobs, Assistant Director of Economic and Community Development McNamara, Utilities Director Morrow, Public Information Officer Quiroz, City Clerk Mendoza, Deputy City Clerk Toscano.

PUBLIC PARTICIPATION

Pub Part

Chief Executive Director of the Azusa Chamber of Commerce Villapania provided the latest update of the Chamber activities, i.e. new members, December Food and Toy drives, upcoming events, Meet and Greet, State of the City Address and Business Action DVD. I. Villapania
Comments

Ms. Katherine Martinez of the Miss Azusa and Miss Outstanding Teen event addressed Council invited all to the Scholarship Pageant on Saturday, February 6, 2010, at Citrus College Performing Arts Center at 6 p.m. Miss Azusa Crystal Munoz and Miss Outstanding Teen Sara Weir, addressed Council expressing their gratitude and appreciation for all the support during their reining year. Pageant contestants then introduced themselves to Council and audience. K. Martinez
Miss Azusa
Miss
Outstanding
Teen

Mr. Jorge Rosales addressed Council with questions regarding the City Manager salary increase, i.e. “an increase to deferred compensation to the maximum permitted, which is \$18,000 per year” and “a service credit of six years for retiring health care benefits called a bonus”. He questioned E-2, questioning why Dalia’s has a two year forgiven loan when other entities have had five years, and expressed concerns regarding the status of the Redevelopment Agency in the Annual Report, he stated the total assets are in the negative. J. Rosales
Comments

Mr. Todd Priest of Vulcan Materials addressed Council announcing the next community meeting to be held January 20, 2010, at the Azusa Readiness Center at Todd and Sierra Madre and stated that the scheduled Access Day has been postponed to next week. T. Priest
Comments

City Attorney Carvalho explained City Manager contract asked by Mr. Rosales, that service credit for health benefit is a benefit offered to employees; salary increase is based upon checking with other cities and it is now at the medium; and deferred comp is another benefit to employees. City Attorney
Comments

Economic and Community Development Director Christiansen asked that questions regarding Dalia’s be addressed when the item comes up on the Agenda. K. Christiansen
Comments

City Manager Delach responded to the question regarding Redevelopment Annual Report stating that the Redevelopment Agency does generate debt and it is asset rich and cash poor and staff shares the concern, but the Agency is in a good position with market trends returning in the near future will pay back some of the debt. City Manager
Comments

REPORTS, UPDATES COUNCIL BUSINESS AND ANNOUNCEMENTS-STAFF

Updates/Cncl

City Manager Delach announced that the City has not had any major problems with the storms and that on Monday they received approximately 2 inches of rain and is concerned about residents in the burn area. City Mgr
Comments

Moved by Councilmember Gonzales, seconded by Councilmember Carrillo and unanimously* carried to approve request for proclamation to honor the Dignity Memorial Vietnam Wall at Rose Hills Memorial Park on March 23, 2010. Dignity Mem
Vietnam Wall

Moved by Mayor Pro-Tem Macias, seconded by Councilmember Carrillo and unanimously* carried to approve the request for sponsorship in the amount of \$100 to the Girls Varsity Softball Team of Azusa High School to go towards softball field improvements. Sponsorship
Girls Softball
Azusa

Mayor Pro-Tem Macias addressed the issue of debt in the Redevelopment Agency explaining that it has to have certain bonded indebted to finance some of the projects when pursuing Redevelopment and it is all tied to a revenue stream, he noted that the city is very strong financially, there have been no personnel cuts or cuts to services and are doing very well and thanked City Manager and Chief Financial Officer. He asked all to drive carefully during the storms and announced the Business Action committee meeting at the Chamber Wednesday, January 20th at 6 p.m. and invited all to come and provide input for the city marketing video. Macias
Comments

Councilmember Carrillo thanked the HRC for the Hands Across Azusa celebration on Sunday. He concurred that the fiscal stability of the City is good, but reminded all that the State continues to seek funds from the cities to balance their budget. He requested that all registered voters sign a ballot initiative being put out by the League of California cities which will stop the State from taking money from the cities; if enough signatures are obtained it will be on the November ballot. Carrillo
Comments

Councilmember Gonzales also expressed congratulations to the HRC for a wonderful show with the Hands Across Azusa and the tribute to Michael Jackson and thanked all who were in attendance. He reminded all that if the State takes City money it could impact City services, i.e. public safety or assets. Gonzales
Comments

Mayor Rocha asked that the meeting be adjourn in memory of Jessie Valencia, Carlos Morgan, Victorino Martinez. He thanked all who contributed to the Valencia Family in their time of need. He thanked the HRC for the wonderful event held and asked all to pray for our soldiers. Rocha
Comments

SCHEDULED ITEMS

Sched Items

PUBLIC HEARING – APPEAL OF POLICE DEPARTMENT DECISION TO DENY A REQUEST FOR CAFÉ ENTERTAINMENT PERMIT NO. CE 2007-04, LOCATED AT 1044 GLADSTONE STREET, AZUSA, APPELLANT: MARIO FLORES, (LA FONDA RESTAURANT/BAR).

Pub Hrg
Café Enter.
La Fonda

Assistant Director of Economic and Community Development McNamara addressed the Public Hearing presenting the appeal and detailing the process.

C. McNamara
Comments

The Mayor declared the Hearing open. The City Clerk read the affidavit of proof of publication of notice of said hearing published in the Azusa Herald on January 7, 2010.

Hrg open

Mr. Mario Flores of owner of La Fonda Restaurant, via an interpreter addressed the Hearing stating that he has been a resident of the city for 26 years, has owned and operated the restaurant for 17 years, has updated his video equipment, will be hiring a new security system company and that if he doesn't obtain the entertainment permit he won't be in business. He noted that he had a record in the past but was now reformed, he has always had a live band at the business, he is willing to mark the parking stalls but there have been problems with another business on the lot, Cities Tow, who double park. He asked that the appeal be reconsidered. He responded to questions posed stating that they have a Trio who perform Mexican music on the week ends and a jute box Monday through Friday and yes, they have had live music since day one, but in 2007 he was asked by the city to apply for the Café Entertainment Permit, which he submitted, incomplete, and in June 2009, went forward with the application process.

M. Flores
Comments

Moved by Councilmember Gonzales, seconded by Mayor Pro-Tem Macias and unanimously* carried to close the Public Hearing.

Hrg clsd

City Attorney Carvalho responded to question of Council regarding the initiation of the process stating that in 2007, due to the increase in activities in other areas who offer entertainment services, Planning Staff and Code Enforcement visited other business locations to insure compliance.

City Attny
Comments

Azusa Police Captain and Corporal Jorge Sandoval addressed Council stating that since 2007 the business has continued to have live entertainment.

Police Cpt
Comments

Mayor Pro-Tem Macias offered a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA UPHOLDING THE POLICE DEPARTMENT DENIAL OF A CAFÉ ENTERTAINMENT PERMIT FOR THE LA FONDA RESTAURANT/BAR, LOCATED AT 1044 GLADSTONE STREET, AZUSA, CALIFORNIA.

Res. 10-C3
Upholding
Police Denial
Entertainment

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

Permit
La Fonda

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

PUBLIC HEARING – APPEAL OF POLICE DEPARTMENT DECISION TO DENY A REQUEST FOR CAFÉ ENTERTAINMENT PERMIT NO. CE 2009-02, LOCATED AT 1197 ARROW HIGHWAY, AZUSA, APPELLANT: SUSANA GOMEZ, (SUSANA'S RESTAURANT).

Pub Hrg
Café Enter.
Susana's

Assistant Director of Economic and Community Development McNamara addressed the Public Hearing presenting the appeal and detailing the process. He stated that the business does have permission for on-site beer and wine license. Mayor Pro-Tem Macias recalled that at that time he asked if they were planning to have live entertainment and they responded they were not.

C. McNamara
Comments

The Mayor declared the Hearing open. The City Clerk read the affidavit of proof of publication of notice of said hearing published in the Azusa Herald on January 7, 2010.

Hrg open

Ms. Susana Gomez, owner, and daughter Mira Gomez, who interpreted for her, addressed the Hearing stating that they are here to receive a permit to have a DJ, live music from 7 p.m. – 2 p.m. on Friday, Saturday, and Sunday to increase customers. She responded to questions posed stating that there have been no complaints from apartments or neighbor business tenants, they have 15 parking spots, at this time operating hours are 10 a.m. -7 p.m. Monday through Friday, Saturday, 8 a.m. till 10 p.m. and they have a jute box at this time.

S. Gomez
Comments

Moved by Councilmember Gonzales, seconded by Councilmember Carrillo and unanimously* carried to close the public hearing.

Hrg closed

Mayor Pro-Tem Macias offered a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA UPHOLDING THE POLICE DEPARTMENT DENIAL OF A CAFÉ ENTERTAINMENT PERMIT FOR SUSANNA'S RESTAURANT, LOCATED AT 1197 W. ARROW HIGHWAY, AZUSA, CALIFORNIA. Res. 10-C4
Denial Café
Entertainment
Susana's

Moved by Mayor Pro-Tem Macias, 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, ROCHA
 NOES: COUNCILMEMBERS: NONE
 ABSENT: COUNCILMEMBERS: HANKS

The **CONSENT CALENDAR** consisting of Items D-1 through D-13 was approved by motion of Mayor Pro-Tem Macias, seconded by Councilmember Carrillo and unanimously* carried with the exception of item D-10 which was considered under the Special Call portion of the Agenda. Consent Calendar
D-1-13, D-10
Spec Call

1. The minutes of the regular meeting of January 5, 2010, were approved as written. Min appvd
2. Human Resources Action Items were approved as follows: HR Action
Items
Merit Increase and/or Regular Appointment: M. Czarota, E. Cardoso, C. Hassel, and M. Sencion.
3. Approval was given to file a Notice of Completion for the Northside Park Athletic Field Lighting Project as completed by Ace Electric in the amount of \$246,751.00 and staff was authorized to file same with the Los Angeles County Clerk. NOC Northside
Field Ace Elect
4. Approval was given for the purchase of four 2010 Ford Police Interceptor vehicles from Wondries Fleet Group, in the amount not to exceed \$97,229.60 and the purchase is approved based on the competitive bid process, Order #DPO-FR-36501761-1 as completed by the County of Los Angeles. Pur 4 Police
Interceptor
Vehicles
5. Approval was given for the agreement for Auditing Services with Lance, Soll & Lunghard, LLP (LSL) and the City Manager was authorized to execute same. Agmt Auditing
Svs Lance, Soll
6. The revised class specifications for the position of Police Officer were approved as recommended by the Personnel Board pursuant to the City of Azusa Civil Service Rules Section 3.3. Revised Class
Police Officer
7. Approval was given for the professional services agreement with Revenue Cost Specialists, LLC to update the Cost Allocation Plan and User Fee Study for an amount not to exceed \$31,000 and appropriate necessary funds for contract. Revenue Cost
Specialists Cost/
User Study
8. Approval was given to award a contract to Allison Mechanical Corporation of Redlands, California in the amount of \$173,820.00 for the replacement of a boiler and 14 HVAC units throughout the Police Station (CIP #31010E). Allison
Mechanical
Boiler
9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA ACCEPTING A GRANT OF EASEMENT FROM TARGET CORPORATION FOR SEWER IMPROVEMENT PURPOSES. Res. 10-C5
Target Sewer
10. SPECIAL CALL ITEM. Spec Call
11. Approval was given for an Amendment to the City Manager Employment Agreement and award a 5% performance bonus. City Manger
Amend Agmt
12. Staff was authorized to solicit bids for new street and traffic improvements which will complement the current Target Store development and meet the measures required to mitigate the traffic impacts. Bids Traffic imp
Target Store
13. 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. 10-C6
Warrants

SPECIAL CALL ITEMS Spec Call Items

Mayor Pro-Tem Macias addressed the Notice of Completion for Slauson park equipment improvement and asked if the project was complete as he noticed work still being done. Director of Recreation and Family Services Jacobs responded stating that the project is complete, staff is still working on installing the equipment but the project is complete. NOC Slauson
Park Playground

Moved by Mayor Pro-Tem Macias, seconded by Councilmember Gonzales and unanimously* carried to approve the Gladstone and Slauson Park playground equipment improvements and accept the project as complete and that staff be authorized to file same with the Los Angeles County Recorder. Approved

THE CITY COUNCIL RECESSED AND THE REDEVELOPMENT AGENCY CONVENE AT 8:35 P.M. THE CITY COUNCIL RECONVENED AT 8:55 P.M.

CRA Convene
Cncl reconvened

It was consensus of Council that the meeting be adjourned in memory of Jessie Valencia, Carlos Morgan, and Victorino Martinez.

Adjourn in
Memory of
J. Valencia,
C. Morgan,
V. Martinez

TIME OF ADJOURNMENT: 8:56 P.M.

CITY CLERK

NEXT RESOLUTION NO. 2010-C7

NEXT ORDINANCE NO. 2010-O1.

***Indicates Hanks absent.**