



CITY OF AZUSA
MINUTES OF THE CITY COUNCIL
REGULAR MEETING

MONDAY, OCTOBER 18, 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 Session

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

1. **CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code Sec. 54957.6)** Conf w/labor
Negotiators
Agency Negotiators: Administrative Services Director-Chief Financial Officer Kreimeier and
City Manager Delach
Organizations: AMMA, SEIU, APOA, APMA and ACEA
2. **LIABILITY CLAIM PURSUANT TO GOVERNMENT CODE SECTION 54956.95** Liability Claim
J. Stanton
CLAIMANT: J. Stanton, Agency claimed against: City of Azusa
3. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code Sec. 54957)** Pub Emp Eval
City Mgr
Title: City Manager

The City Council reconvened at 7:35p.m. The City Attorney Carvalho advised that there was no reportable action taken in Closed Session. No Reports
Closed Session

Mayor Rocha called the meeting to order. Call to Order

Mr. Josh Wallace led in the Flag Salute and Invocation was given by Pastor Ariel Verayo of Jesus Is Lord Church Flag Salute
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, Director of Public Works Haes, Economic and Community Development Director Christiansen, Administrative Services Director-Chief Financial Officer Kreimeier, Recreation Supervisor Gonzales, and Recreation Superintendent Gonzales, Library Director Johnson, Public Information Officer Quiroz, Assistant Director of Economic and Community Development McNamara, Director of Utilities Morrow, Director of Information Technology Graf, City Clerk Mendoza, Deputy City Clerk Toscano.

PUBLIC PARTICIPATION

Pub Part

Mr. Mike Lee addressed Council congratulating students of Azusa, Bill Baca, and announcing the success of several events. He then expressed his opinion regarding the Referendum process. M. Lee
Comments

Mr. Josh Wallace announced his Eagle Scout project which is collecting games for Divine Savoir school and asked to place a box at city hall. J. Wallace
Comments

Ms. Stephanie Mills addressed Council expressing her opinion regarding the referendum process and requesting Council rescind their vote of the proposed ordinance. S. Mills
Comments

Ms. Jeri Vogel read into the record information regarding the proposed development agreement with Vulcan. J. Vogel
Comments

Mr. Lynn Eaton addressed Council expressing his opinion regarding the vote on the Referendum for Vulcan Mining and commented on the newspaper article about the issue. L. Eaton
Comments

Mr. Jeff Melching addressed Council expressing his opinion on the effects of the Ordinance regarding the development agreement with Vulcan and talked about the staff report and referendum opposition.	J. Melching Comments
Ms. Peg Casey addressed Council expressing her opinion regarding the presentation of the Vulcan project as well as the elements of the project.	P. Casey Comments
Ms. Veronica Diaz addressed Council requesting sponsorship for her daughter Ashely Diaz, a 5 th grader at Victor Hodge Elementary School, who will be going to Washington D.C. in June.	V. Diaz Comments
Mr. Matthew Deem addressed Council stating that he was a circulator of the Vulcan Referendum and he is 19 years old and a registered voter according to Los Angeles County Registrar Recorder.	M. Deem Comments
Mr. Richard Deem addressed Council requesting that the Special Election on the Vulcan Referendum be held with the General Municipal Election of March 8 th .	R. Deem Comments
Mr. Jorge Rosales addressed Council stating that there has been misleading information received in the mail sent by Canyon City Alliance, and detailed information regarding the Vulcan Mining.	J. Rosales Comments
Mr. George Gomez addressed Council requesting that they investigate a property in the city as documents have been forged and also to investigate city departments.	G. Gomez Comments
Ms. Carolyn Crawford of the Rotary Club requested a proclamation for Polio Day on October 24 th which would raise the awareness of countries that still have polio epidemics.	C. Crawford Comments
Mr. Jacob Anid of Azusa High School Academic Decathlon addressed Council requesting donation for printing costs and food when they are practicing.	J. Anid Comments
Mr. Russ Rentschler addressed Council expressing his opinion regarding comments by the Mayor and having a special election instead of combining it with the March election.	R. Rentschler Comments
Ms. Sandra Rentschler addressed Council expressing her opinion regarding the mining referendum, mining of hillsides, the cost for a special election, and Duarte.	S. Rentschler Comments
It was consensus of Councilmembers to direct staff to provide sponsorship to Ashley Diaz of Hodge School in the amount of \$100, provide \$200 to Jacob Anid for the Decathlon expenses, and prepare a proclamation for Carolyn Crawford for polio awareness.	Direction to Staff Sponsorships & Proclamation
<u>REPORTS, UPDATES COUNCIL BUSINESS AND ANNOUNCEMENTS-STAFF</u>	Rpts, Updates
Moved by Mayor Pro-Tem Gonzales, seconded by Cocouncilmember Hanks and unanimously carried to approved request for sponsorship for \$100 to Malia Cisneros of Hodge Elementary School for the fifth grade student trip to Washington D.C.	Sponsorship Approved
Reports were received from recipients of the Canyon City Foundation, as follows: Foothill Family Services, Stepping Stones for Women, Homework House, Azusa Senior Center, Convalescent Aid Society, Azusa Unified School District, Neighborhood Wellness Center and City Library.	Canyon City Foundation Recipients
Mayor Pro-tem Gonzales congratulated all who participated in the BMX Show, thanked all involved in the Target Ribbon cutting, Congratulated Jeffrey Cornejo and the Golden Days Committee on the success of the events and asked that the meeting be adjourned in memory of Roman Banuelos.	Gonzales Comments
Councilmember Macias congratulated Jeffrey Cornejo and the Azusa Golden Days Committee on the success of the event and thanked City Manager for the BMX Event.	Macias Comments
Councilmember Hanks congratulated the Golden Days Committee, welcomed Target and asked that \$100 sponsorship be given to Josh Wallace to donate towards his Eagle Project.	Sponsor J. Wallace
Councilmember Carrillo thanked and congratulated all of the Golden Days Committee, welcomed Target, thanked the BMX show and Mercedes Castro of the Lions Club for the 2000 helmets donated and noted that a donation of \$100 will purchase 15 helmets, you can send donation to P.O. Box 82, Azusa Ca.	Carrillo Comments
Mayor Rocha stated that the meeting will be adjourned in memory of Roman Banuelos, congratulated Jeffrey Cornejo and the Golden Days Committee on the success of the event, thanked to staff for Target, announced the Trunk or Treat at Memorial Park on October 24 th 12 – 6 p.m., Community Garden event on Saturday, October 30 th from 8-2 p.m., and keep soldiers in prayer.	Rocha Comments
<u>SCHEDULED ITEMS</u>	Sched Items
REFERENDUM PETITIONS CONCERNING ORDINANCE NO. 10-O5, APPROVING A DEVELOPMENT AGREEMENT WITH VULCAN MATERIALS.	Referendum Petitions

Discussion was held regarding the Referendum Petitions, Ballot Language, Fiscal Impact, the Development Agreement and options available to the City Council. Each Councilmember voiced their opinion on the issue of the proposed Special Election. Ms. Jennie Avila addressed Council and objected to the process of the proposed vote. After additional comments, it was moved by Councilmember Carrillo, seconded by Mayor Pro-Tem Gonzales and carried to hold a Special Election concerning Ordinance No. 10-O5 on January 25, 2011. Mayor Rocha dissented.

Discussion
Motion to hold
A Special
Election

City Council recessed at 9:38 p.m. to discuss ballot language and reconvened at 9:58 p.m. It was moved by Councilmember Carrillo, seconded by Councilmember Macias to reconsider the vote for calling of the Special Election. Moved by Councilmember Carrillo, seconded by Mayor Pro-Tem Gonzales and unanimously carried to hold a Special Election concerning Ordinance No. 10-O5 on January 25, 2011.

Recess/Reconvene
Motion to re-
Consider vote
to hold election.

Before the following resolutions were adopted City Attorney Carvalho read the revised ballot language for Measure A, with additions by Councilmembers. Discussion was held.

Ballot Language

Councilmember Macias offered a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, CALLING FOR THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, JANUARY 25, 2011, FOR THE SUBMISSION TO THE QUALIFIED VOTERS AN ORDINANCE.

Res. 10-C75
Call for Elect
1/25/10

Moved by Councilmember Macias, seconded by Mayor Pro-Tem 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

Councilmember Carrillo offered a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF LOS ANGELES COUNTY TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, JANUARY 25, 2011.

Res. 10-C76
Requesting
County Svs

Moved by Councilmember Carrillo, seconded by Councilmember Hanks to wave 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

It was consensus of Councilmembers that Councilmember Hanks and Mayor Pro-Tem Gonzales be allowed to participate in the arguments in Favor of the proposed Ordinance. The Argument will be submitted to the City Clerk's office and the Councilmembers who wish to sign off on it.

Cncl allowed to
Participate
Arguments

Mayor Pro-Tem Gonzales offered a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS.

Res. 10-C77
Arguments
Impartial
Analysis

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

Councilmember Hanks offered a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT A SPECIAL ELECTION TO BE HELD ON TUESDAY, JANUARY 25, 2011.

Res. 10-C78
Rebuttal
Arguments

Moved by Councilmember Hanks, seconded by Mayor Pro-Tem 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

APPROVAL OF ROSEDALE LAND PARTNERS II LLC FINANCING OF PARTIAL DEVELOPMENT AGREEMENT PAYMENT.

Rosedale Land
Partners II LLC

<p>After discussion it was moved by Councilmember Carrillo, seconded by Councilmember Hanks and unanimously carried to approve the postponement of a portion of the \$1.5 million Development Agreement payment by financing the balance and authorize the City Manager to complete the necessary promissory note and deed of trust, with any non-substantive revisions approved by the City Attorney.</p>	<p>Approved</p>
<p>The CONSENT CALENDAR consisting of Items D-1 through D-6 was approved by motion of Mayor Pro-tem Gonzales, seconded by Councilmember Hanks and unanimously carried. Mayor Rocha abstained from the Special Meeting minutes of September 13th as he was absent.</p>	<p>Consent Calendar Approved</p>
<p>1. The minutes of the regular meeting of October 4, 2010, and the special meeting of September 13, 2010, were approved as written.</p>	<p>Min appvd</p>
<p>2. <u>HUMAN RESOURCES ACTION ITEMS.</u> Human Resources Action Items were approved as follows: Merit Increase and/or Regular Appointment: S. Gerszewski, P. Branconier, T. Tate, and R. Nodarse. Flexible Staff Promotion: V. Villagomez, Street Maintenance Worker III.</p>	<p>HR Action Items</p>
<p>3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, ADOPTING THE INVESTMENT POLICY.</p>	<p>Res. 10-C61 Invest Policy</p>
<p>4. Formal sealed bids were waived in accordance with Azusa Municipal Code Section 2-523 section D, no competitive market, the 2 year Charter Business Service Agreement was approved, and \$11,500 was appropriated from the Light and Water Consumer Services Fund for the purchase of additional internet bandwidth from Charter Communications 1332-10.</p>	<p>Purchase Bandwidth Charter</p>
<p>5. THE FOLLOWING RESOLUTIONS WERE ADOPTED APPOINTING MEMBERS TO VARIOUS CITY BOARDS AND COMMISSIONS:</p>	<p>Resos appoint Brds & Com</p>
<p>A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA APPOINTING STEVIE HEATH TO THE ARCHITECTURAL BARRIERS COMMISSION.</p>	<p>Res. 10-C62 S. Heath ABC</p>
<p>A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA RE-APPOINTING JULE AREVALO TO THE CULTURAL AND HISTORIC PRESERVATION COMMISSION.</p>	<p>Res. 10-C63 Arevalo C & H</p>
<p>A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA RE-APPOINTING JEFFREY L. CORNEJO JR. TO THE CULTURAL AND HISTORIC PRESERVATION COMMISSION.</p>	<p>Res. 10-C64 Cornejo C&H</p>
<p>A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA RE-APPOINTING EDITH RUSSEK TO THE CULTURAL AND HISTORIC PRESERVATION COMMISSION.</p>	<p>Res. 10-C65 Russek to C&H</p>
<p>A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA APPOINTING LIL SASS TO THE HUMAN RELATIONS COMMISSION.</p>	<p>Res. 10-C66 L. Sass to HRC</p>
<p>A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA APPOINTING JOANNE HINOJOSA TO THE HUMAN RELATIONS COMMISSION.</p>	<p>Res. 10-C67 Hinojosa HRC</p>
<p>A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA RE-APPOINTING MARIA A. PACINO TO THE LIBRARY COMMISSION.</p>	<p>Res. 10-C68 Pacino Lib</p>
<p>A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA APPOINTING JAMES SINNEMA TO THE LIBRARY COMMISSION.</p>	<p>Res. 10-C69 Sinnema Lib</p>
<p>A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA RE-APPOINTING ROSSANA HELBERT TO THE PARKS AND RECREATION COMMISSION.</p>	<p>Res. 10-70 Helbert P&R</p>
<p>A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA APPOINTING FRED A. MADJAR TO THE PERSONNEL BOARD.</p>	<p>Res. 10-71 Madjar Psnl</p>
<p>A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA RE-APPOINTING CHRISTOPHER DODSON TO THE PLANNING COMMISSION.</p>	<p>Res. 10-72 Dodson PC</p>
<p>A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA RE-APPOINTING SHAWN MILLNER TO THE PLANNING COMMISSION.</p>	<p>Res. 10-73 Millner PC</p>
<p>6. 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.</p>	<p>Res. 10-C74 Warrants</p>

THE CITY COUNCIL AND THE REDEVELOPMENT AGENCY CONVENED JOINTLY AT 10:27 P.M. TO ADDRESS THE FOLLOWING ITEMS:	Cncl/CRA Convene Jntly
CONTINUED JOINT PUBLIC HEARING - CONSIDERATION OF THE FIRST AMENDMENT TO THE STATUTORY DEVELOPMENT AGREEMENT AND OWNER PARTICIPATION AGREEMENT FOR THE CITRUS CROSSING PROJECT LOCATED AT THE SOUTHWEST CORNER OF ALOSTA AVENUE AND CITRUS AVENUE.	Joint Pub Hrg First Amendment OPA Citrus Crossing
Economic and Community Development Director Christiansen presented the item. The Mayor/Chairman declared the Joint Public Hearing open. The City Clerk/Secretary read the affidavit of proof of publication of notice of said Hearing published in the San Gabriel Valley Tribune on August 8, 2010.	K. Christiansen Hrg Open
Mr. Andy Trachman addressed the Hearing requesting to partner with him to bring Applebee's to Azusa and finish the project, and congratulated staff and Council for bringing Target to Azusa.	A. Trachman Comments
Testimony was received from Mr. Mike Lee in favor of the project. Moved by Mayor Pro-Tem/Director Gonzales, seconded by Councilmember/Director Hanks and unanimously carried to close the Joint Public Hearing.	Testimony Hrg Clsd
Director Carrillo offered a Resolution entitled:	
A RESOLUTION OF THE GOVERNING BOARD OF THE REDEVELOPMENT AGENCY OF THE CITY OF AZUSA, CALIFORNIA, APPROVING AN AMENDMENT TO THE STATUTORY DEVELOPMENT AGREEMENT AND OWNER PARTICIPATION AGREEMENT BY AND BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF AZUSA, THE CITY OF AZUSA AND JAR-UNIVERSITY COMMONS, LLC, GOVERNING CERTAIN REAL PROPERTY LOCATED AT THE SOUTHWEST CORNER OF ALOSTA AVENUE AND CITRUS AVENUE, AZUSA, CALIFORNIA, RELATING TO THE CITRUS CROSSING SHOPPING CENTER.	Res. 10-R31 Approving Amendment OPA Citrus Crossings
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	
Mayor Pro-Tem Gonzales offered an Ordinance entitled:	
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA ADOPTING AND APPROVING AN AMENDMENT TO THE STATUTORY DEVELOPMENT AGREEMENT AND OWNER PARTICIPATION AGREEMENT BETWEEN THE CITY OF AZUSA, THE AZUSA REDEVELOPMENT AGENCY AN JAR UNIVERSITY COMMONS, LLC, GOVERNING CERTAIN REAL PROPERTY LOCATED AT THE SOUTHWEST CORNER OF ALOSTA AVENUE AND CITRUS AVENUE IN AZUSA CALIFORNIA RELATING TO THE CITRUS CROSSING SHOPPING CENTER.	1 st Rdg Ord Adopting and Approving Amendment OPA Citrus Crossings
Moved by Mayor Pro-Tem Gonzales, seconded by Councilmember Hanks and unanimously carried to introduce the proposed ordinance.	Ord introduced
THE CITY COUNCIL RECESSED AND THE REDEVELOPMENT AGENCY CONTINUED AT 10:35 P.M. THE REDEVELOPMENT AGENCY RECESSED AT 10:39 P.M. AND THE AZUSA PUBLIC FINANCING AUTHORITY CONVENED AT 10:39 P.M. THE CITY COUNCIL RECONVENED AT 10:40 P.M.	Cncl Recess CRA Cont APFA Convene Cncl Rcmd
It was consensus of Councilmembers to adjourn in memory of Roman Banuelos	Adjourn in Memory R. Banuelos
TIME OF ADJOURNMENT: 10:40 P.M.	

CITY CLERK

NEXT RESOLUTION NO. 2010-C79

NEXT ORDINANCE NO. 2010-O6.