



AGENDA

**REGULAR MEETING OF THE CITY COUNCIL,
THE SUCCESSOR AGENCY TO
THE FORMER REDEVELOPMENT AGENCY AND
THE PUBLIC FINANCING AUTHORITY
OF THE CITY OF AZUSA**

**AZUSA AUDITORIUM
213 EAST FOOTHILL BOULEVARD**

**MONDAY, MAY 16, 2016
6:30 P.M. Ceremonial/Closed Session
7:30 P.M. Regular Meeting**

AZUSA CITY COUNCIL

**JOSEPH ROMERO ROCHA
MAYOR**

**EDWARD J. ALVAREZ
COUNCILMEMBER**

**ANGEL CARRILLO
MAYOR PRO-TEM**

**URIEL EDWARD MACIAS
COUNCILMEMBER**

**ROBERT GONZALES
COUNCILMEMBER**

6:30 P.M.

1. Call to Order
2. Roll Call

CLOSED SESSION

NOTICE TO THE PUBLIC FOR CLOSED SESSION

Prior to going into closed session the City Council will convene in the Auditorium serving as Council Chambers to take public comment on the closed session items only. General public comment will be provided for during the regular portion of the meeting beginning at 7:30 P.M.

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to California Government Code 54956.9(d)(1).**

Aguilar, Annette, et al. v. City of Azusa, et al., Court Case No. CV14-09183 GW (JPRx) (USDC, C.D. Cal.)

2. **CONFERENCE INVOLVING A JOINT POWERS AUTHORITY – EAST SAN GABRIEL VALLEY CONSORTIUM DBA L.A. WORKS PURSUANT TO CALIFORNIA GOVERNMENT CODE, SECTION 54956.96.**

Discussion will concern: Exposure to Litigation

Azusa Agency Representatives: Joe Rocha, Mayor; Troy Butzlaff, City Manager

3. **REAL PROPERTY NEGOTIATIONS Pursuant to California Government Code Section 54956.8**

Agency Negotiators: Troy L. Butzlaff, City Manager and Daniel Bobadilla, Director of Public Works/City Engineer

Negotiating Parties: Metro

Under Negotiation: Consideration of Price and Terms of Payment for Lease/License of City parking areas

Property Address: 801 N Azusa Avenue (APN 8608-025-903, 904, 905, 906)

7:30 P.M. - REGULAR MEETING OF THE CITY COUNCIL, THE SUCCESSOR AGENCY AND THE PUBLIC FINANCING AUTHORITY.

NOTICE TO THE PUBLIC FOR REGULAR MEETING

In compliance with Government code Section 54957.5, copies of staff reports or other written documentation relating to each item of business referred to on the Agenda are on file in the Office of the City Clerk - 213 E. Foothill Blvd.; copies for public view are at the Azusa City Library - 729 N. Dalton Ave., Azusa Police Department Lobby - 725 N. Alameda Ave., and the City of Azusa Web Page www.ci.azusa.ca.us. Persons who wish to speak during the Public Participation portion of the Agenda or on a Public Hearing item, shall fill out a card requesting to speak and shall submit it to the City Clerk prior to 7:30 P.M.; cards submitted after will not be accepted.

A. PRELIMINARY BUSINESS

1. Call to Order
2. Roll Call
3. Flag Salute
4. Invocation - Pastor Felix Garcia, Centro Esperanza
5. Closed Session Report by the City Attorney

B. PUBLIC PARTICIPATION

*This time has been set aside for persons in the audience to make public comments on items within the subject matter jurisdiction of the council/agency board that **are not listed on this agenda or are listed on this agenda as an item other than a public hearing item.** Members of the audience will have the opportunity to address the city council/agency board about public hearing items at the time the public hearing is held. Under the provisions of the Brown Act, the council/agency board is prohibited from taking action on oral requests, but may refer the matter to staff or to a subsequent meeting. The council/agency board will respond after public comment has been received. Each person or representative of a group shall be allowed to speak without interruption for up to five (5) continuous minutes, subject to compliance with applicable meeting rules. Questions to the speaker or responses to the speaker's questions or comments shall be handled after the speaker has completed his/her comments. Public Participation will be limited to sixty (60) minutes.*

C. REPORTS, UPDATES, AND ANNOUNCEMENTS FROM STAFF/COUNCIL

D. SCHEDULED ITEMS

1. SOUTHEAST CORNER OF FOOTHILL BOULEVARD AND AZUSA AVENUE (“BLOCK 36”) DEVELOPER PRESENTATIONS AND SELECTION.

RECOMMENDED ACTION:

Allow each developer to make a brief presentation regarding their Term Sheet and proposed project; select a developer for the Block 36 project; and direct Staff to bring back an Exclusive Negotiation Agreement for City Council consideration.

2. REJECT BID FOR GLADSTONE PARK BACKSTOP AND FENCING PROJECT, CDBG #601661-14 AND CONSIDER OPTIONS FOR PROJECT.

RECOMMENDED ACTION:

Reject the bid for the Gladstone Park Backstop and Fencing Project, CDBG #601661-14, review options and provide direction as to how to proceed with the Gladstone Park Backstop and Fencing Project.

3. CONSIDERATION OF AN EXCLUSIVE NEGOTIATING AGREEMENT WITH EFPAR DEVELOPMENT, LLC., FOR DEVELOPMENT OF AN URGENT CARE/MEDICAL OR COMMERCIAL RETAIL CENTER AT 975 W. FOOTHILL BOULEVARD.

RECOMMENDED ACTION:

Approve an Exclusive Negotiating Agreement (“ENA”) with EFPAR Development, LLC., which allows for a period of exclusive negotiations between the City and EFPAR Development for the purpose of preparing major elements of the proposed development including, but not limited to: a site plan; design schematics; technical and economic studies; and, the pre-development obligations of all parties and authorize the Mayor to execute the ENA, in a form acceptable to the City Attorney, on behalf of the City.

4. CONSIDERATION OF THE FIRST AMENDMENT TO THE 2014 DISPOSITION AND DEVELOPMENT AGREEMENT (HOTEL/RESTAURANT) WITH NET DEVELOPMENT CO, INC., A CALIFORNIA CORPORATION FOR THE PROPERTY LOCATED AT 229 AND 237 S. AZUSA AVENUE.

RECOMMENDED ACTION:

Adopt Resolution No. 2016-C33 approving the First Amendment to the 2014 Disposition and Development Agreement with Net Development Co., Inc. and authorize the City Manager to execute the First Amendment.

5. **CONSIDERATION OF THE FIRST AMENDMENT TO THE LTA, LLC. DEVELOPMENT AGREEMENT FOR THE PROPERTY AT 428-432 N. SAN GABRIEL AVENUE.**

RECOMMENDED ACTION:

Adopt Resolution No. 2016-C34 approving the First Amendment to the 2004 Disposition and Development Agreement with LTA, LLC. and authorize the City Manager to execute said First Amendment.

6. **AUTHORIZATION TO SCHEDULE AND NOTIFY PROPERTY OWNERS OF PUBLIC HEARING FOR REFUSE RATE ADJUSTMENT ON JULY 5, 2016.**

RECOMMENDED ACTION:

Set the public hearing for July 5, 2016 and direct Staff to mail a 45-day advanced notice of public hearing to consider the annual refuse rate adjustment to be effective July 11, 2016.

E. **CONSENT CALENDAR**

The *Consent Calendar* adopting the printed recommended actions will be enacted with one vote. If Councilmembers or Staff wish to address any item on the *Consent Calendar* individually, it will be considered under *SPECIAL CALL ITEMS*.

1. **MINUTES OF THE SPECIAL MEETING OF APRIL 25, 2016.**

RECOMMENDED ACTION:

Approve minutes as written.

2. **RESOLUTION AUTHORIZING PAYMENTS OF WARRANTS BY THE CITY.**

RECOMMENDED ACTION:

Adopt Resolution No. 2016-C35 allowing certain claims and demands and specifying the funds out of which the same are to be paid.

3. **HUMAN RESOURCES ACTION ITEMS.**

RECOMMENDED ACTION:

Approve the following Personnel Action Requests in accordance with the City of Azusa Civil Service Rules and applicable Memorandum of Understanding(s).

4. **ACCEPT A GRANT FROM FOOTHILL TRANSIT FOR THE BUS STOP ENHANCEMENT PROGRAM PROJECT AND APPROVE THE LEASE OF BIGBELLY TRASH RECEPTACLES.**

RECOMMENDED ACTION:

Accept a grant from Foothill Transit through the Bus Stop Enhancement Program (BSEP) Call for Projects; authorize the City Manager to execute the Funding Agreement, in a form acceptable to the City Attorney, on behalf of the City; Waive the competitive bidding process as authorized under Azusa Municipal Code Section 2-539; and Determine Bigbelly to be a sole source vendor, as authorized under Azusa Municipal Code Section 2-520(b); approve a lease of eight Bigbelly Single Waste Compacting Stations from Bigbelly for a 60-month term.

5. **REQUEST FOR EXTENSION OF INDUSTRIAL LEAVE.**

RECOMMENDED ACTION:

Approve Employee's request for an extension of Industrial Leave, for the maximum period of six months per the Azusa City Employees Association (ACEA) MOU for a work related injury/illness.

F. **ORDINANCES/SPECIAL RESOLUTIONS**

1. **SECOND READING OF ORDINANCE NO. 2016-O2 AMENDING CHAPTERS 74 AND 88 OF THE AZUSA MUNICIPAL CODE AS RELATED TO COMMERCIAL VEHICLE PARKING.** *The proposed Code Amendment is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) because the activity, which involves amending Chapter 88.36.130 and Section 74.466 of the City of Azusa Municipal Code, will not result in a direct or reasonably foreseeable indirect physical change in the environment; and 15060(c)(3) because the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. In addition, the project is exempt from environmental review per CEQA under the General Rule (Section 15061 (b)(3)). The project involves updates and revisions to existing regulations. It can be seen with certainty that the proposed code amendment will have no significant negative effect on the environment.*

RECOMMENDED ACTION:

Conduct a second reading, by title only, and adopt Ordinance No. 2016-O2 amending Chapter 74.466 to change the threshold of commercial vehicle's maximum gross weight from 10,000 pounds to 6,000 pounds and amend Chapter 88.36.130 to allow commercial vehicles to park within residential properties subject to certain restrictions.

G. **SUCCESSOR AGENCY RELATED BUSINESS.**

1. **RESOLUTION AUTHORIZING PAYMENT OF WARRANTS BY THE SUCCESSOR AGENCY.**

RECOMMENDED ACTION:

Adopt Resolution No. 2016-R9 allowing certain claims and demands to be paid out of Successor Agency Funds.

H. ADJOURNMENT

Adjourn in memory of Mr. Gilbert "Gil" P. Quintana, longtime Azusa resident and Mr. Jeff Smith, lifelong Azusa resident.

UPCOMING MEETINGS:

June 6, 2016, 6:30 p.m. Ceremonial/Closed Session, 7:30 p.m. Regular Meeting

June 20, 2016, 6:30 p.m. Ceremonial/Closed Session, 7:30 p.m. Regular Meeting

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a city meeting, please contact the City Clerk at 626-812-5229. Notification three (3) working days prior to the meeting when special services are needed will assist staff in assuring that reasonable arrangements can be made to provide access to the meeting.

I, Sylvia Bautista, Senior Office Specialist, declare that I am an employee of the City of Azusa. On May 12, 2016 at 5:20 p.m. the agenda for the regular meeting of Monday, May 16, 2016, was posted in the City Clerk's Office, 213 E. Foothill Blvd.; the lobby of the Police Department, 725 N. Alameda Ave.; the Civic Auditorium, 213 E. Foothill Blvd.; the City Library, 729 N. Dalton Ave.; and the City's Web Page at www.ci.azusa.ca.us.

I declare under penalty of perjury that the forgoing is true and correct.

Senior Office Specialist
Azusa City Clerk's Office