



**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  
AZUSA, CA 91702**

**MONDAY, JUNE 5, 2017  
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  
COUNCILMEMBER**

**URIEL EDWARD MACIAS  
MAYOR PRO-TEM**

**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 – POSSIBLE INITIATION OF LITIGATION Pursuant to California Government Code, Section 54956.9 (d)(4).**  
1 Potential Case Concerning Supplemental Insurance Assessment Imposed by ICRMA
2. **CONFERENCE WITH LEGAL COUNSEL – POSSIBLE INITIATION OF LITIGATION Pursuant to California Government Code, Section 54956.9 (d)(4).**  
1 Potential Case: Dispute with Foothill Transit Authority over reimbursement of public art costs.

3. **CONFERENCE WITH LEGAL COUNSEL – SIGNIFICANT EXPOSURE TO LITIGATION - Pursuant to California Government Code, Section 54956.9(d)(2)/(e)(1).**

One Potential Case

**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](http://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 Tony Rodriguez, Ministerio Internacional Nuevo Nacimiento en Jesus Cristo
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. **PUBLIC HEARING - FIRST READING OF ORDINANCE AMENDING SECTION 88.42.035 (MEDICAL MARIJUANA USES) OF CHAPTER 88 (DEVELOPMENT CODE) OF AZUSA CODE TO REGULATE THE PERSONAL, MEDICAL AND COMMERCIAL USE OF MARIJUANA.** *The proposed Code Amendment is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2), 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. 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 Development Code text amendments will have no significant negative effect on the environment.*

**RECOMMENDED ACTION:**

- 1) Find the requested project exempt from the California Environmental Quality Act (CEQA); and
  - 2) Open the Public Hearing, receive public testimony, close the Public Hearing, and introduce for first reading, by title only, Ordinance No. 2017-02, amending Section 88.42.035 (Medical Marijuana Uses) of Chapter 88 (Development Code) of the Azusa Municipal Code to regulate the personal, medical, and commercial use of marijuana; and
  - 3) Adopt Resolution No. 2017-C35: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, ESTABLISHING FEES FOR RESIDENTIAL INDOOR MARIJUANA CULTIVATION (RIMC) PERMITS
  - 4) Adopt Resolution No. 2017-C36: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, AUTHORIZING USE OF LIVE SCAN TECHNOLOGY TO ASSIST WITH RESIDENTIAL INDOOR MARIJUANA CULTIVATION (RIMC) PERMITS
2. **PUBLIC HEARING - FIRST READING OF ORDINANCE AMENDING ARTICLE IX (MESSAGE TECHNICIANS AND MESSAGE ESTABLISHMENTS) OF CHAPTER 18 (BUSINESSES), ADDING CHAPTER 88.48 (MESSAGE PARLORS AND MESSAGE TECHNICIANS) TO ARTICLE 4 (STANDARDS FOR SPECIFIC LAND USES) OF CHAPTER 88 (DEVELOPMENT CODE), AMENDING SECTION 88.70.020, AMENDING SECTION 88.24.005, AND AMENDING SECTION 88.26.010 OF THE AZUSA MUNICIPAL CODE REGARDING MESSAGE PARLORS AND MESSAGE TECHNICIANS.** *The proposed Code Amendment is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2), 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. 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 Development Code text amendments will have no significant negative effect on the environment.*

**RECOMMENDED ACTION:**

- 1) Find the requested project exempt from the California Environmental Quality Act (CEQA); and
- 2) Open the Public Hearing, receive public testimony, close the Public Hearing, and introduce for first reading, by title only, Ordinance No. 2017-03: FIRST READING OF ORDINANCE AMENDING ARTICLE IX (MESSAGE TECHNICIANS AND MESSAGE ESTABLISHMENTS) OF CHAPTER 18 (BUSINESSES), ADDING CHAPTER 88.48 (MESSAGE PARLORS AND MESSAGE TECHNICIANS) TO ARTICLE 4 (STANDARDS FOR SPECIFIC LAND USES) OF CHAPTER 88 (DEVELOPMENT CODE), AMENDING SECTION 88.70.020, AMENDING SECTION 88.24.005, AND AMENDING SECTION 88.26.010 OF THE AZUSA MUNICIPAL CODE REGARDING MESSAGE PARLORS AND MESSAGE TECHNICIANS.
- 3) Adopt Resolution No. 2017-C37: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, ESTABLISHING FEES FOR MASSAGE PARLOR PERMITS
- 4) Adopt Resolution No. 2017-C38: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, AUTHORIZING USE OF LIVE SCAN TECHNOLOGY TO ASSIST WITH MASSAGE PARLOR PERMITS.

3. **APPOINTMENTS TO CALIFORNIA JPIA BOARD OF DIRECTOR AND ALTERNATES FOR ANNUAL BOARD OF DIRECTORS MEETING.**

**RECOMMENDED ACTION:**

- 1) Appoint one (1) Director to represent the City at the annual Board of Directors business meeting for California Joint Powers Insurance Authority; and
- 2) Appoint two (2) alternates the City Manager and Director of Human Resources to represent the City at the annual Board of Directors business meeting.

4. **CONSIDERATION OF PROPOSED UTILITY BOX ART PILOT PROJECT FROM AZUSA BEAUTIFUL.**

**RECOMMENDED ACTION:**

Review the proposal from Azusa Beautiful and, if desired, direct Staff to convene the Art in Public Places Commission to develop guidelines and criteria for implementing a Utility Box Art Pilot Project on Azusa Avenue between 5<sup>th</sup> and 9<sup>th</sup> Streets.

**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 FEBRUARY 27, 2017.**

**RECOMMENDED ACTION:**

Approve minutes as written.

2. **RESOLUTION AUTHORIZING PAYMENTS OF WARRANTS BY THE CITY DATED MAY 11, 2017 THROUGH MAY 31, 2017.**

**RECOMMENDED ACTION:**

Adopt Resolution No. 2017-C39 allowing certain claims and demands and specifying the funds out of which the same are to be paid.

3. **APPROVE RELEASE OF BONDS FOR TRACTS 54057-21 AND 54057-22 IN THE ROSEDALE COMMUNITY.**

**RECOMMENDED ACTION:**

Approve the release of the Monument Bond in the amount of \$4,300 for Tract 54057-21; and approve the release of the Performance Bond in the amount of \$380,168, the Labor and Materials Bond in the amount of \$380,168, and the Monument Bond in the amount of \$8,000 for Tract 54057-22.

4. **AWARD A CONTRACT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SIDEWALK AND ADA IMPROVEMENTS PROJECT NO. 601804-16.**

**RECOMMENDED ACTION:**

Reject the low bid from All Cities Engineering for submitting an incomplete bid package and being non-responsive; and Award a contract for a total not-to-exceed amount of \$165,374, which includes a 10% contingency for potential change orders as needed, to Martinez Concrete, Inc. for the Sidewalk and ADA Improvements Project No. 601804-16; and Authorize the City Manager to execute a contract, in a form acceptable to the City Attorney, on behalf of the City.

5. **AWARD A CONTRACT FOR THE FOOTHILL BOULEVARD AND DALTON AVENUE TRAFFIC SIGNAL INSTALLATION PROJECT – CIP 66117A & B.**

**RECOMMENDED ACTION:**

Award a contract for a total not-to-exceed amount of \$387,495.90, which includes a 10% contingency for potential change orders as needed to Elecnor Belco Electric, Inc. for the Foothill Boulevard and Dalton Avenue Traffic Signal Installation Project; and Authorize the City Manager to execute a contract with Elecnor Belco Electric, Inc., in a form acceptable to the City Attorney, on behalf of the City.

6. **CITY TREASURER’S STATEMENT OF CASH AND INVESTMENT BALANCES FOR THE MONTH OF APRIL 2017.**

**RECOMMENDED ACTION:**

Receive, review, and file the City Treasurer’s Report for the month of April 2017.

7. **AUTHORIZE THE CITY MANAGER TO EXECUTE A TASK ORDER FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE SIERRA MADRE AVENUE STREET REHABILITATION PROJECT – CIP PROJECT 66117H.**

**RECOMMENDED ACTION:**

Authorize the City Manager to execute a Task Order with HR Green for a not-to-exceed fee amount of \$57,500 to perform construction management and inspection services for the Sierra Madre Avenue Street Rehabilitation Project.

8. **QUARTERLY LEGISLATIVE UPDATE.**

**RECOMMENDED ACTION:**

Receive and file the Quarterly Legislative Update.

9. **AWARD OF AGREEMENT FOR PROFESSIONAL AUDITING SERVICES.**

**RECOMMENDED ACTION:**

Approve a professional services agreement with Badawi & Associates Certified Public Accountants for auditing services; and Authorize the Mayor to execute, in a form acceptable to the City Attorney, the professional services agreement on behalf of the City.

**F. ADJOURNMENT.**

The meeting will be adjourned in memory of Virginia Trejo, Long Time Azusa Resident and Ramon Nañez, Long Time Azusa Resident.


**UPCOMING MEETINGS:**

June 19, 2017, 6:30 p.m. Ceremonial/Closed Session, 7:30 p.m. Regular Meeting  
July 3, 2017, 6:30 p.m. Ceremonial/Closed Session, 7:30 p.m. Regular Meeting - Cancelled  
July 17, 2017, 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.*

**CERTIFICATION**

I, Adrian Garcia, CMC, Chief Deputy City Clerk of the City of Azusa, or my designee, hereby certify under penalty of perjury that a true, accurate copy of the foregoing agenda was posted on June 1, 2017, seventy-two (72) hours prior to the meeting per Government Code 54954.2 at 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 on the City's Web Page at [www.ci.azusa.ca.us](http://www.ci.azusa.ca.us).

  
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Adrian Garcia, CMC  
Chief Deputy City Clerk  
Azusa City Clerk's Office