



**CITY OF AZUSA**

**MINUTES OF THE CITY COUNCIL**

**REGULAR MEETING**

**MONDAY, APRIL 21, 2008 – 6:40 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 East Foothill Boulevard, Azusa, CA, 91702.

**CLOSED SESSION**

Closed Sess

Mr. Jesse Butanda addressed Council regarding Labor Negotiations asking what the proposals from the bargaining units include.

J. Butanda  
Comments

Mr. Mike Lee addressed Council regarding Labor Negotiations and asked if the information was confidential.

M. Lee  
Comments

City Manager Delach responded stating that the negotiations are confidential until the final contracts/memoranda of understanding are completed.

City Mgr  
Response

The City Council recessed to Closed at 6:43 p.m. to discuss the following:

Recess

**CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code Sec. 54957.6)**

Agency Negotiators: City Manager Delach and Assistant City Manager Person  
Organizations/Employee: AMMA, ACEA, APMA, SEIU

Conf w/Labor  
Neg

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code Sec. 54956.9 (a)).**  
Redevelopment Agency of the City of Azusa v. Martin G. Habern et.al. Los Angeles Superior Court BC 388145.

Conf w/legal  
Cnsl

**REAL PROPERTY NEGOTIATIONS (Gov. Code Sec. 54956.8)**

Property Address: 809 N. Azusa Avenue, Azusa, CA 91702  
Negotiating Parties: Robert H. Harbin, III, CBS bill board  
Agency Negotiators: City Manager Delach and Assistant City Manager Person  
Under Negotiation: Price and Terms of Payment

Real Prop  
Neg

The City Council reconvened at 7:35 p.m. City Attorney Carvalho advised that there was no reportable action taken in Closed Session and with regard to Real Property Negotiation, the address is a bill board by CBS.

Reconvened  
City Attorney

Mayor Rocha called the meeting to order.

Call to Order

Adon Hernandez led in the pledge to the Flag.

Flag Salute

**INVOCATION** was given by Pastor Ruben Mora of the Church of the Nazarene; he then reminded all that May 1<sup>st</sup> is the National Day of Prayer which will be held at the Church of the Nazarene on Azusa and 5<sup>th</sup> Street.

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 Person, Assistant to the Utilities Director Kalscheuer, Police Captain Street, Director of Public Works/Assistant City Manager Makshanoff, Public Information Officer Quiroz, Administrative Services Director – Chief Financial Officer Kreimeier, City Clerk Mendoza, Deputy City Clerk Toscano,

**CEREMONIAL**

Ceremonial

Certificates of Participation were presented to the winning schools in the Beverage Container Recycling Contest from October 2007 to February 2008. Gladstone Street Elementary School (1<sup>st</sup>), Hodge Elementary School (2<sup>nd</sup>) and Mountain View Elementary School (3<sup>rd</sup>). The following schools were awarded certificates of appreciation for their participation in the contest: Center Middle School, Dalton Elementary School, Foothill Middle School, and Paramount Elementary School.

Beverage  
Container  
Recycling  
Contest

**PUBLIC PARTICIPATION**

Pub Part

Mr. Mike Lee addressed Council welcoming Jorge Rosales’ father who was in attendance at the meeting; he made comments and announcements as follows: Joint meeting with the Azusa School Board; Stamp Out Hunger on Saturday May 10<sup>th</sup>; Jakes Hot Dog Ribbon Cutting; T-Burgers is open for business; Safe House Program; Congratulations to Jess Alva on his son becoming the new Police Chief of Baldwin Park; and local graffiti clean up.

M. Lee  
Comments

Ms. Madelyn Payne, President of the Friends of the City Library, invited all to attend Author’s Night at the Azusa Library on Thursday, May 1, 2008 from 6 p.m. – 8 p.m., T. Jefferson Parker, author of L.A. Outlaws and Storm Runners will be a guest speaker.

M. Payne  
Comments

Ms. Maricela Cueva, President of Azusa Beautiful, thanked all for attending the Azusa Beautiful celebration and announced Support Our Troops Banner Cleanup on Saturday, 9-12 noon. Mayor Rocha added that they will also be cleaning up the graffiti on the sidewalks, etc.

M. Cueva  
Comments

Ms. Sandra Rentschler of Sister City Committee, invited youth of Azusa to take part in the Sister City Youth Exchange with Zacatecas, Mexico; ages 12 – 18 years; travel date is July 11<sup>th</sup> to August 1; cost is \$375.00 per child who will be housed by families in Zacatecas. The children of Zacatecas will in turn visit Azusa and chaperons take trips to Disneyland, etc. For further information contact Sharon Lewis at 626 253 0966; maximum number of children is ten and there are three at this time.

S. Rentschler  
Comments

Ms. Suzanne Avila of the California Resources Connection, thanked all for coming to Think River! Clean up over the weekend and provided statistics on trash pick up, steps taken, people in attendance and thanked the planning team which include Azusa Police Department, Recreation and Planning.

S. Avila  
Comments

Ms. Irene Villapania, Executive Director of the Azusa Chamber of Commerce, presented an update on Chamber activities such as new members, programs i.e. Shadow Program, Chamber Mixer, luncheon presentation and she thanked to School Superintendent Cynthia Cervantes McGuire for her involvement. She announced that Emergency Services Coordinator Olga Bruno will be offering training entitled Continuing Business in the Face of Disasters and she invited all to the Change of Command Ceremony at the Azusa National Guard Readiness Center on May 3<sup>rd</sup>.

I. Villapania  
Comments

Ms. Barbara Dickerson, Member of the Azusa School Board, thanked Council for coordinating the Joint Council/School Board meeting on Thursday stating that it was very productive and also thanked Council for its support of the schools, i.e. safe schools, joint use projects, and the recycling programs.

B. Dickerson  
Comments

Mr. Dennis Willut addressed Council with questions regarding the parking lot for seniors and density with regard to the Dalton Properties Project; he requested a 10% discount for seniors on utility bills and cable television; library hours be extended and they provide the Financial Times newspaper; need for a State Library in the City and underground utility poles.

D. Willut  
Comments

City Manager Delach responded to questions stating that several people including Senior Advisory Counsel provided input into the Dalton Properties Project; no action will be taken on the parking lot until there is agreement among all. The building height is in compliance with the building code, public hearings were held which were open to the public and televised. Mr. Willut was invited to the Utility Board to talk about his concerns with utilities and was advised to contact staff to receive any copies of documents.

City Mgr  
Response

**REPORTS, UPDATES COUNCIL BUSINESS AND ANNOUNCEMENTS-STAFF**

Rpts/Updates

Update on Covina Irrigating Company (CIC) proposed waterline easement on private property within the city limits. City Attorney Carvalho provided background on the matter and stated that mediation was held between the two entities, but it was continued. She recommended that a date be set in to come back to Council at the next available meeting in order the matter may be heard. Moved by Mayor Pro-Tem Carrillo, seconded by Councilmember Hanks and carried that the item be scheduled before Council at the May 5<sup>th</sup> meeting. (The publication deadline was not able to be met and the meeting was scheduled for May 14, 2008 meeting). Councilmember Macias dissenting.

Update on  
CIC

Moved by Councilmember Hanks, seconded by Councilmember Gonzales and unanimously carried to approve a proclamation honoring Mr. and Mrs. Chagolla on the celebration of their 50<sup>th</sup> Wedding Anniversary.

Proc for  
Chagolla

Moved by Councilmember Macias, seconded by Mayor Pro-Tem Carrillo and unanimously carried to approve request of Councilmember Macias for Certificates of Recognition to the entities who donated services and materials to provide improvements to the Azusa National Little League field as follows: DMC Construction, AC Plumbing, New Wires Electric, Vulcan Materials, and Azusa Light & Water. The Certificates will be presented at the May 5<sup>th</sup> Council Meeting.

Cert of Rec  
Impvmts  
To AzNat  
League

Moved by Councilmember Macias, seconded by Councilmember Gonzales and unanimously carried to approve request of Councilmember Macias for a letter of appreciation to be sent to Cal-Trans, to the attention of Doug Failing, in appreciation for the work they have done in the City.

Ltr of Apprec  
Cal-Trans

Moved by Councilmember Gonzales, seconded by Mayor Pro-Tem Carrillo and unanimously carried to approve request for Proclamation for National Day of Prayer on May 1, 2008, to be presented to the Azusa Ministerial Association and Azusa Pacific University.

Proc National  
Day of Prayer

Moved by Councilmember Hanks, seconded by Councilmember Gonzales and unanimously carried to approve request for Proclamation for Jesus Is Lord Church in celebration of its 14<sup>th</sup> Anniversary.

Proc Jesus  
Is Lord Church

Mayor Pro-Tem Carrillo thanked the local schools who participated in the Recycling Program and recommended they take a tour of the Athens MRF, Materials Recycling Facility.

Carrillo  
Comments

Councilmember Gonzales invited all to the Cinco de Mayo celebration to be held May 4<sup>th</sup>, at the City Hall Front Lawn; there will be Mariachis, food vendors, jumpers, soccer clinic, etc. For further information contact Recreation Coordinator Lenore Gonzales at 812-5115. He also announced that a local band, Tom Gonzales, will be making its debut on Saturday, April 26<sup>th</sup> at 9 p.m. at Il Forno; he thanks Council and Azusa School Board members for attendance at the Joint Meeting.

Gonzales  
Comments

Councilmember Macias thanked the Public Works Department and Police Department for removing and monitoring the graffiti throughout the City; he encouraged residents to report it. He suggested that photos taken at the Council meetings be posted on the web for easy access; City Manger Delach responded stating that staff would look into the feasibility i.e. liabilities, permission from participants.

Macias  
Comments

Councilmember Hanks provided an update on the Gold Line stating that there is a need for the public to support the Foothill Extension and encourage MTA to place it in the Long Range Transportation Plan with funding; he noted that the public comment period ends on April 24<sup>th</sup>. He then shared a proud moment with all that his wife and daughter will be receiving their Bachelors Degree soon.

Hanks  
Comments

City Manager Delach announced that the regularly scheduled Council Meeting of May 19, 2008, will be rescheduled for Wednesday, May 14, 2008, 6:30 p.m., Closed Session and 7:30 p.m. regular session, due to Council and staff attendance at the ICSC. He stated that the Planning Commission Meeting will be held on Tuesday, May 13, 2008.

City Mgr  
Meeting date  
change

Mayor Rocha announced the Memorial Park Lighting Project Ribbon Cutting on April 30<sup>th</sup> at 5 p.m. and on May 3<sup>rd</sup> at 8 a.m. tree planting on Donna Beth and at 10 a.m. is Loyalty Day at the VFW.

Rocha  
Comments

**SCHEDULED ITEMS**

BID AWARD FOR PAVEMENT MANAGEMENT PROGRAM – YEAR 5 IMPROVEMENTS, PROJECT NO. 07-06. Director of Public Works/Assistant City Manager Makshanoff addressed the item providing information regarding the specifications, eight responses were received, and estimated cost of project and the result is that 85% of city streets are paved. He noted that they are working with Light and Water Department and Los Angeles County regarding working around their projects and that a targeted date for completion is June 30<sup>th</sup>. City Attorney Carvalho responded to question regarding possible saving from the project to pave National Little League site stating that they will look at alternatives on how to address that matter.

PAVEMENT  
MANAGEMENT  
PLAN YEAR  
5

Moved by Mayor Pro Tem Carrillo, seconded by Councilmember Hanks and unanimously carried to award a contract to Sully-Miller Contracting Co. for the “Pavement Management Program – Year 5 Improvements, Project No. 07-06” in the amount of \$2,059,793.00.

Contract to  
Sully-Miller  
Pavement

APPROVE PURCHASE AND SALE AGREEMENT FOR 819 N. ANGELENO AVENUE. Director of Public Works/Assistant City Manager Makshanoff addressed the item providing information that the site is a private residence, cost is \$250,000 pending the house appraisal, and that its intent is to expand the City Yard. He also responded to questions that the occupants may be renters and they will provide screening .

Purchase of  
819 N. A

Moved by Councilmember Hanks, seconded by Councilmember Gonzales and unanimously carried to approve the Purchase and Sale Agreement for 819 N. Angeleno Avenue.

Purchase  
Approved

Assistant City Manager Person addressed the issue dealing with the Vasquez Conservation, Education and Recreation Center, stating that the funding agency is the San Gabriel & Lower Los Angels Rivers and Mountains Conservancy, Belinda Faustinos. The two entities who submitted grant applications are San Gabriel Mountains Regional Conservancy (SGMRC), Executive Director Dr. Croissant, and California Resource Connections (CRC); both for the acquisition of the Vasquez property; the funding agency has reviewed both and has asked that the application submitted by CRC/City be withdrawn as SGMRC has already spent much time processing, obtaining appraisals, have a willing seller, etc. He responded to questions posed by Councilmembers.

R. Person  
Application  
Grant Funds

Mayor Pro-Tem Carrillo offered a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, SUPPORTING THE SAN GABRIEL MOUNTAINS REGIONAL CONSERVANCY APPLICATIONS FOR GRANT FUNDING APPLICATIONS THROUGH VARIOUS CONSERVANCY AGENCIES, STATE AND FEDERAL FUNDING SOURCES RELATING TO THE ACQUISITION OF 40 ACRES OF PRIVATELY OWNED, HILLSIDE OPEN SPACE (KNOWN AS THE VASQUEZ CONSERVATION, EDUCATION AND RECREATION CENTER) IN THE CITY OF AZUSA.

Res. 08-C33  
Supporting  
SGMRC  
Funding apl  
To acquire  
Vasquez Prop

Moved by Mayor Pro-Tem Carrillo, seconded by Councilmember Macias 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

The **CONSENT CALENDAR** consisting of Items D-1 through D- 4 was approved by motion of Mayor Pro-Tem Carrillo seconded by Councilmember Gonzales and unanimously carried.

Consent Cal  
Approved

1. The minutes of the regular meeting of April 7, 2008, were approved as written.
2. Human Resources Action Items were approved as follows:  
Merit Increase and/or Regular Appointments: R. Arevalo.  
**New Appointments:** C. McNamara, Assistant Director of Community Development and B. Horton, Line Mechanic.  
**Separation:** J. Tingley, Facility Maintenance Worker.
3. Approval was given for the Notice of Completion for the painting of the downtown light/safety standards as completed by Bithell Inc. in the amount of \$14,230.00 and authorization was given to staff to file the same with the Los Angeles County Clerk.

Min appvd  
  
HR Action  
Items  
  
NOC Safety  
Standards  
Bithell Inc.

4. 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. 08-C34 Warrants

**SPECIAL CALL ITEMS**

None. Special Call None

**THE CITY COUNCIL RECESSED AND REDEVELOPMENT AGENCY CONVENED AT 9:05 P.M. THE CITY COUNCIL RECONVENED AT 9:06 P.M.** CRA convene Cncl rcnvd

**ORDINANCES/SPECIAL RESOLUTIONS**

Ord/Spec Resos

Councilmember Hanks offered an Ordinance entitled:

SECOND READING AND ADOPTION OF PROPOSED ORDINANCE APPROVING ZONING ORDINANCE AMENDMENT ZCA-226 AND Z-2007-01 FOR THE DALTON-FOOTHILL MIXED-USE DEVELOPMENT APPLICATION. (PUBLIC HEARING HELD APRIL 7, 2008). Dalton Prop Zoning Ord

Councilmember Hanks offered an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AZUSA AMENDING DEVELOPMENT CODE CHANGE NO. ZCA-226 AND Z-2007-01 TO CREATE THE DOWNTOWN NORTH DALTON OVERLAY ZONE IN THE 700 BLOCK OF N. DALTON AVE. (APN 8608-028-908, 8608-028-904, 86008-028-903, 9608-028-901, 8608-028-905, 8608-029-901, 8608-029-900, 9608-029-909, 8608-029-908, 8608-029-907, 8608-029-906, 8608-029-904, and 8608-029-0030) Ord. 08-O1 Zone Change 700 N. Dalton

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

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

City Attorney Carvalho addressed the proposed Urgency Ordinance regarding Establishment of Businesses offering massages stating that the City has been receiving numerous applications for massage permits; although the City has regulations and zoning that apply to the uses there is a need for more stringent standards due to possible illegal activities that could occur. She stated that there is a requirement of a 4/5 vote and that there staff would have to follow up with a Public Hearing by Monday, June 2, 2008. She referred to the staff report which contains certain findings. City Attorney Comments Urgency Ord Massage Permits

Councilmember Hanks offered an Urgency Ordinance entitled:

AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, ENACTED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858 TEMPORARILY PROHIBITING THE ESTABLISHMENT OF BUSINESSES OFFERING MESSAGES PENDING STUDY AND ADOPTION OF REGULATORY AND ZONING STANDARDS. Ord. 08-O2 Prohibiting Establishment Business Offering Messages

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

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

Discussion was held regarding a possible policy on the use of public appearance photos and how they may be used. Dis Policy Photos

Board Member Hanks advised that he will not be in attendance at the Utility Board Meeting on April 28, 2008, as he will be out of town on business. Hanks Comment

Public Information Officer Quiroz advised that with regard to the photographic issue, whenever he photographs individuals at meetings he provides them with his business card and they can contact him if they would like a copy of the photograph. PIO Quiroz Comment

Moved by Mayor Pro-Tem Carrillo, seconded by Councilmember Hanks and unanimously Adjourn carried to adjourn.

**UPCOMING MEETINGS:**

Upcoming  
Meetings

April 28, 2008, Utility Board Meeting – 6:30 p.m. (Light and Water Conference Room)

May 5, 2008, City Council Meeting – 6:30 p.m. (Auditorium)

May 14, 2008, (Wednesday) City Council Meeting – 6:30 p.m. (Auditorium)

**TIME OF ADJOURNMENT: 9:14 P.M.**

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**CITY CLERK**

**NEXT RESOLUTION NO. 2008-C35.**

**NEXT ORDINANCE NO. 2008-O3.**