



## **AGENDA**

### **CITY COUNCIL, THE REDEVELOPMENT AGENCY AND THE AZUSA PUBLIC FINANCING AUTHORITY**

**AZUSA AUDITORIUM  
213 EAST FOOTHILL BOULEVARD**

**MONDAY, AUGUST 4, 2008  
6:30 P.M.**

#### **AZUSA CITY COUNCIL**

**JOSEPH R. ROCHA  
MAYOR**

**KEITH HANKS  
COUNCILMEMBER**

**ANGEL CARRILLO  
MAYOR PRO-TEM**

**URIEL E. MACIAS  
COUNCILMEMBER**

**ROBERT GONZALES  
COUNCILMEMBER**

**NOTICE TO THE PUBLIC** *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 and are available for public inspection at the City Library.*

*Persons who wish to speak during the Public Participation portion of the Agenda, shall fill out a card requesting to speak and shall submit it to the City Clerk prior to the start of the City Council meeting. When called, each person may address any item on or off the agenda during the public participation.*

#### **CEREMONIAL**

1. Certificates of Recognition to Team Captains of the American Cancer Society Relay for Life Fundraiser as follows: Edith Russek, Laurie Wray, Robin Russek, Ryan Russek, Fred Marquez, Yolanda Peña, Betty Donnelson, Yolanda Bazonier and Lupe Chagolla.
2. Certificates of Recognition to Azusa Boxing Club members Joet Gonzales, Jousce Gonzales, and Jahira Gonzales, for achieving the Championship of the 2008 Desert Showdown World Amateur Boxing. Joet Gonzales also achieved the championship at the 2008 Jr. Olympics.

## **CLOSED SESSION**

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

Address: 152 E. Foothill Boulevard, 100 E. Foothill Boulevard, 614 - 640 N. Azusa Avenue,  
Azusa, CA 91702  
Agency Negotiators: City Manager Delach and Assistant City Manager Makshanoff  
Negotiating Parties: LOWE Enterprises Real Estate Group  
Under Negotiation: Price and Terms of Payment

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

Address 800-802 N. San Gabriel Ave., 809 N. Azusa Ave, and 110-190 W. 9th St., Azusa  
Agency Negotiators: City Manager Delach and Assistant City Manager Makshanoff  
Negotiating Parties: Target Inc.  
Under Negotiation: Price and Terms of Payment

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

Address: 830 North Azusa Avenue (APN 8608-025-013), Azusa, CA 91702  
Agency Negotiators: City Manager Delach and Assistant City Manager Makshanoff  
Negotiating Parties: Ms. Donna Matsen  
Under Negotiation: Price and Terms of Payment

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

Address: 150 West 9th Street (APN8608-024-903), Azusa, CA 91702  
Agency Negotiators: City Manager Delach and Assistant City Manager Makshanoff  
Negotiating Parties: E&T Foods, Inc. (Aner Iglesias)  
Under Negotiation: Price and Terms of Payment

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

Address: 17511 East Arrow Highway (APN 8621-024-001), Azusa, CA 91702  
Agency Negotiators: City Manager Delach and Assistant City Manager Makshanoff  
Negotiating Parties: Fowler Family Trust  
Under Negotiation: Price and Terms of Payment

6. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code Sec. 54957)**

Title: City Manager

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

Agency Negotiators: Administrative Services Director-Chief Financial Officer Kreimeier  
Organizations: AMMA and ACEA

*Any person wishing to comment on any of the Closed Session items listed above may do so now.*

**7:30 P.M. - REGULAR MEETING OF THE CITY COUNCIL.**

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- Call to Order

- Pledge to the Flag - Yessica Martinez
- Invocation – Pastor Julie Best of the Church of the Nazarene

**A. PUBLIC PARTICIPATION**

*(Person/Group shall be allowed to speak without interruption up to five (5) minutes maximum time, 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 time.)*

**B. REPORTS, UPDATES, AND ANNOUNCEMENTS FROM STAFF/COUNCIL**

1. Mayor Rocha - Scott Kelly, Director of Community and Government Relations of L.A. Country Fair to announce "Azusa Day at the Fair" 2008. Presentation of proclamation to Mr. Kelly proclaiming Friday, September 26<sup>th</sup> as Azusa Day at the Los Angeles County Fair.
2. Cancellation of the August 18<sup>th</sup> City Council Meeting.
3. Request for proclamation for Ms. Angie Ochoa in celebration of her 80th birthday.

**C. SCHEDULED ITEMS**

1. **PUBLIC HEARING – TARGET PROJECT TENTATIVE TRACT MAP TTM 070189, ZONING CODE AMENDMENT ZCA 228, ZONE CHANGE Z-2008-01, USE PERMIT UP-2008-08, MODIFICATION OF CONDITIONAL USE PERMIT C-99-16, DESIGN REVIEW DR-2007-65. RECOMMENDED ACTION:** Open the Public Hearing; receive testimony, close the Hearing.
  - 1) Waive further reading and adopt Resolution No. 08-C67, Certifying the Environmental Impact Report (EIR) No. 2008011046;
  - 2) Waive further reading and introduce for first reading Zoning Ordinance Amendment ZCA 228 and Zone Change Z-2008-01 (Downtown North II Target Overlay Zone);
  - 3) Waive further reading and adopt Resolution No. 08-C68, approving Tentative Tract Map TTM 070189;
  - 4) Waive further reading and adopt Resolution No. 08-C69, approving Use Permit 2008-08;
  - 5) Waive further reading and adopt Resolution No. 08-C70, approving the Modification of Existing Conditional Use Permit C-99-16;
  - 6) Waive further reading and adopt Resolution No. 08-C71, approving Design Review DR 2007-65.
2. **PUBLIC HEARING - APPEAL BY SUSANA GOMEZ - 1197 ARROW HIGHWAY. RECOMMENDED ACTION:** Continue the Public Hearing to the City Council meeting of Tuesday, September 2, 2008.
3. **AMENDMENT OF THE 2008/09 CAPITAL IMPROVEMENT PLAN – PROPOSITION 1B DISBURSEMENT. RECOMMENDED ACTION:** Amend the 2008/2009 Capital Improvement Plan to reflect Proposition 1B as an additional funding source for CIP#66109F - "Reconstruction of Foothill Blvd."

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4. **CONSIDERATION OF THE FOLLOWING RESOLUTIONS: 1) CONDEMNING THE ACTION OF THE MTA BOARD IN THEIR FAILURE TO FUND THE METRO GOLD LINE FOOTHILL**

**EXTENSION PROJECT AND SEEKING LEGISLATIVE ACTION REQUIRING THE MTA TO PROVIDE LOCAL MATCHING FUNDS TO PURSUE \$320 MILLION IN FEDERAL FUNDING FOR THE PROJECT. 2) OPPOSING THE METROPOLITAN TRANSPORTATION AUTHORITY PROPOSED SALES TAX MEASURE UNLESS AMENDED TO FULLY FUND THE METRO GOLD LINE FOOTHILL EXTENSION PROJECT SETTING DEFINITE SCHEDULES FOR PROJECT FUNDING. RECOMMENDED ACTION:** Consider the resolutions and provide staff direction on the distribution of subject resolutions. (Resolutions Nos. 08-C72 and 73).

5. **APPROVAL OF 1) A RESOLUTION OF THE CITY COUNCIL FINDING THAT THE DISPOSITION OF REAL PROPERTY LOCATED AT 150 NORTH AZUSA AVENUE IDENTIFIED VIA ASSESSOR'S PARCEL NUMBERS: 8611-031-1900, ("SUBJECT PROPERTY") IS IN CONFORMANCE WITH THE GENERAL PLAN. 2) A RESOLUTION OF THE CITY COUNCIL REGARDING THE SALE OF THE AZUSA MEDICAL CLINIC (150 NORTH AZUSA AVENUE) TO EL PROYECTO DEL BARRIO PURSUANT TO GOVERNMENT CODE SECTION 37420 ET. SEQ. AND SETTING A PUBLIC HEARING TO HEAR PROTESTS TO THE PROPOSED SALE. RECOMMENDED ACTION:** Waive further reading and adopt Resolution No. 08-C74, finding that the disposition of real property located at 150 North Azusa Avenue, is in conformance with the General Plan, and Resolution No. 08-C75, finding that the public interest and convenience require the sale of the Azusa Medical Clinic to El Proyecto Del Barrio and schedule a public hearing to hear any protests to the proposed sale prior to the approval of a purchase and sale agreement.

**D. 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. **APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JULY 21, 2008. RECOMMENDED ACTION:** Approve Minutes as written.
2. **HUMAN RESOURCES ACTION ITEMS. RECOMMENDED ACTION:** Approve Personnel Action Requests in accordance with Section 3.3 of the City of Azusa Civil Service Rules and applicable Memorandum of Understanding(s).
3. **EXTENSION OF TERMS OF PROFESSIONAL SERVICES AGREEMENT WITH B/R PARTNERS. RECOMMENDED ACTION:** Approve an amendment to the existing B/R Partners agreement, extending it to June 30, 2009, and authorize the Mayor to sign the amended agreement.
4. **FIRST AMENDMENT TO THE AGREEMENT WITH THE AZUSA CHAMBER OF COMMERCE. RECOMMENDED ACTION:** Approve and authorize execution of the First Amendment to Agreement regarding Chamber of Commerce Funding and Support between the City of Azusa and the Azusa Chamber of Commerce (the "Amendment"), which 1) extends the Agreement one additional year through June 30, 2009; 2) authorizes the City's contribution amount of \$88,200 for FY 2008/09; and 3) restates the terms of Self-Sufficiency of the Chamber.

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5. **CITY TREASURER'S REPORT OF JUNE 30, 2008. RECOMMENDED ACTION:** Receive and file the report.

6. **AWARD OF CONTRACT - LANDSCAPE ARCHITECTURAL SERVICES. RECOMMENDED ACTION:** Award a contract to David Evans & Associates in an amount not-to-exceed \$25,000 for landscape architectural services.
7. **AUTHORIZATION TO SOLICIT A NOTICE INVITING BIDS (NIB) - MEMORIAL PARK ROOF REPLACEMENT. RECOMMENDED ACTION:** Authorize staff to solicit an NIB for the Memorial Park Roof Replacement Project.
8. **AWARD OF CONTRACT - PURCHASE OF A FORD F-150 SUPER CREW (4DR.) PICKUP TRUCK. RECOMMENDED ACTION:** Award a contract to Downtown Ford Sales in the amount of \$32,150.13 for the purchase of a 2008 Ford F-150 Super Crew (4 Dr.) Pickup Truck.
9. **PURCHASE OF ONE 2005 ST1300P HONDA POLICE MOTORCYCLE. RECOMMENDED ACTION:** Approve the purchase of one 2005 Honda ST1300P police motorcycle with an emergency equipment package from Huntington Beach Honda for \$20,833.86.
10. **GRANT AGREEMENT FROM CA OFFICE OF TRAFFIC SAFETY FOR THE "DUI ENFORCEMENT AND AWARENESS PROGRAM". RECOMMENDED ACTION:** Approve a resolution to accept a Grant agreement entitled "DUI Enforcement and Awareness" from the California Office of Traffic Safety (OTS) in the amount of \$97,204.
11. **RANCHO PARK (ROSEDALE) ACCEPTANCE. RECOMMENDED ACTION:** Accept Rancho Park as a City facility and that the Park come under the operational supervision of the Recreation and Family Services Department.
12. **WARRANTS. RESOLUTION AUTHORIZING PAYMENT OF WARRANTS BY THE CITY. RECOMMENDED ACTION:** Adopt Resolution No. 08-C76.

#### CONVENE AS THE REDEVELOPMENT AGENCY

##### E. **AGENCY SCHEDULED ITEM**

1. **DOWNPAYMENT ASSISTANCE PROGRAM UPDATE AND APPROVAL OF REVISED GUIDELINES. RECOMMENDED ACTION:** Adopt the revised Downpayment Assistance Program ("DPAP") guidelines to include occupancy guidelines and revisions to equity sharing provision.
2. **UPDATE ON BLOCK 36 MILESTONE STATUS; CONSIDERATION OF A RESOLUTION TERMINATING THE 2006 AMENDED AND RESTATED DISPOSITION AND DEVELOPMENT AGREEMENT (BLOCK 36 PROJECT) WITH REG AZUSA, LLC, A SUBSIDIARY OF LOWE ENTERPRISES, INC. RECOMMENDED ACTION:** Consider the "Milestone" status of the Developer and provide direction as to the termination or possible extension of the 2006 Amended and Restated Disposition and Development Agreement ("DDA") with REG AZUSA, LLC, an affiliate of Lowe Enterprises, Inc. ("Lowe").

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##### F. **AGENCY CONSENT CALENDAR**

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

considered under *SPECIAL CALL ITEMS*.

1. **APPROVAL OF MINUTES OF THE REGULAR MEETING OF JULY 21, 2008. RECOMMENDED ACTION:** Approve Minutes as written.
2. **AGENCY TREASURER'S REPORT AS OF JUNE 30, 2008. RECOMMENDED ACTION:** Receive and file the report.
3. **WARRANTS.** Resolution authorizing payment of warrants by the Agency. **RECOMMENDED ACTION:** Adopt Resolution No. 08-R35.

**G. AZUSA PUBLIC FINANCING AUTHORITY**

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

1. **APPROVAL OF MINUTES OF THE REGULAR MEETING OF MAY 5 AND JUNE 16, 2008. RECOMMENDED ACTION:** Approve Minutes as written.
2. **AUTHORITY TREASURER'S REPORT AS OF JUNE 30, 2008. RECOMMENDED ACTION:** Receive and file report.

**H. ADJOURNMENT**

1. Adjourn.

**UPCOMING MEETINGS:**

September 2, 2008 (Tuesday) City Council Meeting – 6:30 p.m. (Auditorium)

September 15, 2008, City Council Meeting – 6:30 p.m. (Auditorium)

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

*In compliance with Government Code Section 54957.5, agenda materials are available for inspection by members of the public at the following locations: Azusa City Clerk's Office - 213 E. Foothill Boulevard, Azusa City Library - 729 N. Dalton Avenue, and Azusa Police Department Lobby - 725 N. Alameda, Azusa, California.*

*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.*