



CITY OF AZUSA
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
TUESDAY, JULY 8, 2008 – 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 East Foothill Boulevard, Azusa, CA, 91702.

CLOSED SESSION

Closed Sess

The City Council recessed to Closed at 6:31 p.m. to discuss the following:

Recess

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

Title: City Manager

City Mgr
Evaluation

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

Property Address: 190 W. 9th Street
Negotiating Parties: Foothill Drug
Agency Negotiators: Assistant City Manager Makshanoff
Under Negotiation: Price and Terms of payment

Real Prop Neg
190 W. 9th St.

3. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code Sec. 54956.9 (a)).** Case No. KC051952-G, City of Azusa v. Senior Care Partnership LP and Century Quality Management (Villa Azusa Senior Apartments).

Conf w/legal
Cnsl

The City Council reconvened at 7:30 p.m. City Attorney Hull advised that there was no reportable action taken in Closed Session.

Reconvened
City Attorney

Mayor Rocha called the meeting to order.

Call to Order

Messrs. Michael Muñoz and Brandon Avalos of the Muñoz Family led in the pledge to the Flag.

Flag Salute

INVOCATION was given by Pastor Theresa Babbit of Azusa House of the Nations

Invocation

ROLL CALL

Roll Call

PRESENT: COUNCILMEMBERS: GONZALES, CARRILLO, MACIAS, HANKS, ROCHA

ABSENT: COUNCILMEMBERS: NONE

ALSO PRESENT:

Also Present

City Attorney Hull, Assistant City Manager Makshanoff, Police Chief Garcia, Public Information Officer Quiroz, Library Director Tovar, Assistant City Librarian Shahsavari, Director of Public Works/Assistant City Manager Haes, Economic and Community Development Director Christianson, Tierra West Consultant Ometeotl, City Clerk Mendoza, Deputy City Clerk Toscano.

PUBLIC PARTICIPATION

Pub Part

Mr. Cory Baker of Boy Scout Troop 440, addressed Council stating that he is working on a community project to earn his community merit badge which is to view a Council debate and/or dispute to see how it is resolved. He responded to questions posed regarding his project completion.

C. Baker
Comments

Mr. Mike Lee addressed Council commenting on the following: Senior Volunteer of the Month Art West, 4th of July celebration and Veterans honored, City Hall on the Move, and Councilmember Gonzales accomplishments.

M. Lee
Comments

Ms. Peggy Martinez thanked all who participated in the 4th of July Banner Program, noting sponsorship for banners is \$90; she talked about the dedication by volunteers and Veterans who helped post 65 yellow ribbons; for additional information regarding the program call: 8125818. P. Martinez
Comments

Mr. Jorge Rosales addressed Council regarding the street sweeping program stating that as a Planning Commissioner he has received many complaints about the timeframe of the sweeping, i.e. ten hour no parking; street sweeper usually comes in the morning and the parking is not allowed for the rest of the day. He stated that as a member of the RV Committee they recommended ½ day no parking on each side of the street; he request the hours be reduced from 7am -12 noon. J. Rosales
Comments

Ms. Maricela Cueva, President of Sister City Program, thanked Council for their continued support of the Youth Exchange Program; she advised that although Azusa would not be sending youth to Zacatecas this year it would be receiving kids from Zacatecas on Friday, July 11th, who would stay in Azusa until July 21st. She thanked the host families and volunteers and invited Council to events on Saturday at 7 p.m. Sister City House, Orientation and on Wednesday July 16th at Zacatecas Park for Tree Planting at 6 p.m. She stated that 8 kids and 2 adult chaperons will be coming and there will be an Azusa Adult Exchange in September. M. Cueva
Comments

REPORTS, UPDATES COUNCIL BUSINESS AND ANNOUNCEMENTS-STAFF Rpts/Updates

NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN of City Board and Commission term of office expirations, ending **September 30, 2008**, for the following: Announcement
Board &
Commission
Term of Office
Expirations

1 position Cultural and Historical Preservation Commission
2 positions Human Relations Commission
2 positions Library Commission
1 position Park & Recreation Commission
1 position Planning Commission

Applications are available in the City Clerk's Office and City Manager's Office, 213 East Foothill Boulevard, City Library, 729 N. Dalton Avenue, Light & Water Department, 729 N. Azusa Avenue, Police Department, 725 N. Alameda, Azusa, and at: www.ci.azusa.ca.us, for interested residents. **Applications will be accepted through August 28, 2008.** For further information please call: (626) 812-5233.

Discussion regarding street sweeping services. Director of Public Works/Assistant City Manager Haes stated that he met with Athens Services regarding sweeping with no water, on the wrong side of the street, on the wrong days, and they will be narrowing down the hours and have provided new schedules with six hour windows: 7-1 and 11-5, with a two hour overlap, which will be implemented next week. He responded to questions posed regarding signage, notice to residents, warning citations, maps/zones to determine times, and spraying of water by trucks. Mr. Jay Falor, General Manager of Athens Services provided a photograph of trucks spraying water and stated it is a fine mist that is designed keep the dust down; he responded to questions posed. T. Haes
Discussion
Re: Street
Sweeping

Mayor Pro-Tem Carrillo thanked all for their well wishes after his surgery, and he commended Police Department for an excellent job on the 4th of July. Carrillo
Comments

Councilmember Gonzales thanked all for buying tickets for the Wine Tasting event tomorrow and expressed thanks to Lenore Gonzales and Heath Hamilton for the event. He announced the 50th Anniversary of the cities of Irwindale and South El Monte, who have invited Council to their event. Gonzales
Comments

Councilmember Macias questioned the status of clean up of weeds on First street, Citrus, and Cerritos; and the painting of the bridge at Foothill and Orange. He thanked Sister City Committee for continuing the tradition; thanked City Management for the restoration of the entry monument at Azusa and Arrow and staff for the flyers regarding Slauson Park pool; he congratulated Finance staff for attaining the GFOA. Macias
Comments

Assistant City Manager Makshanoff responded to questions that estimated cost to paint bridge is \$30,000, logo \$16,000, and there is a need to communicate with railroad and return with a RFP; at this time they enter that area to remove graffiti. He stated that they are also working on the RFP for beautification of the on/off ramps. J. Makshanoff
Comments

Mayor Rocha asked that the meeting be adjourned in memory of Guadalupe Muñoz; congratulated Jimmy Carmona for graduating from Foothill without missing a day of school; announced Relay for Life event will be on Saturday, July 12th; Saturday, July 19th plant planting event at Sierra Madre and San Gabriel; thanks to Peggy Martinez and all who volunteered for the Banner Program; honored Ricardo Esparza home from Afghanistan, success of Citrus Crossing; announced City Links this Fall and solicited projects for the events. Rocha
Comments

SCHEDULED ITEMS

Sched Items

CONTINUED PUBLIC HEARING – RESOLUTIONS ADOPTING 2008/09 FISCAL YEAR SCHEDULE OF FEES AND CHARGES. Moved by Councilmember Gonzales, seconded by Councilmember Hanks and unanimously carried to continue Public Hearing to meeting of July 21, 2008. Cont Pub Hrg Fees & Charges Cont 7/21

PUBLIC HEARING - APPEAL OF USE PERMIT UP-2007-07 AND VARIANCE V-2007-08, PLANNING COMMISSION DENIAL TO ALLOW THE CONSTRUCTION OF A 55 FOOT HIGH STEALTH WIRELESS TELECOMMUNICATIONS FACILITY, WITH A VARIANCE TO ALLOW THE HEIGHT OF THE FACILITY TO EXCEED THE 50 FOOT MAXIMUM HEIGHT FOR CO-LOCATABLE TELECOMMUNICATION FACILITIES. Pub Hrg Appeal UP & V Wireless Tele Com Facility

Economic and Development Director Christianson presented the appeal and detailed the actions that have taken place: on March 6th Reliant Land Services representing T-Mobile applied for a Use Permit and Variance to construct a new 55 foot freestanding telecommunications facility; on April 30th the Planning Commission denied that request, and on May 20th the applicant appealed the decision. He stated that the facility would be constructed at a shopping center at Gladstone Street and Azusa Avenue and it requires a variance to allow the additional five feet in height to exceed the maximum allowable height of 50 feet; the proposed lease area for the facility is 420 square feet and is located at the rear of the shopping center. He stated that the Planning Commission voiced concerns over the proposed location of the facility and efforts to locate it on publicly owned property. K. Christianson Comments

The Mayor declared the Public Hearing open. The City Clerk read the affidavit of proof of publication of notice of said hearing published in the Azusa Herald on June 26th. Hrg open

Ms. Lucy Ortega, Representing T-Mobile, addressed the Hearing stating that they had proposed the wireless facility, a 55 foot high mono broad leaf tree at 273 East Gladstone Street; she presented pictures with various designs, noting how the one presented blends with existing trees. She stated that they were denied due to not seeking publicly owned property to place the tower and that they looked at Gladstone Park, but it wasn't within the coverage objection that T-Mobile was looking for, there were coverage gaps, and the shopping center located met with design, location, size and ordinance development standards, and noted it would be a value to residents in the areas with regard to making 911 call, etc. L. Ortega Comments

Mr. Robert Donnelson addressed the Hearing stating that his is not against or in favor but objects to residents being disregarded, in the simulated photos there were none taken from the north side of the street and homes/residents in that area will be most affected by the tower. R. Donnelson Comments

Ms. Jane Norine, representing T-Mobile, addressed the Hearing thanking staff for their cooperation and stated that they have worked hard to meet the needs of residents in the community. J. Norine Comments

Question and answer session ensued between Applicant, Councilmembers and staff regarding density, bark, antenna, socks, view of branches, the need for a variance, use permit, pole location and other locations. Questions/ Answer

Moved by Mayor Pro-Tem Carrillo, seconded by Councilmember Gonzales and unanimously carried to close the Public Hearing. Hrg Closed

Councilmember Hanks offered a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, APPROVING USE PERMIT UP-2007-07, A REQUEST TO ALLOW THE CONSTRUCTION AND USE OF A TELECOMMUNICATIONS FACILITY, LOCATED AT 273 E. GLADSTONE STREET, AZUSA. Res. 08-C55 Appvg UP Tele Facility 273 E. Gladstone

Moved by Councilmember Hanks, seconded by Councilmember 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 Hanks offered a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, APPROVING VARIANCE V-2007-08, A REQUEST TO ALLOW THE CONSTRUCTION AND USE OF A TELECOMMUNICATIONS FACILITY, LOCATED AT 273 E. GLADSTONE STREET, AZUSA. Res. 08-C56 Appvg Var Tele Facility 273 E. Gladstone

Moved by Councilmember Hanks, seconded by Councilmember 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

The **CONSENT CALENDAR** consisting of Items D-1 through D-12 was approved by motion of Mayor Pro-Tem Carrillo, seconded by Councilmember Gonzales and unanimously carried with the exception of items D-3, 4, and 9, which were considered under the Special Call portion of the Agenda.

Consent Cal
Approved

1. The minutes of the regular meeting of June 16, 2008, and the special/adjourned meetings of May 27th, June 23rd and June 26th, 2008, were approved as written. Councilmembers' Hanks and Gonzales abstained from the minutes of June 26th as they were not in attendance at the meeting. Mayor Pro-Tem Carrillo abstained from the minutes of June 23rd as he was not in attendance. Min appvd
2. Human Resources Action Items were approved as follows:
Merit Increase and/or Regular Appointments: M. Bertelsen, J. Landa, J. Poulos, B. Hale, and M. Bowman. HR Action Items
New Appointment: D. Bobadilla, Principal Civil Engineer and J. Picazo, Water Distribution Worker I.
3. SPECIAL CALL ITEM.
4. SPECIAL CALL ITEM. Spec Call
5. Matrix Software Annual Maintenance And Support Contract. Formal sealed bids were waived in accordance with Azusa Municipal Code Section 2-523 section B, computer software maintenance services and 2-523 section C, no competitive market and the software maintenance and support contract from Matrix Imaging, in the amount of \$16,834.00, was approved. Spec Call
Matrix Software Annual Maint & Support Contract
6. Motorola Mobile Computer Display Software Maintenance Contract. Formal sealed bids were waived in accordance with Azusa Municipal Code Section 2-523 section B, computer software maintenance services and 2-523 section C, no competitive market and the software maintenance and support agreement from Motorola Inc, in the amount of \$21,752 was approved. Motorola Mobile Computer Dis Service Contract
7. Novell Software Annual Maintenance and Support and Licensing. Formal sealed bids were waived in accordance with Azusa Municipal Code Section 2-523 section B, computer software maintenance services and approval was given for software maintenance support and licensing from CDW-G, in the amount of \$18,836. Novell Software Annual Maint Svs Contract
8. Sirsi Library Computer Software Annual Maintenance Contract. Formal sealed bids were waived in accordance with Azusa Municipal Code Section 2-523 section B, computer software maintenance services and 2-523 section C, no competitive market and approval was given for the annual software maintenance and support agreement from SIRSI Corporation, in the amount of \$23,136.62. Sirsi Lib Comp Annual Maint contract
9. SPECIAL CALL ITEM.
10. Purchase Of New Digital Document Imaging Center. Approval was given for the issuance of a purchase order in an amount not to exceed \$15,609 to Konica Minolta Business Solutions of Anaheim, CA, for the purchase of a Konica Minolta BizHub 750 digital document imaging center, under the provisions of A.M.C. Section 2-523 (e), competitive bidding already completed (California Multiple Award Schedule (C.M.A.S.) Contract number 3-02-36-0052A.) Spec Call
Purchase Digital Document Imaging center Konica Minolta
11. Agreement Renewal With LA WORKS For Fy 2008/09. Approval was given and the City Manager was authorized to execute the agreement with LA Works for Fiscal Year 2008/09 in an amount not to exceed \$31,338. Agmt w/LA WORKS
12. 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-C58 Warrants

SPECIAL CALL ITEMS

Mayor Rocha addressed the Treasurer's Report thanking and expressing appreciation to the City Treasurer Marcene Hamilton for her great work and announced that interest earned from investments as of July 1, 2008, is \$3,170,130.85. Special Call
Rocha Comments

Moved by Councilmember Hanks, seconded by Councilmember Macias and unanimously carried to receive and file the City Treasurer's Report as of May 31, 2008. Treas Rpt

Councilmember Gonzales addressed the purchase of a ¾ ton van for the Library asking about the difference in cost between the \$44,000 and the \$49,000. Library Director Tovar responded stating that the difference had to do with the weight of the vehicle, the higher amount was for a 1 ton van and the other for a ¾ ton van; he stated the one selected would not be transporting heavy items. Gonzales Comments

Moved by Councilmember Hanks, seconded by Councilmember Macias and unanimously carried to approve the purchase of a 2008 Dodge Sprinter 3/4 ton van, under the provisions of Section 2-523 (d) Bidding Process Already Completed, of the Azusa Municipal Code, and authorization was given to issue a Purchase Order to Hunter Dodge, Chrysler, Jeep of Lancaster, CA, in an amount not to exceed \$44,878.38.

Pur Dodge
Sprinter
Library

Councilmember Hanks addressed the proposed resolution regarding opposition to conversion of HOV lanes to HOT lanes on the 210 and 10 freeways; he read comments into the record which, among other things, consisted of the theory behind the HOV-HOT lane conversion and MTA beliefs. He read the following good things about MTA proposal: there is \$214 M in Federal Grant Money available for this; there are knowledgeable people whose input makes this worth discussing and the current freeway system really is dysfunctional. The following are the bad things about the MTA proposal: in order to obtain Federal Grant money the Legislature must approve congestion pricing by October; there will not be a plan developed by October, we would be accepting this blindly at this time; a one year trail is proposed, but no escape clause is provided if we decide that we don't like this at the end of the first year. and there is no alternative to using the HOT lane offered to us by the MTA. The funding for the Gold Line, which is our preferred way of taking cars off of the freeway has been taken out of play for at least a year. He recommended adoption of the resolution opposing the conversion of HOV to HOT lanes with the following added to Section 1:

Hanks
Comments

“Unless an alternative means of traffic reduction is provided by funding the extension of the Gold Line Foothill Extension through Azusa to the amount necessary to provide a 20% local match, allowing the Construction Authority to apply for an 80% Federal match bringing an additional \$320 Million to increase local transit options, and construct a necessary light rail system to the San Gabriel Valley.”

Add to
Resolution

Councilmember Hanks offered a Resolution, as amended, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA DECLARING ITS OPPOSITION TO THE CONVERSION OF EXISTING HIGH OCCUPANCY VEHICLE (HOV) LANES TO HIGH OCCUPANCY TOLL (HOT) LANES ON THE I-210 AND I-10 FREEWAYS.

Res 08-C57
Opposing
Conversion
HOV to HOT
Lanes 210 &
10 freeways

Moved by Councilmember Hanks, 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 CITY COUNCIL RECESSED AND REDEVELOPMENT AGENCY CONVENED AT 9:02 P.M. THE CITY COUNCIL RECONVENED AT 9:12 P.M.

Convne CRA
Cncl Rec

Councilmembers congratulated Max's Restaurant on the successful move into the downtown area and Mayor Rocha talked about the success of the Foothill Shopping Center.

Comments
Cncl

It was consensus of Councilmembers to adjourn in memory of Guadalupe Muñoz.

Adjourn in
Memory of
G. Muñoz

UPCOMING MEETINGS:

July 21, 2008, City Council Meeting – 6:30 p.m. (Auditorium)
July 28, 2008, Utility Board Meeting – 6:30 p.m. (Light and Water Conference Room)
August 4, 2008, City Council Meeting – 6:30 p.m. (Auditorium)

Upcoming
Meetings

TIME OF ADJOURNMENT: 9:12 P.M.

CITY CLERK

NEXT RESOLUTION NO. 2008-C59.

NEXT ORDINANCE NO. 2008-O10.