



CITY OF AZUSA
MINUTES OF THE CITY COUNCIL
REGULAR MEETING

MONDAY, NOVEMBER 16, 2009 – 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 E. Foothill Boulevard, Azusa, CA 91702.

CLOSED SESSION

Closed Sess

The City Council recessed to Closed Session at 6:35 p.m. to discuss the following:

Recess

1. **CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code Sec. 54957.6)**
Agency Negotiators: City Manager Delach and Administrative Services Director-CFO Kreimeier
Organizations: IBEW
Conf w/labor Negotiator IBEW
2. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Gov. Code Section 54956.9 (a)).** Case Name: Betty Stone Johnson v. City of Azusa, et al. Case Number: Los Angeles County Superior Court Case No. KC054131
Conf w/legal Cnsl Johnson
3. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Gov. Code Section 54956.9 (a)).** Case Name: J. De Sigio Construction, Inc. v. City of Azusa, Case No. Los Angeles County Superior Court KC056193.
Conf w/legal Cnsl De Sigio

The City Council reconvened at 7:35 p.m. City Attorney Carvalho stated that there was no reportable action taken in Closed Session.

Reconvened
No Report

Mayor Rocha called the meeting to order.

Call to Order

Mr. Steven Munoz led in the salute to the Flag.

Flag Salute

INVOCATION was given by Pastor Eddie Velasquez of Jesus Is Lord Church

Invocation

ROLL CALL

Roll Call

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

ALSO PRESENT:

Also Present

City Attorney Carvalho, City Manager Delach, Assistant City Manager Makshanoff, Azusa Police Chief Garcia, Director of Public Works/Assistant City Manager Haes, Administrative Services Director – Chief Financial Officer Kreimeier, Director of Recreation and Family Services Jacobs, Acting City Librarian Shahsavari, Economic Development Director Christiansen, Public Information Officer Quiroz, Assistant Community Development Director McNamara, City Clerk Mendoza, Deputy City Clerk Toscano.

PUBLIC PARTICIPATION

Pub Part

Mr. Mike Lee addressed Council commenting on the following: in support of the IBEW and Unions in general, Veteran's Day Observance Ceremony, proposed proclamations for outgoing commissioners, low voter turnout, his selection for West Covina, and soldiers dying for our right to vote.

M. Lee
Comments

Mr. Jeffrey Cornejo, on behalf of the Azusa Historical Society invited all to attend the 45th Anniversary of the Society celebration to be held on Sunday, November 22, 2009, from 2:30 p.m. – 4:00 p.m. at the Durrell House at Veteran's Freedom Park.

J. Cornejo
Comments

Ms. Maria Aramburo invited all to the 2 nd annual Hearts for the Hungry to be held on November 21 st from 11:00 a.m. – 3:00 p.m. at Azusa Avenue Forth Street, sponsored by local churches, businesses and organizations throughout the City. She provided details of the event and invited all to attend.	M. Aramburo Comments
Mr. Robert Connelly addressed Council expressing his opposition to a Target coming into Azusa. He talked about why he dislikes Target and stated that Costco and APU are better businesses for the City.	
Ms. Elaine Stricklin of Sierra High School Art class addressed Council displaying a picture of the item being raffled by the class in order raise funds. The raffle tickets are \$1.00 each and the winner will be announced at the Tree Lighting Ceremony on December 6, 2009.	E. Stricklin Comments
Chief Executive Officer of the Azusa Chamber of Commerce Irene Villapania addressed Council and provided an update of Chamber events which included new membership, events, and upcoming events and stated she appreciates the community support.	I. Villapania Comments
Ms. Maricela Cuevas on behalf of Mc Donalds Corporation addressed Council providing an update on the Steps for Success college workshop held over the weekend at Azusa High School.	M. Cuevas Comments
Mr. Matt Bruce addressed Council and announced Boys Nigh Out Event for Middle school boys to be held on Friday, December 11 th – Saturday, December 12 th at Memorial Park. The cost is \$15 and students can sign up at their Middle school.	M. Bruce Comments
Mr. John Vienna of Canyon flora Care addressed Council stating that he represents a group of Veterans, and Cancer Patients and submitted paperwork to the City Clerk stating he is going to meet with council and Staff regarding the matter.	J. Vienna Comments
Mr. Charles Salse addressed Council expressing concerns regarding sewers surrounding the alley between Dalton & Alameda/9 th to 11 th streets. He also stated that the Miller Property needs a fence around it as it is a site that is attracting vagrants, kids riding ATC's and that the City should put a lot of trees on the Target property.	C. Salse Comments
Mr. Jorge Rosales addressed Council asking if the new signal light on Citrus at Mauna Loa would replace the one at the Catwalk; he commended staff regarding the cost savings for the Zacatecas Park Storm Drain Project and the Heavy Duty Diesel Exhaust Retrofits asking what would be done with the remaining funds.	J. Rosales Comments
Mr. Dennis Willut addressed item regarding recovery of attorneys' fees in connection with code enforcement activities stating that tenants/renters are never held accountable for problems with properties and described instances where problems existed and other matters.	D. Willut Comments
City Manager Delach responded to items stating that with regard to the Miller Property, demolition has been approved and staff will look into the alley situation, those properties will also be fenced and secured. The traffic signal at the catwalk on Citrus will be moved south to Mauna Loa. The remaining funds with regard to the two items will be returned to be reprogrammed back in to restricted funds. City Attorney Carvalho responded to questions stating that the law says that property owners shall be responsible to maintain the property in the non-nuisance process and it's not unusual for cities to site owners.	Staff Responses To Questions Posed
<u>REPORTS, UPDATES COUNCIL BUSINESS AND ANNOUNCEMENTS-STAFF</u>	Updates/Cncl
City Manager Delach announced that the Los Angeles County Health Department has cancelled the H1N1 Vaccine Cline due to the lack of vaccines and stated that if there is a need for the second vaccine call the City Clerks office or Recreation Department as they have a list of places where the vaccine will be administered. He distributed a flyer noting the Target Ground Breaking Ceremony to be held on Thursday, December 3, 2009, at 3:30 p.m. at 809 N. Azusa Avenue, 9 th and Azusa Avenue.	City Mgr Comments
Moved by Councilmember Carrillo, seconded by Councilmember Gonzales and unanimously* carried to approve request for a \$100 donation to the art department at Sierra High School.	Donation Sierra High Art Dept.
The discussion regarding appointments to the Cultural and Historic Preservation Commission and/or setting a date for interview of applicants was deferred to the Utility Board Meeting of November 23, 2009, in order that a full Council be present to discuss the matter.	Appts Cult & Hist Cont. 11/23
Councilmember Gonzales announced that on Friday, Saint Frances of Rome Church will be hosting the 6 th Annual Golf Tournament, to obtain additional information call Ms. Lily Rubio at (626) 705-7241. He stated that he and Councilmember Carrillo will be collecting toys for the Slauson Middle School Toy Drive, announced the City of Azusa Winter Fiesta which will be held on Sunday, December 6 th beginning at noon and the Tree Lighting Ceremony will be at 5 p.m. He talked about a proposed Joint Meeting with the City of Irwindale proposing that it be in January and lastly wishes all a Happy Holiday Season.	Gonzales Comments
Councilmember Hanks encouraged all to attend the Hearts for the Hungry event and stated with regard to the MTA Long Range Transportation Plan, the Gold Line Construction Authority is moving forward to memorialize what the architecture of the stations will be and on Saturday there will be an unveiling in Monrovia at 10 a.m. at the n/w corner of Myrtle and that the second one would be in Azusa.	Hanks Comments

Mayor Rocha asked that the meeting be adjourned in memory of John Uribe Sr. and Guadalupe Perez and announced the following: Free Yard Sales the week end of December 5 th ; Canyon City Car Club Christmas Toy Drive to be held at Citrus Crossings on December 5 th from 12 – 5 p.m.; the 45 th Anniversary of the Azusa Historical Society on Sunday, November 22, 2009, from 2:30 – 4 p.m.; update on the Be A Walker Program; and wished all a Happy, healthy, peaceful, Thanksgiving. Please keep soldiers in prayer.	Rocha Comments
<u>SCHEDULED ITEMS</u>	Sched Items
PUBLIC HEARING - PROPOSED CHANGE TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 35 TH YEAR PROGRAM (FY 2009/10) – STREET SAFETY/ADA IMPROVEMENTS AND NORTHSIDE PARK ADA CONCRETE REPLACEMENT	Pub Hrg CDBG Amend program
Economic Development Director Christiansen addressed the Hearing stating that they are recommending that Project Number 601067-08, Street Safety/ADA Improvements in the amount of \$66,000 be cancelled and to reprogram \$35,000 into the Northside Park ADA Concrete Replacement Project	K. Christiansen Comments
The Mayor declared the Hearing open. The City Clerk read the affidavit of proof of publication of notice of said Hearing published in the Azusa Herald on October 15, 2009.	Hrg open
Mr. Mike lee addressed the Hearing expressing his opinion regarding the proposed gates at Foothill Gardens and agreed that the project be cancelled due to lack of interest on the part of the residents, but thanked Mayor Rocha for his efforts.	M. Lee Comments
Mr. Dennis Willut addressed the Hearing stating that he is sorry the fencing at Foothill Gardens is not going up but he thinks the funds should be directed towards underground utilities.	D. Willut Comments
Moved by Councilmember Gonzales, seconded by Councilmember Hanks 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, ADOPTING PROPOSED CHANGES TO THE STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF FUNDS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FISCAL YEAR 2009-10.	Res. 09-C97 CDBG changes
Moved by Councilmember Gonzales, seconded by Councilmember Hanks to waive further reading and adopt. Resolution passed and adopted by the following vote of the Council:	
AYES: COUNCILMEMBERS: GONZALES, CARRILLO, HANKS, ROCHA NOES: COUNCILMEMBERS: NONE ABSENT: COUNCILMEMBERS: MACIAS	
AN ORDINANCE AMENDING THE AZUSA MUNICIPAL CODE RELATING TO RECOVERY OF ATTORNEYS' FEES IN CONNECTION WITH CODE ENFORCEMENT ACTIVITIES.	1 st Rdg Ord Recovery Fees
Economic Development Director Christiansen addressed the issue stating that the ordinance will allow the City to recover cost when Code Enforcement is referred to the City Attorney and that there are several cases that end up in legal action; the ordinance will amend the code and allow staff to recover the costs.	K. Christiansen Comments
City Attorney Carvalho responded to question posed stating that in the event that public nuisances occur and a process such as court action has been taken, that is the time when cost recovery will be enforced; it is used as a tool and as a last resort.	City Atty Comments
Councilmember Hanks offered an Ordinance entitled:	
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, AMENDING THE AZUSA MUNICIPAL CODE RELATING TO RECOVERY OF ATTORNEYS' FEES IN CONNECTION WITH CODE ENFORCEMENT ACTIVITIES.	1 st Rdg Ord Code Enf Fees Recovery
Moved by Councilmember Hanks, seconded by Councilmember Gonzales and unanimously* carried to waive further reading and introduce the proposed ordinance.	
The <u>CONSENT CALENDAR</u> consisting of Items D-1 through D-8 was approved by motion of Councilmember Hanks, seconded by Councilmember Carrillo and unanimously* carried.	Consent Calendar D-1-8
1. The minutes of the regular meeting of November 2, 2009, were approved as written.	Min appvd
2. Human Resources Action Items were approved as follows: Merit Increase and/or Regular Appointment: R. Ryan, C. Cusick, and G. Acosta. Promotion: R. Landeros, Police Corporal and T. Smith, Jr. Police Corporal.	HR Action Items

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| 3. | Authorization was given to staff to solicit bids for a new traffic signal on Citrus Avenue and Mauna Loa Avenue and associated improvements including ADA ramps. | Solicit Bids
Signal Citrus |
| 4. | A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, TO ENTER INTO A MASTER AGREEMENT AND PROGRAM SUPPLEMENT AGREEMENT WITH CALTRANS FOR THE RECEIPT OF FEDERAL TRANSPORTATION FUNDING. The City Manager was authorized to enter into the subject agreements. | Res. 09-C98
Agreement
Caltrans Trans
Funding |
| 5. | The Notice of Completion for the following project was approved and staff was authorized to file the Notice of Completion with the Los Angeles County Clerk: Zacatecas Park Storm Drain Project CIP #66510A - \$135,012 - Alcon Colorado Engineering, Inc., Murrieta, CA. | NOC Zacatecas
Park Storm Drain |
| 6. | A contract to A-Z Emissions Solutions Group of Riverside, California in the amount of \$47,773.12 for the purchase and installation of three (3) heavy-duty exhaust retrofits. | A-Z Emissions
Solution retrofit |
| 7. | The 2009/2010 Capital Improvement Plan was amended to include "Foothill Blvd. from Alostia Ave. to Citrus Ave." as a merged project with CIP #66110A, Citrus Ave. Reconstruction and staff was authorized to solicit proposals to obtain topographic survey and mapping services for Citrus Ave. and Foothill Blvd. | Amend CIP
Foothill
Reconstruction |
| 8. | 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. 09-C99
Warrants |

SPECIAL CALL ITEMS

None.	Spec Call Items None.
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THE CITY COUNCIL RECESSED AND THE REDEVELOPMENT AGENCY CONVENE AT 8:50 P.M. THE CITY COUNCIL RECONVENED AT 8:52 P.M.	CRA Convene Cncl reconvened
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AN ORDINANCE OF THE CITY OF AZUSA, CALIFORNIA, AMENDING CHAPTER 55, ARTICLE I, SECTIONS 55-4(e) AND 55-6 (c), OF THE AZUSA MUNICIPAL CODE, REVISING MEMBERSHIP AND QUORUM PROVISIONS RELATED TO THE CULTURAL AND HISTORICAL PRESERVATION COMMISSION.	Ord 09-O7 Cult&Hist Amend
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Moved by Councilmember Carrillo, seconded by Councilmember Gonzales to waive further reading and adopt. Ordinance passed and adopted by the following vote of the Council:

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

It was consensus of Council that the meeting be adjourned in memory of John Uribe Sr. and Guadalupe Perez.	Adjourn in Memory of J. Uribe Sr. and G. Perez
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TIME OF ADJOURNMENT: 8:53 P.M.

CITY CLERK

NEXT RESOLUTION NO. 2009-C100
NEXT ORDINANCE NO. 2009-O8.

*** Indicates Mayor Pro-Tem Macias absent.**