



AGENDA

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

**AZUSA AUDITORIUM
213 EAST FOOTHILL BOULEVARD**

**MONDAY, JUNE 16, 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.

CLOSED SESSION

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

Property Address: 17525 and 17523 E. Arrow Hwy (N/E corner Azusa and Arrow)
Negotiating Parties: Messrs. Clark Orin Allen and William L. Allen
Agency Negotiators: City Manager Delach and Assistant City Manager Makshanoff
Under Negotiation: Price and Terms of payment

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

Address: 190 West 9th Street, Azusa, CA 91702
Agency Negotiators: City Manager Delach and Assistant City Manager Makshanoff
Negotiating Parties: Foothill Drug - Business Owner Kakui Law
Under Negotiation: Price and Terms of Payment

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

Address: 812 N. Azusa Avenue, Azusa, CA 91702
Agency Negotiators: City Manager Delach and Assistant City Manager Makshanoff
Negotiating Parties: John R. & Lillian O. Cortez, Cortez Family Trust
Under Negotiation: Price and Terms of Payment

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

Address: 801 N. Alameda Avenue, Azusa, CA 91702
Agency Negotiators: City Manager Delach and Assistant City Manager Makshanoff
Negotiating Parties: John R. & Lillian O. Cortez, Cortez Family Trust
Under Negotiation: Price and Terms of Payment

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.

- Call to Order
- Pledge to the Flag
- Invocation – Bishop Timothy Bradbury Monzello of The Church of Jesus Christ of Latter-Day Saints.

PRESENTATION:

- Live Amateur Radio Relay League (ARRL) Annual Field Day Event Announcement: In Conjunction With The Azusa Amateur Communication Emergency Services (AACES), San Gabriel Valley Radio Club (SGVRC), and the Church of Jesus Christ of Latter-Day Saints - Glendora Emergency Response Communication group (GERC).

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 –

a. Kelly Middleton of the San Gabriel Valley Mosquito & Vector Control District to provide an update on the West Nile Virus.

b. Request for a proclamation for the Deacons Club in celebration of their 60th Anniversary.

2. Update on Block 36.

3. Request of Human Relations Commission Liaison for recognition (proclamation/certificates) to the Human Relations Commission.

4. **RECREATION SWIM. RECOMMENDED ACTION:** Receive and file the report on Recreation Swim.

C. SCHEDULED ITEMS

CONVENE JOINTLY AS THE CITY COUNCIL, THE REDEVELOPMENT AGENCY AND THE AZUSA PUBLIC FINANCING AUTHORITY TO CONSIDER THE FOLLOWING:

1. **FISCAL YEAR 2008/09 CITY, AZUSA PUBLIC FINANCING AUTHORITY, AND REDEVELOPMENT AGENCY BUDGET ADOPTION. RECOMMENDED ACTION:** Formally adopt the City's Operating Budget, the Redevelopment Agency's Operating Budget, and the Azusa Public Financing Authority's Operating budget for Fiscal Year 2008/09 (the "Combined Operating Budget"), as proposed at the May 27, 2008 Budget Workshop together with such amendments as desired and adopt the following Resolutions:

a. Waive further reading and adopt **Resolution No. 08-C46, (City)** approving the budget and approving appropriations for the City of Azusa for the Fiscal Year commencing July 1, 2008 and ending June 30, 2009.

b. Waive further reading and adopt **Resolution No. 08-R25, (Agency)** approving the budget and approving appropriations for the City of Azusa Redevelopment Agency for the Fiscal Year commencing July 1, 2008 and ending June 30, 2009.

c. Waive further reading and adopt **Resolution No. 0-P2, (Azusa Public Financing Authority)** approving the budget and approving appropriations for the Azusa Public Financing Authority for the Fiscal Year commencing July 1, 2008 and ending June 30, 2009.

THE REDEVELOPMENT AGENCY TO RECESS, THE AZUSA PUBLIC FINANCING AUTHORITY TO ADJOURN, AND CITY COUNCIL TO CONTINUE.

2. **PUBLIC HEARING – RESOLUTIONS ADOPTING 2008/09 FISCAL YEAR SCHEDULE OF FEES AND CHARGES. RECOMMENDED ACTION:** Continue the Public Hearing to the City Council meeting of Tuesday, July 8, 2008.
3. **PUBLIC HEARING - REFUSE RATE ADJUSTMENT. RECOMMENDED ACTION:** Open and conduct a public hearing to consider refuse collection rate adjustments for Athens Services effective July 1, 2008; close public hearing, and if no less than a majority protest has been received from notified property owners, waive further reading and adopt Resolution No. 08-C47, approving amendment number eleven to the Exclusive Franchise Agreement and setting forth rate schedule of either OPTION 1 or OPTION 2.
4. **PUBLIC HEARING - URGENCY ORDINANCE AMENDING DIVISION 6 OF ARTICLE VI OF CHAPTER 78 OF THE AZUSA MUNICIPAL CODE REGARDING WATER CONSERVATION. RECOMMENDED ACTION:** Open the Public Hearing; receive testimony, close the Public Hearing. Waive further reading and adopt by at least 4/5 vote Urgency Ordinance No. 08-06, amending Division 6 of Article VI of Chapter 78 of the Azusa Municipal Code regarding water conservation.
5. **PUBLIC HEARING – APPEAL OF DESIGN REVIEW DR 2007-69 AND VARIANCE V 2007-09 PLANNING COMMISSION DENIAL TO ALLOW THE CONSTRUCTION OF A NEW SINGLE FAMILY RESIDENCE WITH REDUCED SIDE SETBACKS- 614 N. ALAMEDA RECOMMENDED ACTION:** Open the Public Hearing; receive testimony, close the Public Hearing. Review the appeal documentation and either uphold the Planning Commission’s decision to deny the requested Variance (V-2007-09) and Design Review (DR 2007-69), or reverse the Planning Commission’s findings and approve Variance V 2007-09 and Design Review Dr 2007-69.
6. **PUBLIC HEARING – CALL UP OF MINOR USE PERMIT MUP 2008-5 – PLANNING COMMISSION APPROVAL TO EXPAND THE HOURS OF OPERATION OF AN EXISTING APPROVED DRIVE-THROUGH TO 24 HOURS A DAY - 444 E. FOOTHILL, T-BURGERS. RECOMMENDED ACTION:** Open the Public Hearing; receive testimony, close the Public Hearing. Provide direction to staff regarding the approval, conditional approval, or denial of Minor Use Permit 2008-05.

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 JUNE 2, 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. **PURCHASE OF A NEW OPTO-MARK BALLOT COUNTER FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD MARCH 3, 2009.** **RECOMMENDED ACTION:** In accordance with Azusa Municipal Code Section 2-518 (b), approve the purchase of a new Opto-Mark Ballot Counter from Martin & Chapman Company, Election Suppliers, and authorize the issuance of a purchase order in an amount not to exceed \$16,454.
4. **BLANKET PURCHASE ORDERS OVER \$10,000 FY 2008/09.** **RECOMMENDED ACTION:** Approve the issuance of the blanket purchase orders detailed on the attached schedule under the provisions of Section 2-523 of the Azusa Municipal Code.
5. **NOTICE OF COMPLETION – CITY-WIDE CONCRETE IMPROVEMENTS.** **RECOMMENDED ACTION:** Approve the Notice of Completion for City-Wide Concrete Improvements as completed by Martinez Concrete, Inc., in the amount of \$354,000.00 and authorize staff to file the Notice of Completion with the Los Angeles County Clerk.
6. **RESOLUTION IN OPPOSITION TO THE PROPOSED TOLL LANES ON THE I-10 AND -210 FREEWAYS.** **RECOMMENDED ACTION:** Adopt Resolution No. 08-C48, in opposition to the proposed conversion of existing high occupancy vehicle (HOV) lanes to toll (HOT) lanes on the I-210 and I-10 Freeways.
7. **WARRANTS.** Resolution authorizing payment of warrants by the City. **RECOMMENDED ACTION:** Adopt Resolution No. 08-C49.

RECONVENE JOINTLY WITH THE REDEVELOPMENT AGENCY

E. JOINT CITY/AGENCY ITEMS

1. **CONTINUED JOINT PUBLIC HEARING - CONSIDERATION OF ADOPTION OF A REDEVELOPMENT PLAN AMENDMENT FOR THE MERGED CENTRAL BUSINESS DISTRICT AND WEST END REDEVELOPMENT PROJECT, CERTIFICATION OF AN ENVIRONMENTAL IMPACT REPORT AND OTHER RELATED ACTIONS.** **RECOMMENDED ACTION:**
 - (1) Accept copies of the objection letters and the responses prepared by the Redevelopment Agency, attached as Exhibit 1.
 - (2) Waive further reading and adopt Resolution No. 08-C50, (City) attached as Exhibit 2, Approving and Adopting Written Responses and Findings to Written Objections to the Proposed Amendment to the Redevelopment Plan for the Project Area.
 - (3) Waive further reading and adopt Resolution No. 08-R26, (Agency) attached as Exhibit 3, certifying the final Environmental Impact Report (EIR) for the Plan Amendment.
 - (4) Waive further reading and adopt the Resolution No. 08-C51, (City) attached as Exhibit 4, certifying the final Environmental Impact Report (EIR) for the Plan Amendment.

(5) Waive further reading and adopt Resolution No. 09-C52, (City) attached as Exhibit 5, electing to receive the City of Azusa's share of the property tax revenues received by the Agency as set forth in Section 33607.5(b) of the California Redevelopment Law as a statutory pass-through payment from the Agency for each fiscal year the Agency collects Tax Increment pursuant to the Plan Amendment from the Added Area, and electing to receive any increases in tax increment resulting from increases in the rate of tax imposed on behalf of the City in the Project Area.

(6) Waive further reading and adopt the Resolution No. 08-R27, (Agency) attached as Exhibit 6, finding that the use of tax increment allocated from the Project Area for the purpose of increasing, improving and preserving the community's supply of affordable housing to persons and families of low- or moderate-income and very-low income households outside the Project Area, will be of benefit to the Project Area.

(7) Waive further reading and adopt the Resolution No. 08-C53, (City) attached as Exhibit 7, finding that the use of tax increment allocated from the Project Area for the purpose of increasing, improving and preserving the community's supply of affordable housing to persons and families of low- or moderate-income and very-low income households outside the Project Area, will be of benefit to the Project Area.

(8) Waive further reading and adopt the Resolution No. 08-R28, (Agency) attached as Exhibit 8, approving owner participation rules, extending the rules and regulations for relocation and real property acquisition guidelines to the proposed Plan Amendment.

(9) The City Council waive reading and adopt (first reading) the Ordinance attached as Exhibit 9 approving the Plan Amendment.

COUNCIL TO RECESS AND REDEVELOPMENT AGENCY TO CONTINUE

F. AGENCY SCHEDULED ITEMS

1. **PUBLIC HEARING - MID-TERM REVIEW OF FIVE-YEAR (2005-2009) IMPLEMENTATION PLAN FOR THE CENTRAL BUSINESS DISTRICT, WEST END AND RANCH CENTER REDEVELOPMENT PROJECT AREAS. RECOMMENDED ACTION:** Open the Public Hearing; receive testimony, close the public hearing. Adopt Resolution No. 08-R29, approving the Mid-Term Review of the Five-Year (2005 – 2009) Implementation Plan for the Central Business District, West End and Ranch Center Redevelopment Project Areas ("Mid-Term Review") pursuant to Health and Safety Code Section 33490 of the California Community Redevelopment Law ("CRL").

G. 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 JUNE 2, 2008. RECOMMENDED ACTION:** Approve Minutes as written.

2. **WARRANTS.** Resolution authorizing payment of warrants by the Agency. **RECOMMENDED ACTION:** Adopt Resolution No. 08-R30.

H. ORDINANCES/SPECIAL RESOLUTIONS

1. **SECOND READING AND ADOPTION OF PROPOSED ORDINANCE AMENDING PORTIONS OF THE AZUSA DEVELOPMENT CODE CONCERNING VEHICLE PARKING AND STORAGE REGULATIONS, COMMERCIAL, OVERSIZED AND RECREATIONAL VEHICLE PARKING AND STORAGE REGULATIONS ON PRIVATE PROPERTY AND TEMPORARY SIGN AND TENT REGULATIONS.** **RECOMMENDED ACTION:** Waive further reading and adopt Ordinance No. 08-07 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, AMENDING PORTIONS OF THE AZUSA DEVELOPMENT CODE CONCERNING VEHICLE PARKING AND STORAGE REGULATIONS, COMMERCIAL, OVERSIZED AND RECREATIONAL VEHICLE PARKING AND STORAGE REGULATIONS ON PRIVATE PROPERTY AND TEMPORARY SIGN AND TENT REGULATIONS.

2. **SECOND READING AND ADOPTION OF PROPOSED ORDINANCE DESIGNATING HIGH FIRE HAZARD SEVERITY ZONES IN WILD LAND URBAN INTERFACE AREAS.** **RECOMMENDED ACTION:** Waive further reading and adopt Ordinance No. 08-08, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, DESIGNATING VERY HIGH FIRE HAZARD SEVERITY ZONES AND WILDLAND URBAN INTERFACE AREAS.

I. ADJOURNMENT

1. Adjourn.

UPCOMING MEETINGS:

June 23, 2008, Utility Board Meeting – 6:30 p.m. (Light and Water Conference Room)
July 8, 2008, (Tuesday) City Council Meeting – 6:30 p.m. (Auditorium)
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)

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.

