



AGENDA

REGULAR MEETING OF THE CITY COUNCIL, AND THE REDEVELOPMENT AGENCY

AZUSA AUDITORIUM
213 EAST FOOTHILL BOULEVARD

MONDAY, NOVEMBER 17, 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. **CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code Sec. 54957.6)**

Agency Negotiators:	City Manager Delach and Assistant City Manager Makshanoff
Organizations	Executive Contracts

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

Agency Negotiators: City Manager Delach and Assistant City Manager Makshanoff
Under Negotiation: Price and Terms of Payment

BLOCK 36

Address: 152 E. Foothill Boulevard, Azusa, CA 91702
Negotiating Parties: Bank of America & City of Azusa Redevelopment Agency
Address: 100 E. Foothill Boulevard, Azusa, CA 91702
Negotiating Parties: City of Azusa and City of Azusa Redevelopment Agency
Address: 614 – 640 N. Azusa Avenue, Azusa, CA 91702
Negotiating Parties: City of Azusa and City of Azusa Redevelopment Agency

BLOCK 37

Address: 634 N. San Gabriel Avenue, Azusa, CA 91702
Negotiating Parties: Soon Kwon I
Address: 624 – 630 N. San Gabriel Avenue, Azusa, CA 91702
Negotiating Parties: JK Partnership
Address: 622 N. San Gabriel Avenue, Azusa, CA 91702
Negotiating Parties: John A. Gonzalez and Christine A. Miller
Address: 604 N. San Gabriel Avenue, Azusa, CA 91702
Negotiating Parties: City of Azusa and City of Azusa Redevelopment Agency
Address: 600 N. San Gabriel Avenue, Azusa, CA 91702
Negotiating Parties: City of Azusa and City of Azusa Redevelopment Agency

DOWNTOWN NORTH

DALTON PROPERTIES

Property Address: 303 E. Foothill Boulevard, Azusa, CA 91702
Negotiating Parties: City of Azusa and City of Azusa Redevelopment Agency
Property Address: 716 N. Dalton Avenue, Azusa, CA 91702
Negotiating Parties: City of Azusa and City of Azusa Redevelopment Agency
Property Address: 726 N. Dalton Avenue, Azusa, CA 91702
Negotiating Parties: City of Azusa and City of Azusa Redevelopment Agency
Property Address: 728 N. Dalton Avenue, Azusa, CA 91702
Negotiating Parties: City of Azusa and City of Azusa Redevelopment Agency
Property Address: Parking Lot (APN 8608-028-901, 903 & 905, Azusa, CA 91702)
Negotiating Parties: City of Azusa and City of Azusa Redevelopment Agency
Property Address: MTA Site (APN 8608-028-908), Azusa, CA 91702
Negotiating Parties: City of Azusa and City of Azusa Redevelopment Agency

DOWNTOWN NORTH

A-2 & A-3 PROJECT

Address: 858 N. Azusa Avenue, Azusa, CA 91702
Negotiating Parties: Howard J. and Janet J. Choi
Address: 832 N. Azusa Avenue, Azusa, CA 91702
Negotiating Parties: Alexios & Tashia Vagenas
Address: 826 N. Azusa Avenue, Azusa, CA 91702

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Negotiating Parties: City of Azusa and City of Azusa Redevelopment Agency

Address: 830 N. Azusa Avenue, Azusa, CA 91702
Negotiating Parties: Donna M. Matson
Address: 812 N. Azusa Avenue, Azusa, CA 91702
Negotiating Parties: John R. & Lillian O. Cortez, Cortez Family Trust
Address: 801 N. Alameda Avenue, Azusa, CA 91702
Negotiating Parties: John R. & Lillian O. Cortez, Cortez Family Trust
Address: 810 N. Alameda Avenue, Azusa, CA 91702
Negotiating Parties: 810 Alameda, LLC
Address: 803 N. Dalton Avenue, Azusa, CA 91702
Negotiating Parties: City of Azusa and City of Azusa Redevelopment Agency
Address: 805 N. Dalton Avenue, Azusa, CA 91702
Negotiating Parties: City of Azusa and City of Azusa Redevelopment Agency
Address: 809 N. Dalton Avenue, Azusa, CA 91702
Negotiating Parties: Raygoza, Jose M. and Mateos, Sandra G.

ATLANTIS GARDEN

Property Address: 600 East. 6th Street. (APN 8612-001-017), Azusa, CA 91702
Negotiating Parties: Morgan Stanley MTG 2006-13ARX Trust
Property Address: 630 Glenfinnan (APN 8612-001-060), Azusa, CA 91702
Negotiating Parties: Mario & Nerelys Acosta
Property Address: 629 Glenfinnan (APN 8612-001-014), Azusa, CA 91702
Negotiating Parties: Edgardo and Neneth S. Arce
Property Address: 627 East Lime Avenue (APN 8612-001-039), Azusa, CA 91702
Negotiating Parties: Augustine A. Juarez

Property Address: 858 N Azusa Ave Unit B
Negotiating Parties: Alvarado Insurance
Property Address: 858 N Azusa Ave Unit C
Negotiating Parties: J&J Haircuts

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 – Pastor Samuel Martinez of Christian Faith Center of the Valley

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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 – Request for sponsorship in the amount of \$100 each for two students of Azusa High Drama Club to go to New York in August 2009.
2. Request for proclamation to Mr. James and Mrs. Marge Wall for the many years of service to the City as precinct workers and for sharing their home as a polling place.
3. Request for certificate of appreciation to Criterion Catalysts & Technologies in Azusa, CA for their contribution of \$6,400 to the Azusa City Library for use with the Library's new bookmobile service and operation.

C. SCHEDULED ITEMS

1. **PUBLIC HEARING - ORDINANCE AMENDING CHAPTER 30 AZUSA MUNICIPAL CODE AND ADOPTION OF THE 2008 FIRE CODE OF THE LOS ANGELES COUNTY CODE. RECOMMEND ACTION:** Open the Public Hearing; receive testimony, close the Hearing. Waive further reading and adopt Ordinance No. 08-O11, amending Chapter 30 of the Azusa Municipal Code adopting by reference the 2008 Fire Code of the Los Angeles County Code.
2. **PUBLIC HEARING – EXPENDITURE PLAN – STATE AWARDED GRANT FUNDS. RECOMMENDED ACTION:** Hold a Public Hearing to include appropriations of funds to be received from the State Citizens' Option for Public Safety (COPS) Program and approve the proposed expenditure plan and purchases in one City Council action. The anticipated funding from this program is \$100,000. The proposed expenditure plan is detailed and also includes \$6,781 in carryover funds from FY 07/08.

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 NOVEMBER 3, 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).

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3. **AUTHORIZE NOTICE OF COMPLETION FOR CONSTRUCTION OF PICNIC SHELTER SECURITY LIGHTING AT MEMORIAL PARK IN THE AMOUNT OF \$9,120.00.**

RECOMMENDED ACTION: Approve the Notice of Completion for construction of picnic shelter lighting at Memorial Park in the amount of \$9,120.00 and authorize staff to file the Notice of Completion with the Los Angeles County Clerk.

4. **EXCHANGE AGREEMENT - CONVERSION OF SURFACE TRANSPORTATION PROGRAM LOCAL (STP-L) FUNDS TO FLEXIBLE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (LACTMA) FUNDS. RECOMMENDED ACTION:** Execute the Exchange Agreement and assignment of Federal Surface Transportation Program - Local (STP-L) funds.
5. **SALARY AND BENEFITS FOR NON-REPRESENTED EMPLOYEES. RECOMMENDED ACTION:** Adopt Resolution No. 08-C107, approving that non-represented employees shall be entitled to receive those benefits and salary adjustments provided for in the effective Memoranda of Understanding for the bargaining units with which they have been affiliated by the City, as approved by the City Council from time to time.
6. **AMENDMENT OF THE 2008/09 CAPITAL IMPROVEMENT PLAN – AGENCY FUNDED PROJECTS. RECOMMENDED ACTION:** Adopt Resolution No. 08-C108, amending 2008/09 Capital Improvement Plan to add three infrastructure projects which will aid the ongoing development activities in the downtown. The Capital Improvement Plan will also be amended and reflect the Redevelopment Agency of the City of Azusa as the funding source for the proposed projects.
7. **WARRANTS. RESOLUTION AUTHORIZING PAYMENT OF WARRANTS BY THE CITY. RECOMMENDED ACTION:** Adopt Resolution No. 08-C109.

CONVENE JOINTLY WITH THE REDEVELOPMENT AGENCY TO CONSIDER THE FOLLOWING:

E. JOINT CITY/AGENCY ITEM.

1. **JOINT PUBLIC HEARING - ON DISPOSITION AND DEVELOPMENT AGREEMENT WITH TARGET CORPORATION FOR THE DEVELOPMENT OF A TARGET STORE AT 809 NORTH AZUSA AVENUE. RECOMMENDED ACTION:**
 - a. Waive further reading and adopt Resolution No. 08-C110, (Council) accepting the summary of costs and findings of the 33433 Summary Report prepared by Tierra West Advisors, Inc., and the estimated reuse valuation of the subject property pursuant to the California Health and Safety Code Section 33433 for the sale of approximately 180,338 square feet of land to Target Corporation, making certain findings and approving the Disposition and Development Agreement; and
 - b. Waive further reading and adopt Resolution No. 08-R47, (Agency) approving a Disposition and Development Agreement with Target Corporation (“Target”).

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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 NOVEMBER 3, 2008.**
RECOMMENDED ACTION: Approve Minutes as written.
2. **NOTICE OF COMPLETION FOR THE BLOCK 36 OFF-SITE UTILITIES PROJECT #505700.**
RECOMMENDED ACTION: Approve change orders to the BNB Engineering, Inc. contract for the Off-Site Utilities Project in the amount of \$148,523.20 and accept the Redevelopment-funded Block 36 Off-Site Utilities Project improvements as complete, authorize staff to file the Notice of Completion with the County Recorder and release retention.
3. **WARRANTS. RESOLUTION AUTHORIZING PAYMENT OF WARRANTS BY THE AGENCY.**
RECOMMENDED ACTION: Adopt Resolution No. 08-R48.
4. **CONSIDERATION OF MODIFICATION TO THE DOWNPAYMENT ASSISTANCE PROGRAM REGULATIONS ALLOWING PURCHASE OF AFFORDABILITY COVENANTS.**
RECOMMENDED ACTION: Adopt the revised Down Payment Assistance Program ("DPAP") guidelines to allow for the purchase of affordability covenants from builders and or developers.

G. ORDINANCES/SPECIAL RESOLUTIONS

1. **ORDINANCE AMENDING CHAPTER 46 OF THE AZUSA MUNICIPAL CODE BY ADDING DIVISION 1 REGARDING PAYMENT OF SPECIAL REWARDS.** **RECOMMENDED ACTION:** Waive further reading and adopt Ordinance No. 08-O12.

H. ADJOURNMENT

1. Adjourn.

UPCOMING MEETINGS:

November 24, 2008, Utility Board Meeting – 6:30 p.m. (Azusa Light and Water Conference Room)

December 1, 2008, City Council Meeting – 6:30 p.m. (Auditorium)

December 15, 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.