



AGENDA

**REGULAR MEETING OF THE CITY COUNCIL,
THE SUCCESSOR AGENCY TO
THE FORMER REDEVELOPMENT AGENCY AND
THE PUBLIC FINANCING AUTHORITY
OF THE CITY OF AZUSA**

**AZUSA AUDITORIUM
213 EAST FOOTHILL BOULEVARD**

**MONDAY, FEBRUARY 1, 2016
6:30 P.M. Ceremonial/Closed Session
7:30 P.M. Regular Meeting**

AZUSA CITY COUNCIL

**JOSEPH ROMERO ROCHA
MAYOR**

**EDWARD J. ALVAREZ
MAYOR PRO-TEM**

**ANGEL CARRILLO
COUNCILMEMBER**

**URIEL EDWARD MACIAS
COUNCILMEMBER**

**ROBERT GONZALES
COUNCILMEMBER**

6:30 P.M.

1. Call to Order
2. Roll Call

CEREMONIAL

1. Presentation of Donation Checks by Lonnie De la Garza, Azusa Chamber of Commerce Board Chair to: 1) Poverty Summit Food Bank – Mayor Rocha; 2) St. Francis of Rome Food Bank – Joe Perez; 3) Pathfinder Ministries Food Bank – Gilbert Becerril.

CLOSED SESSION

NOTICE TO THE PUBLIC FOR CLOSED SESSION

Prior to going into closed session the City Council will convene in the Auditorium serving as Council Chambers to take public comment on the closed session items only. General public comment will be provided for during the regular portion of the meeting beginning at 7:30 P.M.

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to California Government Code 54956.9(d)(1).**
Case Name: Aguilar, Annette, et al. v. City of Azusa, et al., Court Case No. CV14-09183 GW (JPRx) (USDC, C.D. Cal.)
2. **CONFERENCE WITH LEGAL COUNSEL – POSSIBLE INITIATION OF LITIGATION – Pursuant to California Government Code, Section 54956.9(d)(4).**
1 Potential Case
3. **CONFERENCE WITH LEGAL COUNSEL – POSSIBLE INITIATION OF LITIGATION – Pursuant to California Government Code, Section 54956.9(d)(4).**
1 Potential Case
4. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Pursuant to California Government Code, Section 54956.8.**
Property Address: Enterprise Property, 229 S. Azusa Avenue (APN 8614-014-918, 919 and 920)
Agency Negotiators: Troy Butzlaff, City Manager and Kurt Christiansen, Director of Economic & Community Development
Negotiating Parties: Kevin Coleman, Net Development
Under Negotiation: Price & Terms of Payment (Possible Amended Disposition & Development Agreement)
5. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Pursuant to California Government Code, Section 54956.8.**
Property Address: 943 N. Vernon Avenue, Azusa, CA 91702 (APN: 8605-015-907)
Agency Negotiators: Troy Butzlaff, City Manager and Kurt Christiansen, Director of Economic & Community Development
Negotiating Parties: Dave Killackey, Performance Truck Repair
Andrew Montgomery, Twin Palms Boat and R.V. Storage
Under Negotiation: Price & Terms of Payment for Property Purchase
6. **CONFERENCE WITH LABOR NEGOTIATORS Pursuant to California Government Code, Section 54957.6.**
City Negotiators: Troy Butzlaff, City Manager, Amelia Ayala, Director of Human Resources & Risk Management and Susan Paragas, Director of Finance
Organizations: ACEA (Azusa City Employees Association)

7:30 P.M. - REGULAR MEETING OF THE CITY COUNCIL THE SUCCESSOR AGENCY AND THE PUBLIC FINANCING AUTHORITY.

NOTICE TO THE PUBLIC FOR REGULAR MEETING

In compliance with Government code Section 54957.5, 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 - 213 E. Foothill Blvd.; copies for public view are at the Azusa City Library - 729 N. Dalton Ave., Azusa Police Department Lobby - 725 N. Alameda Ave., and the City of Azusa Web Page www.ci.azusa.ca.us. Persons who wish to speak during the Public Participation portion of the Agenda or on a Public Hearing item, shall fill out a card requesting to speak and shall submit it to the City Clerk prior to 7:30 P.M.; cards submitted after will not be accepted.

A. PRELIMINARY BUSINESS

1. Call to Order
2. Roll Call
3. Flag Salute
4. Invocation

B. PUBLIC PARTICIPATION

*This time has been set aside for persons in the audience to make public comments on items within the subject matter jurisdiction of the council/agency board that **are not listed on this agenda or are listed on this agenda as an item other than a public hearing item.** Members of the audience will have the opportunity to address the city council/agency board about public hearing items at the time the public hearing is held. Under the provisions of the Brown Act, the council/agency board is prohibited from taking action on oral requests, but may refer the matter to staff or to a subsequent meeting. The council/agency board will respond after public comment has been received. Each person or representative of a group shall be allowed to speak without interruption for up to five (5) continuous minutes, 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.*

C. REPORTS, UPDATES, AND ANNOUNCEMENTS FROM STAFF/COUNCIL

1. Request to designate voting delegate and alternate to the Southern California Association of Governments (SCAG) General Assembly scheduled for May 5-6, 2016 in La Quinta.
2. Mayor Rocha: Request for a New Business Welcome Certificate for Morteck Manufacturing Solar Array to be presented on February 4, 2016 at 11:30 a.m.

D. SCHEDULED ITEMS

1. **PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FY 2016/17 – ADOPTION OF RESOLUTION APPROVING THE 42ND YEAR CDBG PROGRAM.**

RECOMMENDED ACTION:

Open the Public Hearing, receive public testimony, close the Public Hearing; and adopt Resolution No. 2016-C13 approving the 42nd Year Community Development Block Grant (CDBG) Program.

2. **CONSIDERATION OF AN EXCLUSIVE NEGOTIATING AGREEMENT WITH GOLCHEH DEVELOPMENT AND INVESTMENTS, LLC., FOR DEVELOPMENT OF A SMART & FINAL AT 303 E. FOOTHILL (CORNER OF FOOTHILL BLVD AND DALTON AVE).**

RECOMMENDED ACTION:

Approve an Exclusive Negotiating Agreement (“ENA”) with Golcheh Development and Investments, LLC., which allows for a period of exclusive negotiations between the City and Golcheh Development for the purpose of preparing major elements of the proposed development including, but not limited to: a site plan; design schematics; technical and economic studies; and, the pre-development obligations of all parties; and authorize the Mayor to execute the ENA, in a form acceptable to the City Attorney, on behalf of the City.

E. 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. **MINUTES OF THE REGULAR MEETING OF DECEMBER 7, 2015 AND SPECIAL MEETING OF DECEMBER 8, 2015.**

RECOMMENDED ACTION:

Approve minutes as written.

2. **RESOLUTION AUTHORIZING PAYMENTS OF WARRANTS BY THE CITY.**

RECOMMENDED ACTION:

Adopt Resolution No. 2016-C14 allowing certain claims and demands and specifying the funds out of which the same are to be paid.

3. **CITY TREASURER’S STATEMENT OF CASH AND INVESTMENT BALANCES FOR THE MONTH OF DECEMBER 2015.**

RECOMMENDED ACTION:

Receive, review, and file the City Treasurer’s Report for the month of December 2015.

4. **HUMAN RESOURCES ACTION ITEMS.**

RECOMMENDED ACTION:

Approve the Personnel Action Requests in accordance with the City of Azusa Civil Service Rules and applicable Memorandum of Understanding(s).

5. **APPROVAL OF AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE AZUSA MIDDLE MANAGEMENT ASSOCIATION (AMMA).**

RECOMMENDED ACTION:

Approve amended and restated Memorandum of Understanding between the City and the Azusa Middle Management Association (AMMA); and authorize the City Manager to execute the amended and restated Memorandum of Understanding, in a form acceptable to the City Attorney, on behalf of the City.

6. **APPROVAL OF AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE CIVILIAN ASSOCIATION OF POLICE PERSONNEL (CAPP).**

RECOMMENDED ACTION:

Approve amended and restated Memorandum of Understanding between the City and the Civilian Association of Police Personnel (CAPP); and authorize the City Manager to execute the amended and restated Memorandum of Understanding, in a form acceptable to the City Attorney, on behalf of the City.

7. **ADOPT RESOLUTION NO. 2016-C15 ESTABLISHING THE EMPLOYEE PAID MEMBER CONTRIBUTION UNDER THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS) FOR THE CIVILIAN ASSOCIATION OF POLICE PERSONNEL (CAPP) MEMBERS.**

RECOMMENDED ACTION:

Adopt Resolution No. 2016-C15 establishing the Employee Paid Member Contribution under the California Public Employees' Retirement System for the Civilian Association of Police Personnel (CAPP).

8. **ADOPT RESOLUTION NO. 2016-C16 ESTABLISHING THE EMPLOYEE PAID MEMBER CONTRIBUTION UNDER THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS) FOR THE AZUSA MIDDLE MANAGEMENT ASSOCIATION (AMMA) MEMBERS.**

RECOMMENDED ACTION:

Adopt Resolution No. 2016-C16 establishing the Employee Paid Member Contribution under the California Public Employees' Retirement System for the Azusa Middle Management Association (AMMA) members.

9. **ADOPT RESOLUTION NO. 2016-C17 FOR THE ACCUMULATION PROGRAM FOR PART-TIME AND LIMITED-SERVICES EMPLOYEES (APPLE) OF THE CITY.**

RECOMMENDED ACTION:

Approve Resolution No. 2016-C17 adopting the Accumulation Program for Part-Time and Limited-Services Employees (APPLE) of the City of Azusa.

10. **ADOPT A RESOLUTION APPROVING THE CITY'S QUALITY ASSURANCE PROGRAM FOR FEDERALLY FUNDED CONSTRUCTION PROJECTS.**

RECOMMENDED ACTION:

Adopt Resolution No. 2016-C18 approving the City's Quality Assurance Program for federally funded construction projects.

11. **AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS FOR PREPARATION OF A FACILITIES CONDITION ASSESSMENT.**

RECOMMENDED ACTION:

Authorize Staff to issue a Request for Proposals to conduct a facilities condition assessment.

12. **REJECT BID TO CLEAN ABOVE THE CEILING TILES AT CITY HALL WEST WING AND AUTHORIZE STAFF TO SOLICIT NEW BIDS.**

RECOMMENDED ACTION:

Reject the bid to clean above the ceiling tiles at City Hall West Wing; and authorize Staff to solicit new bids to clean above the ceiling tiles at City Hall West Wing.

13. **INCREASE RETAINER AGREEMENT AMOUNT FOR EXISTING LITIGATION.**

RECOMMENDED ACTION:

Approve an increase to the referenced Retainer Agreement for legal services with Manning & Kass, Ellrod, Ramirez, Trester LLP for the lawsuit related to an Officer Involved Shooting (OIS) that occurred on November 29, 2013 involving a suspect, in an amount not to exceed \$500,000 without approval of the City Council.

14. **REQUEST TO SIGN PETITION ASKING THE STATE LEGISLATURE TO EXPLORE ALTERNATIVES TO FORCED ELECTION CONSOLIDATION.**

RECOMMENDED ACTION:

Authorize Members of the City Council, City Clerk and City Treasurer to sign the petition in support of an alternate solution to increase voter participation and to allow the continuance of stand-alone elections; and direct the City's lobbyist, Joe A. Gonsalves & Sons, to work with the City's election consultant and our State Representatives to find an alternate solution that will enable the City to retain its stand-alone election.

F. SUCCESSOR AGENCY RELATED BUSINESS.

1. RESOLUTION AUTHORIZING PAYMENT OF WARRANTS BY THE SUCCESSOR AGENCY.

RECOMMENDED ACTION:

Adopt Resolution No. 2016-R4 allowing certain claims and demands to be paid out of Successor Agency Funds.

G. ADJOURNMENT

UPCOMING MEETINGS:

February 16, 2016, 6:30 p.m. Ceremonial/Closed Session, 7:30 p.m. Regular Meeting

March 7, 2016, 6:30 p.m. Ceremonial/Closed Session, 7:30 p.m. Regular Meeting

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.

I, Sylvia Bautista, Senior Office Specialist, declare that I am an employee of the City of Azusa. On January 28, 2016 at 4:30 p.m. the agenda for the regular meeting of Monday, February 1, 2016, was posted in the City Clerk's Office, 213 E. Foothill Blvd.; the lobby of the Police Department, 725 N. Alameda Ave.; the Civic Auditorium, 213 E. Foothill Blvd.; the City Library, 729 N. Dalton Ave.; and the City's Web Page at www.ci.azusa.ca.us.

I declare under penalty of perjury that the forgoing is true and correct.

Senior Office Specialist
Azusa City Clerk's Office