

MINUTES

CITY COUNCIL OF THE CITY OF DUARTE REGULAR MEETING – TUESDAY, APRIL 22, 2003

At 5:00 p.m., a Redevelopment Agency Workshop was held to present and discuss current redevelopment projects in the City of Duarte.

At 6:50 p.m., an interview was conducted for the vacancy on the Community Services Commission.

The City Council of the City of Duarte met in a regular meeting in the Council Chambers, 1600 Huntington Drive, Duarte, California. Mayor Chapjian called the meeting to order at 7:25 p.m.

- PLEDGE TO THE FLAG** Harb Thind led the Pledge of Allegiance to the Flag.
- MOMENT OF REFLECTION** A silent moment of reflection was observed.
- CITY CLERK RECORDATION OF ATTENDANCE** The City Clerk recorded the following in attendance:
PRESENT: Fasana, Finlay, Paras, Reyes, Chapjian
ABSENT: None
ADMINISTRATIVE STAFF PRESENT: City Manager Duff, City Attorney Ralph Leech
- ADOPTION OF AGENDA** Finlay moved, Fasana seconded to adopt the Agenda, and carried unanimously.
- ANNOUNCEMENTS**
- Jan Wight, Duarte Chamber of Commerce, stated the redevelopment workshop was exciting, stated big box stores will not join the Chamber without encouragement from the City, announced Chamber Installation on May 2 and Shop Duarte campaign, and stated ads for the new business directory are being sold.
- Henry Baltazar, Duarte Diversity Group, announced Multi-Cultural Festival on May 17 at Northview Park.
- FISCAL AFFAIRS**
- Finlay moved, Reyes seconded to approve payment to the Southern California Edison Company, and carried with Fasana abstaining due to a declared conflict of interest.
- Fasana moved, Finlay seconded to approve the remainder of Fiscal Affairs, and carried unanimously.
- SPECIAL ITEM**
Introduction – Captain Shaw
- Mayor Chapjian introduced and welcomed Los Angeles Sheriff's Department Captain Richard Shaw. Captain Shaw provided information about his background, and stated he is looking forward to working with the City.
- Steve Hernandez, Duarte, stated he is excited about a new Captain, the Sheriff's have done a great job, they participate in the community, and welcomed the new Captain.
- ORAL COMMUNICATIONS**
- Bill Hyatt, Duarte, welcomed Captain Shaw, with regard to the redevelopment workshop, stated he looks forward to development starting along Huntington Drive, he has a problem with Phase I of Las Brisas as it interfered with the view on Maynard Drive, he wants the new development to be copacetic with the neighborhoods, he looks forward to a restaurant coming in, he feels development by Staples is premature, he feels it will affect the downtown project, and stated people up there want the

research and development biotech, and that is their main concern.

Steve Hernandez, Duarte, stated he was corrected when he said a member of the Executive Committee of the Duarte Diversity Group made inappropriate comments, it was a former Executive, feels words such as racism are not appropriate, there is a lack of communication between two groups of people, regarding accusations made by Mr. Paras about Mr. Yelton, Mr. Paras used the words "in my opinion", taking this to the courts is the wrong way to go, and stated we are supposed to be a community and work together.

Margaret Rucker, Heritage Park Apartments, stated she tried to talk to the manager, the size of the clubhouse chairs are not fit for heavy-set people, she was told to write a letter of apology to all in the complex, the Health Department and Code Enforcement came to her apartment, she was told there is a machine available to detect mold, the County does not have that machine, she could hire someone to have it done, and stated mold was found in her apartment.

Lottie Walker, Heritage Park Apartments, stated over two months time, a small group from Heritage Park has experienced serious problems, the residents were sent questionnaires, some enjoy living there and have no problems, her complaints are facts that can be proven, some apartments are not up to health standards, she does not personally have a problem, she pays her rent and demands things to be fixed if there is a problem, and stated they are asking for help.

Antonio Ogaz, Duarte, thanked the respondents to fliers sent from LULAC, stated they delivered over 100 letters of sympathy and donations to the Martinez Flores family, regarding the redevelopment workshop, asked what it does for residents, felt the project on Mountain requires a lot of community input, hopes residents and homeowners are included, asked if the projects could be merged, and suggested the use of imagination and willpower.

Duff provided an update on the status of the Heritage Park Apartments, stated the City has very little authority, we are trying to facilitate meetings between residents and the management company, an inspection of all 119 units will be conducted, the Health Department inspector stated mold was not found in Mrs. Rucker's apartment, preventative spraying has been done, they feel the case is closed and completed, and the City is making sure management has adhered to Section 42 of the Internal Revenue Code. Mayor Chapjian stated he would talk to the Health Inspector, as he would like to know how it was determined not to be mold, and he will get back to the residents.

RECESS

Mayor Chapjian called a Recess at 8:03 p.m. for the Redevelopment Agency Meeting. City Council reconvened at 9:12 p.m. with all members present.

CONSENT CALENDAR

Reyes moved, Fasana seconded to approve the Consent Calendar, as follows, and carried unanimously.
Approve Items A, B, C.
Receive and File Item D.

COUNCIL BILL Council Bill 03-R-09

Leech read by title Council Bill 03-R-09:

Sale of Stock Shares
Principal Financial Group, Inc.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AUTHORIZING THE SALE BY MELLON INVESTOR SERVICES OF ALL STOCK SHARES OF PRINCIPAL FINANCIAL GROUP, INC., HELD IN THE NAME OF THE CITY OF DUARTE

Mike Yelton, Assistant City Manager, provided a staff report about Principal Financial Group's demutualization process.

Steve Hernandez, Duarte, stated he understands it is the employees' money and feels the employees have the right to decide on this.

Fasana inquired if this terminates the deferred compensation program. Yelton responded no, the City will sell the stock, the money will be distributed to employees' accounts, and the employees will direct how the money is invested.

RESOLUTION NO. 03-09

Reyes moved, Fasana seconded to waive further reading and adopt Resolution No. 03-09, and carried unanimously.

CITY MANAGER
Award of Contract
Gentry Brothers, Inc.
Concrete Repairs

Finlay moved, Reyes seconded to award the contract to Gentry Brothers, Inc., for Concrete Repairs, per staff recommendation, authorize execution by the Mayor, and carried unanimously.

ORAL COMMUNICATIONS

Pat Wood, Duarte Diversity Group Chair, announced upcoming event to revisit some issues, tentatively scheduled for October 4, and stated they will be working with the Sheriff's Department, Public Safety Department, and other community groups to discuss issues in the community.

ITEMS FROM COUNCIL
Release of street repair bond
Parcel Map 25230

David Knipscheer, developer and builder of project, stated he has waited 1½ years to resolve this item, there is no one in attendance to represent the neighbors, 22 of the 25 neighbors realize the City has done its job, the City has recommended the \$5,000 bond be released and returned to him, read a portion of the staff report, and requested a decision be made this evening.

Fasana moved, Paras seconded to authorize the release of the street repair bond in the amount of \$5,000 for Parcel Map 25230.

There was discussion about the need to be fair to the residents on Clarkview, the residents' intention to resurface the street, concerns of homeowners, staff documentation of before and after conditions, mitigating measures, penalties for developers who violate conditions, concern for future developments, and possibility of charging developers a mitigation monitoring fee.

The motion to authorize the release of the street repair bond in the amount of \$5,000 for Parcel Map 25230 carried, with Chapjian and Finlay opposing.

Voting Delegate/Alternate
League Special Meeting

Fasana stated there is a chance he may be in Sacramento for part of the League's Special Meeting, and if he attends, he will serve as Voting Delegate, with no Alternate Delegate. Council concurred.

Appointment of Community
Services Commissioner
Fred Vasquez

Finlay moved, Fasana seconded to appoint Fred Vasquez to the Community Services Commission, for a term ending December 31, 2003, and carried unanimously.

Nomination – San Gabriel Basin
Water Quality Authority

Finlay moved, Paras seconded to nominate Rosemead Mayor Pro Tem Margaret Clark to the San Gabriel Basin Water Quality

Authority, and carried unanimously. Duff stated a resolution will be agendized for the next Council Meeting.

REYES: 1) Thanked the community and all involved for their support of the Martinez family, and stated there were dozens of responses to the request for assistance distributed by LULAC; and 2) Stated he would like to agendize and address the issue of racial/gang tensions, there was the unfortunate shooting of Dennis Weathersby, the situation has been going on for several months, suggested the possibility of creating a task force, and stated there is a need for preventative and corrective measures.

Mr. King, Heritage Park Apartments, stated when he lived in Azusa, his son was shot in the leg, and the problem was stopped by raiding houses and taking away the weapons.

FASANA: 1) Thanked Burrtec and staff for their work with the community clean-up; 2) Stated Hazardous Waste Roundups are held weekly, and include computer disposal; 3) Appreciated the outpouring of support for Francisco Martinez, and thanked the City for use of the bus and other efforts; and 4) Regarding Dennis Weathersby, stated staff has recognized this is a problem and held meetings with the Sheriff's Department, there was a community meeting at Pamela Park, this is a community issue, there is an active enforcement effort, ongoing dialogue needs to take place, and stated Dennis Weathersby is a victim and he hopes he recovers soon.

PARAS: 1) Stated she agrees with Mr. Reyes and Mr. Fasana, Dennis Weathersby is a fellow alumni, there is a need to address prevention and correction, this is a community issue, stated she would support some sort of a task force or commission, and feels we need to take an aggressive stance; and 2) Requested a timeline regarding the traffic calming and parking on Vineyard. Duff stated the Traffic and Safety Commission is studying it and will develop a position.

FINLAY: 1) Inquired about the possibility of a community summit with the Duarte City Council, Monrovia City Council, and MAD Town Council; 2) Announced April 28-May 4 is Mosquito and Vector Control and West Nile Virus Awareness Week; 3) Thanked the Los Angeles County Board of Supervisors for approving the Bond Act applications for our City on March 18; 4) Announced Los Angeles Times Festival of Books on April 26 and 27 at UCLA; 5) Announced Library Legislative Day on April 30 in Sacramento; 6) Discussed the possibility of hosting an open house for families of local community members serving in the Armed Forces; 7) Stated the League is looking at putting together a ballot initiative to insure cities have monies dedicated to municipalities; and 8) Invited all to attend the Evening on Broadway on May 1, 2, and 3 at the Performing Arts Center, and stated it is also the kickoff for the Francisco Martinez Flores Performing Arts Scholarship.

Regarding the possibility of a community summit, Mayor Chapjian suggested Supervisor Antonovich be called to attend, Fasana felt this would be a grass roots effort and suggested involvement from the Clergy Association or an official City task force, Finlay suggested Mr. Duff could contact the City of Monrovia and the MAD Town Council, and Reyes requested a report on what is being done. Council concurred.

Reyes inquired if the Blue Star program includes the County

area. Duff stated if that is the direction given by Council, the County residents will be included.

Fasana noted City Council will consider budget deliberations, and will need feedback from staff as to trade-offs.

CHAPJIAN: 1) Expressed appreciation to Reyna Diaz for assisting with the Martinez family, and stated she is a great lady; and 2) Stated he would not be able to attend the Multi-Cultural Festival, but will attend the event on October 4.

ADJOURNMENT

Chapjian moved, Fasana seconded to adjourn the meeting at 10:04 p.m., in memory of Marie Antoinette Joncich and those who were killed in the Armenian Genocide, and carried unanimously.

Mayor George Chapjian

ATTEST:

City Clerk