

## MINUTES

### CITY COUNCIL OF THE CITY OF DUARTE REGULAR MEETING – TUESDAY, JUNE 24, 2003

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 7:10 p.m.

- PLEDGE TO THE FLAG** Mayor Chapjian 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, Paras, Reyes, Chapjian  
ABSENT: Finlay  
ADMINISTRATIVE STAFF PRESENT: City Manager Duff, City Attorney Ralph Leech
- ADOPTION OF AGENDA** Reyes moved, Paras seconded to adopt the Agenda, with the warrant for Trudy Largent & Associates removed from Fiscal Affairs and considered with Item 14.B (Items from Council), and carried unanimously. It was determined that Item 14.B would be considered after the Consent Calendar.
- ANNOUNCEMENTS** Jan Wight, Duarte Chamber of Commerce, stated Shop Duarte bags were distributed at the Concert in the Park where a survey was conducted, announced Mega Mixer on June 25, 5:00 p.m., at Irwindale Speedway, Lunch Bunch on June 25, noon, at the Original Green Onion, MAD Golf Tournament on August 12, and Hats Off on November 12.
- Jack Collins, One Town One Book Committee, stated the kick-off will be Saturday, June 28, 10:30 a.m., at the Senior Center, and stated the book selection will be announced.
- FISCAL AFFAIRS** Reyes moved, Paras seconded to approve payment to the Southern California Edison Company, and carried with Fasana abstaining due to a declared conflict of interest.
- Paras moved, Fasana seconded to approve the remainder of Fiscal Affairs, and carried unanimously.
- SPECIAL ITEMS**  
Blue Star Banner Program Kristen Petersen, Assistant to the City Manager, stated the Blue Star Banner Program salutes and honors the families of Duarteans serving in the Armed Forces. Mayor Chapjian presented blue star banners and Duarte care packages to the families of Calvin Pratt, Carlos Durazo, Ivan Villegas, Tracy Gladson, Gerard Fillion, and Jeremy Bauer, and congratulations were extended.
- Downtown Duarte Task Force** Mayor Chapjian introduced members of the Downtown Duarte Task Force, presented them with Certificates of Appreciation for their time and efforts, and congratulations were extended.
- ORAL COMMUNICATIONS** Bill Baca, Senator Romero's office, stated a meeting was held about the State budget update, the VLF is scheduled to be tripled, the Senator is supporting VLF, and stated anyone with questions can contact the office.
- Steve Hernandez, Duarte, stated he was against the implementation of the utility tax, after he heard both sides of the argument, he changed and backed it, at the last meeting, he addressed Mr.

Reyes more directly than he normally does, he does not think statements should be made without facts to back them, stated if something is wrong, he will say it, and stated he supports Mr. Reyes.

Lino Paras, Duarte, stated even though he and Mr. Hernandez have public differences, they can talk with one another.

Larry Ortega, Community Union, distributed materials to the City Council, stated he provides technology and training to those in need, Supervisor Antonovich awarded them funds to expand in Duarte, he would like to see if another CEO or Boys and Girls Club could collaborate, feels the Teen Center is a key area to provide training, he is looking for a facility and computers, he receives corporate support, and stated there is a need in this area.

Reyes stated he invited Mr. Ortega to the meeting, they have talked to staff, we do not have a formal program at the Teen Center, it would be nice if we could set up a program, and stated it is a valuable program.

Mayor Chapjian asked Mr. Ortega if he has been to the School District. Mr. Ortega replied no, and stated he has had conversations with Ms. Diaz and Ms. Georgino. Duff asked Mr. Ortega to provide the information to staff for follow-up.

Mayor Chapjian displayed a scroll from China that was provided by Duarte resident Nathan Jones, and thanked Mr. Jones.

#### CONSENT CALENDAR

Reyes moved, Paras seconded to approve the Consent Calendar, as follows, and carried unanimously.  
Approve Items A, B.

#### ITEMS FROM COUNCIL Trudy Largent & Associates bill

Fasana inquired of the City Attorney if the hours on the invoice are appropriate. Leech stated there is no challenge as to the time Ms. Largent spent.

Fasana stated the work was done, and according to the contract, the bill should be paid.

Mayor Chapjian stated the work had been done.

Lino Paras, Duarte, read a portion of the Notice of Claim filed by Trudy Largent, stated he wants the City to pay the bill, this was not discussed during the budget, asked why City Council was put in the dark, and stated this is a high visibility item.

Pat Wood, Duarte, stated she attended the budget workshop, the legal services budget item had been reduced, \$29,000 had been expended at that point, the \$28,000 billing was not presented to City Council and it should have been in the budget in May, this is an oversight that needs to be explained, provided dates that notices were sent from Ms. Largent, stated this was handled in an unprofessional manner, there were staff pay increases, feels the report whitewashed most of the allegations, not paying licenses should not have cost \$60,000, hopes there is resolution as to why it happened, and stated it reflects badly on the people of Duarte.

Steve Hernandez, Duarte, stated he hopes we can get a decent PDF copy of the report, when there are innuendoes and conjecture, he clears it up, the report did not say what Ms. Wood said,

in the first allegation, there were felonies committed, in one allegation, the employee's credibility was taken over Mr. Reyes', Mr. Reyes called a senior staff member a bad name, he would like to see the battles end, and stated he does not want inaccurate information out there.

Saajida Polk, Duarte, stated she read items in the report, she was insulted, it is a waste of taxpayers' money, she has dealt with the City and Sheriff, it is a felony to throw a 19-year old man against a car, she was told a tape would be shown to her about her son, it was not available, she has lived the same situation as Mr. Reyes and other minorities, and stated she has witnessed it in the community.

Reyes stated he is sure Ms. Largent did not want to file this claim, he thought it was taken care of, when he asked the total cost in January, he was quoted \$29,000, now it is almost \$60,000, there is not a dispute, he thinks she earned the fee, and stated he wants to know what happened, why Council was not notified, and why it is in the paper.

Duff provided a timetable of items related to the Trudy Largent investigation, including invoices received, invoices submitted for payment, invoices and contract forwarded to City Attorney for review, stated the invoice covering expenses from September 2002 to January 2003 was forwarded to the City Attorney for review, as it would be inappropriate for the City Manager to recommend payment, stated the Notice of Claim was received and forwarded to the City Attorney on May 19, on May 28, the City Attorney indicated the invoice was consistent and should be paid, and stated it was forwarded to the Finance Department for payment approval on the June 24 agenda.

Fasana moved, Reyes seconded to pay the bill to Trudy Largent & Associates.

Fasana stated it is regretful if the ball was dropped, according to the City Attorney the work has been performed, it appears there was a diligent effort, and asked if we could get a Word document so it can be converted to a PDF file. Ms. Largent stated she would re-send the document.

Fasana stated the debt is owed, it was more than we thought, and stated it was completed within the 2002/03 fiscal year and budget.

Paras inquired why City Council was not informed, stated it is a significant amount of money, asked why Mr. Leech is the acting City Attorney, and stated she read about this in the paper.

Duff stated we do not know how Lisa Faught at the Star News received a copy, in January, we thought the cost was \$28,000, the first impression was that this was a duplicate bill, that was not the case, and stated when the City Council directed the City Attorney to conduct the investigation and authorized the contract, there were no limits set, and the direction was to conduct the investigation.

Reyes stated it has been six months, either the City Manager or City Attorney is incompetent, he wants people to read the document, if he is passionate about something, he will fight for it, friends talk to people, the report tells a story, asked why this item was hidden, asked what other overruns we have, he would

like an audit of all contracts and finances, and asked if it was because Susan Holliday, an African-American woman, hired another African-American woman, Trudy Largent, and asked if we have an African-American at City Hall.

Fasana stated this was not processed like any other invoice, due to the work being handled out of the City Attorney's office.

Mayor Chapjian stated it is disappointing and upsetting that whenever the issue of this report comes up, some people point to the City Manager, it is not the City Manager at all, it goes back to Mr. Reyes, the report tells a story, it is not about staff, it is about Mr. Reyes' behavior, all Councilmembers voted for the investigation, it cost the City \$60,000, that could have been spent on youth, he is not sure it is the City Manager's fault, he does not see a smoking gun or a conspiracy, and stated it is not appropriate.

Reyes stated when Mr. Chapjian was first elected, he knew it was important to bring accountability and was concerned about the credibility of the City Manager, and stated the report is a strategic ploy. Mayor Chapjian stated that is not true.

The motion to pay the bill to Trudy Largent & Associates carried unanimously.

COUNCIL BILLS  
Council Bill 03-R-15  
Calls Election 11/4/03

Leech read by title Council Bill 03-R-15:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

RESOLUTION NO. 03-15

Fasana moved, Paras seconded to waive further reading and adopt Resolution No. 03-15, and carried unanimously.

Council Bill 03-R-16  
Requests Consolidation

Leech read by title Council Bill 03-R-16:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2003, WITH THE DUARTE UNIFIED SCHOOL DISTRICT ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE

Leech noted the word "three" in the first paragraph has been changed to the word "two."

RESOLUTION NO. 03-16

Fasana moved, Paras seconded to waive further reading and adopt Resolution No. 03-16, with the above change, and carried unanimously.

Council Bill 03-R-17  
Candidate's Statements

Leech read by title Council Bill 03-R-17:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING

TO CANDIDATE'S STATEMENTS SUBMITTED TO THE  
VOTERS AT AN ELECTION TO BE HELD ON TUESDAY,  
NOVEMBER 4, 2003

RESOLUTION NO. 03-17

Fasana moved, Reyes seconded to waive further reading and adopt Resolution No. 03-17, and carried unanimously.

Fasana stated the election on November 4, 2003, will be for two City Councilmembers and three School Boardmembers.

Council Bill 03-R-19  
Votes for Margaret Clark  
Water Quality Authority

Leech read by title Council Bill 03-R-19:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
DUARTE, CALIFORNIA, CASTING ITS TWO VOTES FOR  
COUNCILMEMBER MARGARET CLARK TO REPRESENT  
CITIES WITHOUT PRESCRIPTIVE PUMPING RIGHTS ON  
THE BOARD OF THE SAN GABRIEL BASIN WATER  
QUALITY AUTHORITY

RESOLUTION NO. 03-19

Fasana moved, Paras seconded to waive further reading and adopt Resolution No. 03-19, and carried unanimously.

CITY MANAGER  
Cops in Schools (COPS/CIS)  
Grant

Steve Hernandez, Duarte, stated this is a great program and opportunity, he heard complaints from others, he has been pleased since he became involved, he thinks there is a need to bring the community and officers together, we rely on them for our safety, and stated this is one way to do it.

Fasana moved, Reyes seconded to authorize staff to continue to pursue the Cops in Schools (COPS/CIS) Grant, and carried unanimously.

ORAL COMMUNICATIONS

Pat Wood, Duarte, stated the phrase "not my job" is not to be tolerated, asking any Council person if they have something of value to say is insulting, and if there was an election next week, Mr. Reyes would be re-elected.

Mayor Chapjian stated when people are accused of racism, he is not sure that is something of value.

Marlene Carrasco, Duarte, asked when the topic of potential homes north of Las Lomas would be discussed and if there has been a vote. Duff stated the developer of that project has not submitted all of the documentation, at this time, there is not a suggested date, and stated there would be a vote by City Council when it is on the Agenda.

Steve Hernandez, Duarte, stated Mr. Reyes puts things to the public in their mailboxes, the reason he speaks at the meetings is because he does not have the money or time to do that, he is here to counter that and correct things, as a friend, Mr. Reyes should not put him in that position, he will do what is necessary to keep the City together, he respects all five City Councilmembers and will stand by all five of them, asked Mr. Reyes to meet with him and go over the report, and stated he does not use the race card, as it is one of the poorest ways to win an argument.

Lino Paras, Duarte, stated the first time he had a substantial meeting with Mr. Duff, he lied to him, he stonewalled him asking for documents, all have detractors, he is hoping to get transparency in government, he is a detractor most of the time, staff is here to serve the City Council and the people, the City Manager should not be in the middle of this, and stated this is the nature of government.

ITEMS FROM COUNCIL  
Appointments to Ad Hoc Down-  
town Duarte Advisory Committee

Fasana appointed Tony Molina, Mayor Chapjian stated Council-member Finlay notified him that her appointment was Jim Kirchner, and Mayor Chapjian appointed Jack Diramarian to the Ad Hoc Downtown Duarte Advisory Committee.

Fasana moved, Reyes seconded to concur with the appointments of Tony Molina, Jim Kirchner, and Jack Diramarian to the Ad Hoc Downtown Duarte Advisory Committee.

Reyes moved, Fasana seconded to agendize the formalizing of duties of the Ad Hoc Downtown Duarte Advisory Committee for the next Council Meeting, and carried unanimously.

Paras inquired about the timeframe for training and other guidelines for the advisory committee members. Duff stated after the duties are determined, the process will be started, based on the time staff has available.

The motion to concur with the appointments of Tony Molina, Jim Kirchner, and Jack Diramarian to the Ad Hoc Downtown Duarte Advisory Committee carried unanimously.

PARAS: 1) Stated the Youth Fair was well-attended; 2) The Beautification awards were also well-attended, and stated the residents were proud of their properties; 3) Expressed special thanks to Peggy Diamond for the Volunteer Recognition Dinner at the Senior Center, and stated her heart and passion is for seniors; and 4) Stated the community is striving, it deserves better, Councilmembers owe that to the community, everyone's comments need to be respected, whether we agree or not, and stated she wants the best for the community and will do what she can to get there.

FASANA: 1) Congratulated Peggy Diamond and the seniors, and stated the Senior Center is the best in the San Gabriel Valley; and 2) Congratulated Duarte High School graduates, as well as the senior English class for establishing the living memorial and recognizing Lance Corporal Martinez Flores, and stated it was a good civics lesson in action.

REYES: 1) Regarding Mr. Larry Ortega, stated he would like to give our residents the first opportunity, this is a great program that has been successful in other communities, and he is hoping they could work something out at the Teen Center; 2) Stated he is here and passionate about trying to make sure that we unify this community and that everybody is included, that is what he believes in, and he welcomes calls and comments from the public; 3) Stated the skateboard park looks great; 4) Attended the living memorial service, it was an outstanding event, and stated it brought us recognition and pride; 5) Attended the senior breakfast at Duarte High School and the Mt. Olive luncheon, congratulated recipients of the scholarships, and thanked the donors; 6) Thanked staff for the Youth Fair; 7) Congratulated Peggy Diamond at the Senior Center for the Volunteer Recognition Dinner, stated it is a great facility, and Peggy is a wonderful and sincere lady; 8) Announced Duarte Youth Athletic Club fundraiser on June 28, 2:00 p.m., at the baseball sports park; 9) Requested a discussion about SB 60 (Cedillo) be agendized; 10) Stated he would like to recognize Eagle Scouts Ryan Rittenhouse and William Worley; and 11) Wished all a safe and sane 4<sup>th</sup> of July, and asked Don Anderson to remind residents about fines and policies.

Anderson stated there will be special patrols, bicycle patrols, unmarked cars, and patrol cars, we have zero tolerance for illegal fireworks and any fireworks north of Royal Oaks, with the exception of Royal Oaks Park, there will be special attention paid to parks, invited all to use all the parks, and stated to avoid a fine, all are encouraged to purchase safe and sane fireworks and to celebrate intelligently.

CHAPJIAN: 1) Stated there are a lot of positive things in the community, such as the Concerts in the Park, Youth Fair, Beautification Awards, and Senior Volunteer Recognition Dinner, and stated these can be attributed to City staff; and 2) Stated accusing people of being racist upsets him, he and his family have been victims, it does everyone a disservice, he thinks we need to leave that out of this, he does not see anyone here as a racist, and stated unless there is hard proof, that should not be thrown out, as it is not fair to the person who is being accused as well.

ADJOURNMENT

Reyes moved, Fasana seconded to adjourn the meeting at 9:10 p.m., and carried unanimously.

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Mayor George Chapjian

ATTEST:

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City Clerk