

## MINUTES

### CITY COUNCIL OF THE CITY OF DUARTE REGULAR MEETING – TUESDAY, JULY 22, 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 7:13 p.m.

- PLEDGE TO THE FLAG** Terry Blackwood, City of Hope, led the Pledge of Allegiance to the Flag.
- MOMENT OF REFLECTION** A silent moment of reflection was observed.
- RECORDATION OF ATTENDANCE** The following were 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, with the Redevelopment Agency Meeting conducted after Item 8.A (Public Hearing), and carried unanimously.
- ANNOUNCEMENTS** Jean Green, Duarte, suggested the community be educated about service dogs, as the 7-11 Store did not want her dog in the store, and thanked John and Donna Mack for their help.  
  
Finlay suggested a possible business seminar so owners can be made aware of laws and standards that apply to disabled persons.  
  
Mayor Chapjian stated the Route 66 Parade Committee has announced that television and radio personality Stephanie Edwards is the Grand Marshal of the Parade to be held on September 20.
- 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, Reyes seconded to approve the remainder of Fiscal Affairs, and carried unanimously.
- SPECIAL ITEMS**  
Oath of Office – Commissioner William Lawrence City Clerk Akana administered the Oath of Office to Traffic and Safety Commissioner William Lawrence. Mayor Chapjian presented Commissioner Lawrence a Certificate of Appointment, and congratulations were extended.
- Proclamation  
National Night Out – 8/5/03 Mayor Chapjian read and presented the Proclamation for National Night Out to Crime Prevention Specialist Abby Lai, who outlined the activities that will take place as part of the event.
- ORAL COMMUNICATIONS** Steve Moomey, Duarte, stated he had been treated rudely by a City employee. Mayor Chapjian asked Mr. Moomey to provide his phone number and staff would follow-up.  
  
Lottie Walker, Duarte, discussed the situation at Heritage Park Apartments, stated she has received an eviction notice and some residents have been housed in a hotel, and felt the government should protect them.
- PUBLIC HEARINGS**  
Council Bill 03-R-23  
Supports plan of financing for City of Hope Mayor Chapjian announced this was the time and place set for a Public Hearing to provide an opportunity to express views on the proposed plan of financing for the cost of a project of City of Hope National Medical Center.

City Attorney Leech asked City Clerk Akana if notice of the hearing had been given. Akana stated the notice had been given and the affidavit was on file.

Mayor Chapjian asked if any written communications had been filed in the matter. Akana stated there were none.

Mike Yelton, Assistant City Manager, provided a staff report about financing assistance for City of Hope National Medical Center, and participation in the ABAG Finance Authority.

Terry Blackwood, Chief Financial Officer, City of Hope, stated this financing would allow the City of Hope to complete the new hospital project, it is solely the responsibility of the City of Hope, displayed a rendering of the new facility, described recent distinctions awarded to City of Hope, and stated the City of Hope is proud to be a good corporate citizen of Duarte.

Mayor Chapjian asked if there was anyone in the audience who wished to be heard on this matter.

Harb Thind, Duarte, inquired about rankings of other hospitals. Mr. Blackwood stated the information is on the JCAHO website.

Fasana moved, Reyes seconded to close the Public Hearing, and carried unanimously.

Leech read by title Council Bill 03-R-23:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, APPROVING ASSOCIATE MEMBERSHIP IN THE ABAG FINANCE AUTHORITY FOR NONPROFIT CORPORATIONS AND THE EXECUTION OF AN ASSOCIATE MEMBERSHIP AGREEMENT RELATING TO ASSOCIATE MEMBERSHIP OF THE CITY IN THE AUTHORITY; AND SUPPORTING THE PROPOSED PLAN OF FINANCING FOR THE COSTS OF A PROJECT FOR THE CITY OF HOPE NATIONAL MEDICAL CENTER FOLLOWING A PUBLIC HEARING PURSUANT TO THE REQUIREMENTS OF THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1983 (TEFRA)

RESOLUTION NO. 03-23

Fasana moved, Reyes seconded to waive further reading and adopt Resolution No. 03-23, and carried unanimously.

RECESS

Mayor Chapjian called a Recess at 7:50 p.m. for the Redevelopment Agency Meeting. City Council reconvened at 8:30 p.m., with all members present.

PUBLIC HEARINGS (Continued)  
Council Bill 03-O-04  
Zone Change 02-2  
(First Reading)

Mayor Chapjian announced this was the time and place set for a Public Hearing to consider Tentative Tract Map 54011 and Zone Change 02-2 (1815 Buena Vista Street).

City Attorney Leech asked City Clerk Akana if notice of the hearing had been given. Akana stated the notice had been given and the affidavit was on file.

Mayor Chapjian asked if any written communications had been filed in the matter. Akana stated there were none.

Ed Cox, Director of Community Development provided a staff report about the proposed zone change and tentative tract map, and displayed a rendering of the proposed development.

Mayor Chapjian asked if there was anyone in the audience who wished to be heard on this matter.

Harb Thind, Duarte, stated he is pleased with the architecture, the rendering is beautiful, and complimented the architect.

Rick Leslie, Architect, discussed the aesthetics of the Vista Gardens project, stated the parking is under the units, there are a variety of interior designs, and stated this property is a perfect transition point for the zone change.

In response to an inquiry from a Duarte resident (no name given), Mr. Leslie stated the wall is approximately four feet high, it will not interrupt the view of the total building, and stated each unit has a private yard in front.

Finlay moved, Fasana seconded to close the Public Hearing, and carried unanimously.

There was discussion about the common area, setbacks, price ranges, parking ratio, use of cast iron, drainage, and play areas.

Leech read by title Council Bill 03-O-04:

AN ORDINANCE OF THE CITY OF DUARTE, CALIFORNIA, REVISING THE DUARTE MUNICIPAL CODE BY CHANGING THE ZONING OF TWO PARCELS OF LAND FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO R-4 (MULTIPLE-FAMILY RESIDENTIAL – HIGH DENSITY) (Zone Change 02-2) (First Reading)

Reyes moved, Finlay seconded to introduce Council Bill 03-O-04 for first reading, approve the Negative Declaration, and approve Tentative Tract Map 54011, and carried unanimously.

#### CONSENT CALENDAR

Finlay moved, Reyes seconded to approve the Consent Calendar, as follows, and carried unanimously.

Approve Items A, B, D.

Receive and File Item C.

#### COUNCIL BILLS

Council Bill 03-R-22

Supports SB 60 (Cedillo)

Leech read by title Council Bill 03-R-22:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, SUPPORTING SB 60 (CEDILLO) – DRIVER'S LICENSES FOR ALL CALIFORNIA MOTORISTS

Steve Kokanour, Duarte, stated there is no beneficial impact that SB 60 can have on the lives of legal residents.

Ben Monterroso, West Covina, spoke in favor of SB 60, and urged the City Council to approve the resolution.

Reyes read a letter from Steve Cooley in support of SB 60.

Reyes moved, Fasana seconded to waive further reading and adopt Resolution No. 03-22.

There was discussion about the League not taking a position, immigration policy, California driver's license requirements, and employers paying undocumented workers' taxes.

Harb Thind, Duarte, stated employers are not supposed to hire unlawful entrants to this country.

Lino Paras, Duarte, stated he waited five years to obtain his papers, driving is a privilege, and suggested since this is not a pressing matter, it could be voted upon or received and filed.

Finlay moved, Paras seconded a substitute motion to receive and file Council Bill 03-R-22, and failed by the following Roll Call vote:

AYES: Finlay, Paras

NOES: Reyes, Fasana, Chapjian

RESOLUTION NO. 03-22                   The motion to waive further reading and adopt Resolution No. 03-22 carried by the following Roll Call vote:  
AYES: Fasana, Chapjian, Reyes  
NOES: Paras  
ABSTAIN: Finlay

Council Bill 03-R-24                   Leech read by title Council Bill 03-R-24:  
Urging balanced approach in        A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
adopting State budget                OF DUARTE, CALIFORNIA, URGING THE CALIFORNIA  
LEGISLATURE TO USE A BALANCED APPROACH IN  
ADOPTING THE STATE BUDGET

RESOLUTION NO. 03-24                Finlay moved, Paras seconded to adopt Resolution No. 03-24,  
and carried unanimously.

Council Bill 03-R-25                   Leech read by title Council Bill 03-R-25:  
Gold Line Phase II                    A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF DUARTE, COUNTY OF LOS ANGELES, STATE OF  
CALIFORNIA, APPROVING THE GOLD LINE PHASE II  
CONSTRUCTION AUTHORITY JOINT POWERS AUTHOR-  
ITY JOINT EXERCISE OF POWERS AGREEMENT;  
AUTHORIZING THE CITY MANAGER TO EXECUTE A  
MEMORANDUM OF AGREEMENT TO IMPLEMENT THE  
AGREEMENT; AND AUTHORIZING THE CITY MANAGER  
TO APPROVE WORD CHANGES TO THE AGREEMENT  
AS NECESSARY

Finlay moved, Fasana seconded to waive further reading and  
adopt Resolution No. 03-25.

There was discussion about negotiations, timeline, and support  
of light rail.

RESOLUTION NO. 03-25                The motion to waive further reading and adopt Resolution No.  
03-25 carried unanimously.

Council Bill 03-R-26                   Leech read by title Council Bill 03-R-26:  
Detoured traffic - Route 66 Parade   A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF DUARTE, CALIFORNIA, SUPPORTING THE DUARTE  
ROUTE 66 PARADE AND AGREEING TO ACCEPT  
LIABILITY AND MAINTENANCE FOR DETOURED  
TRAFFIC FROM THE MOUNT OLIVE OFF-RAMP

RESOLUTION NO. 03-26                Finlay moved, Fasana seconded to waive further reading and  
adopt Resolution No. 03-26, and carried unanimously.

TRAFFIC AND SAFETY                   Cox provided a staff report about the Traffic and Safety Com-  
COMMISSION                            mission's recommendation to purchase and install radar signs  
Traffic calming devices                on Vineyard Avenue and Las Lomas Road.

Rachel Sacramento, Duarte, supported the Commission's recom-  
mendation.

Harb Thind, Duarte, stated the chokers did not slow down  
traffic.

There was discussion about traffic study results, diagonal lines  
on Vineyard and Las Lomas, photo enforcement, issuance of  
citations, and safety. There was further discussion about the  
possible use of a smart unit, speed humps, and more enforce-  
ment, with the suggestion that an insert be included with utility  
bills to let residents know about the increased enforcement.

Rachel Sacramento, Duarte, stated enforcement may be difficult,  
and provided information about radar speed trailers.

Lino Paras, Duarte, felt the measurement was flawed, as the device was placed near an intersection.

Finlay moved, Fasana seconded to receive and file the Traffic and Safety Commission recommendation for traffic calming devices on Vineyard Avenue and Las Lomas Road, and to refer the item back to the Commission for further options, and carried unanimously.

CITY MANAGER  
Request for policy direction  
Minutes and recording retention

Duff provided a staff report, including information obtained from the City Clerk's Association of California regarding types of minutes, oral debates, arguments, discussions, use of tape recordings, and retention.

There was discussion about action minutes, listing names of people who speak for or against an item, policy for videotape retention, limited reference to discussion, and use of tapes for historical record. Leech stated tape recordings and videos are legal documents.

Fasana moved, Paras seconded to set a policy that City Council meeting minutes be action minutes, listing names of the public who speak on an item, and that a policy be brought forward to allow for videotape retention, and carried by the following Roll Call vote:

AYES: Finlay, Paras, Fasana, Chapjian

NOES: Reyes

Notice of Completion  
Traffic Sign Upgrade Project  
Maneri Sign, Inc.

Mark Montgomery, Duarte, stated the street signs on Buena Vista/Central and on Buena Vista/Evergreen have not been replaced. Cox stated those are Caltrans intersections, and the mast arms are not strong enough to support the added weight of the new signs.

Reyes moved, Finlay seconded to accept the Traffic Sign Upgrade project, per staff recommendation, authorize the City Clerk to file the necessary Notice of Completion together with release of bonds, and carried unanimously.

ORAL COMMUNICATIONS

Brian Lister, Duarte, asked if the Gold Line was free this week-end, and provided a copy of an adopt-a-street program. Fasana stated the Gold Line service will be free on Saturday and Sunday.

Lino Paras, Duarte, discussed the minutes, cancelled Council meetings, and attendance records of Councilmembers.

ITEMS FROM COUNCIL

REYES: 1) Asked if all Councilmembers will be in attendance for the meetings in August. Mayor Chapjian stated he would be on vacation August 12; 2) Regarding the moment of reflection, asked if we can reflect on those serving in Iraq and their parents, and stated we need to follow-up with Craig Jurin; and 3) Regarding sidewalk and curb repair, asked that before a project is accepted, we make sure the grass has been replaced where it has been cut out.

FASANA: 1) Regarding sidewalk and curb repair, stated some irrigation systems were damaged, a survey in those areas might be useful, and bids could be restructured in the future for greater control; 2) Attended Congresswoman Solis' press conference for the signing of the San Gabriel River Watershed Study Act by President Bush, which will lead to a study of the region; and 3) Stated the Gold Line is opening this week-end, and it is on time and under budget.

Mayor Chapjian asked if we could find out what the master plan of the San Gabriel Valley Rivers and Mountains Con-

servancy calls for, and how far west the area includes, and stated since the Conservancy is here locally, asked why money would go to a western city in the San Gabriel Valley.

FINLAY: 1) Stated the blood supply in the U.S. is being tested for West Nile Virus, as the first confirmed case was in South Carolina; 2) Stated to repel mosquitoes, homes should be kept free of standing water, residents can call Vector Control if their pool is green, and stated she will contact Vector Control about the status of the black fly problem; 3) Attended State League Board meeting, stated the legislature proposes to use sales tax to help finance State deficit reduction bonds, local sales tax revenues would be backfilled with ERAF funds, and there will be a ballot initiative in November 2004 to keep funds from being taken from cities; and 4) Stated she rode the Gold Line today, and if Mr. Fasana and others had not been working on it many years, it would not come out this far.

PARAS: 1) Encouraged all to participate in National Night Out, stated the Neighborhood Watch Captains do a tremendous job, and stated canned foods will be collected for the Duarte Community Service Council; 2) Stated she appreciates that we will have both meetings in August; and 3) Regarding the moment of reflection, suggested the possibility of students or community members reading a poem or essay.

CHAPJIAN: 1) Thanked Mr. Fasana for working on the Gold Line and the Phase II agreement; and 2) Inquired about including a citizen on the Architectural Review Board. Duff stated the ARB duties were going to be assigned to the Planning Commission.

#### ADJOURNMENT

Reyes moved, Finlay seconded to adjourn the meeting at 10:50 p.m., and carried unanimously.

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Mayor George Chapjian

ATTEST:

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City Clerk