

MINUTES

CITY COUNCIL OF THE CITY OF DUARTE REGULAR MEETING – TUESDAY, OCTOBER 28, 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 7:05 p.m.

- PLEDGE TO THE FLAG** Members of the Eagle Scouts 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, Paras seconded to adopt the Agenda, as amended to conduct the Duarte Public Financing Authority Meeting after Item 6 (Special Items), and carried unanimously.
- ANNOUNCEMENTS**
- Anela Freeman, Congresswoman Hilda Solis' office, announced Immigration Seminar on November 1, 9:00 a.m., at South El Monte Senior Center.
- Jan Wight, Duarte Chamber of Commerce, announced Hats Off to Duarte! on November 12, 5:00 p.m., at Buena Vista Pavilion.
- Don Anderson, Duarte Rotary Club, announced Four Way Speech Contest open to all high school students in the City of Duarte, with a first prize of \$4,000, and stated the registration deadline is January 8, 2004.
- Kristen Petersen, Assistant to the City Manager, announced Veteran's Day Ceremony on November 11, 9:00 a.m., at Thorsen 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.
- Paras moved, Finlay 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 Duartean serving in the Armed Forces. Mayor Chapjian presented a blue star banner to the family of Christopher Gil, and congratulations were extended.
- Recognition – Eagle Scouts** Mayor Chapjian presented Certificates of Appreciation to Eagle Scouts Jeremy Winstanley, Mathew Watson, William Worley, Venley Dygert, Michael Hughes, Greg Brittain, and Jonathan Pai, and congratulations were extended.
- Recognition – Craig Stogner** Mayor Chapjian presented Duarte resident Craig Stogner with a Certificate of Appreciation for being named Arcadia's Firefighter of the Year, and congratulations were extended.
- RECESS** Mayor Chapjian called a Recess at 7:30 p.m. for the Duarte Public Financing Authority Meeting. City Council reconvened at 7:32 p.m., with all members present.

PUBLIC HEARING
Mitigated Negative Declaration
(S/E corner Hamilton/Mountain)

Council Bill 03-R-30
General Plan Amendment 03-2

Council Bill 03-O-05
Zone Change 03-2
(First Reading)

Mayor Chapjian announced this was the time and place set for a Public Hearing to consider General Plan Amendment 03-2 and Zone Change 03-2 (southeast corner of Hamilton Road and Mountain Avenue).

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 Environmental Impact Assessment #195, Mitigated Negative Declaration, General Plan Amendment 03-2, and Zone Change 03-2.

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

Karl Uhlig, Duarte, stated the City acquired the land in anticipation of light rail, and felt the parcel could be traded for other land that might be needed later.

Steve Hernandez, Duarte, stated he is concerned about traffic, and felt the northbound entrance to the freeway could have two left turn lanes.

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

Duff provided information about the Gold Line extension, rail stations, Prop A and Prop C funds, and traffic study.

Leech read by title Council Bill 03-R-30:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING THE LAND USE POLICY MAP OF THE CITY'S GENERAL PLAN FOR ONE PARCEL OF LAND FROM INDUSTRIAL TO GENERAL COMMERCIAL (GENERAL PLAN AMENDMENT 03-2)

RESOLUTION NO. 03-30

Fasana moved, Finlay seconded to approve the Mitigated Negative Declaration, and waive further reading and adopt Resolution No. 03-30, and carried by the following Roll Call vote:

AYES: Fasana, Finlay, Paras, Reyes, Chapjian

NOES: None

Leech read by title Council Bill 03-O-05:

AN ORDINANCE OF THE CITY OF DUARTE, CALIFORNIA, REVISING THE DUARTE MUNICIPAL CODE BY CHANGING THE ZONING OF ONE PARCEL OF LAND FROM M-1 (LIGHT MANUFACTURING) TO C-2 (GENERAL COMMERCIAL) (ZONE CHANGE 03-2) (First Reading)

Fasana moved, Finlay seconded to waive further reading and introduce Council Bill 03-O-05 for first reading, and carried unanimously.

JOINT PUBLIC HEARING
Property Conveyance Agreement
(S/E corner Hamilton/Mountain)

Council Bill 03-R-31
DDA – Affiliated Jacobsen
Family Holdings 1, LLC

Mayor Chapjian called the Joint Public Hearing to order at 7:50 p.m. between the City Council and the Redevelopment Agency.

Chairperson Finlay called the Redevelopment Agency into session for a Joint Public Hearing with the City Council.

Mayor Chapjian announced this was the time and place set for a Joint Public Hearing of the City Council of the City of Duarte and the Redevelopment Agency of the City of Duarte on a proposed disposition and development agreement between the Redevelopment Agency of the City of Duarte and Affiliated Jacobsen Family Holdings 1, LLC, and a related contract between the City of Duarte and Redevelopment Agency of the City of Duarte concerning transfer of title of certain City-owned property to the Agency (southeast corner of Hamilton Road and Mountain Avenue).

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 a letter supporting the project was received from the Duarte Chamber of Commerce Board of Directors, and copies had been provided to Councilmembers.

Duff provided a staff report about the proposed disposition and development agreement and property conveyance agreement, and introduced Douglas Jacobsen, Brad Talt, and Jeffrey Timbers, who presented a detailed overview of the proposed development. Representatives from IHOP and La-Z-Boy also made presentations.

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

Steve Hernandez, Duarte, stated this is a great opportunity, and it would compliment the corner.

Steve Markman, UPS Store, stated as a businessperson, he is favorable to this, the quality of tenants is very high, and it will benefit the City.

Jane Stockwell, Duarte, stated she is in favor of the new development.

Teresa Sims, Duarte, stated she is in favor of the project.

Harb Thind, Duarte, stated he is very satisfied with the project, and complimented staff and Council for bringing quality development to the City.

Bill Hyatt, Duarte, stated it is a beautiful project, it will add to the City, and felt one-percent of the project cost could be imposed on developers to promote the arts.

Lois Gaston, Duarte, stated she is pleased about the development, and asked that youth be included when staffing occurs.

Jan Wight, Duarte Chamber of Commerce, stated she personally welcomed the project, and stated the Chamber's Board of Directors unanimously voted to support the project.

Mark Montgomery, Duarte, stated he wished La-Z-Boy was here earlier, supported IHOP, and felt a Barnes and Noble store is needed.

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

Kerra Carlson, Rutan and Tucker, responded to questions from City Council.

There was discussion about annual tax revenue, other sites previously discussed, donation for arts program, economics, and light rail station site.

Fasana moved, Paras seconded to authorize the City of Duarte to enter into a property conveyance agreement between the Redevelopment Agency of the City of Duarte and the City of Duarte (southeast corner of Hamilton Road and Mountain Avenue), and carried by the following Roll Call vote:

AYES: Fasana, Finlay, Paras, Chapjian

NOES: Reyes

Leech read by title Council Bill 03-R-31:

A RESOLUTION OF THE CITY OF DUARTE APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF DUARTE AND AFFILIATED JACOBSEN FAMILY HOLDINGS 1, LLC

Finlay moved, Paras seconded to waive further reading of Council Bill 03-R-31, and carried unanimously.

RESOLUTION NO. 03-31 Finlay moved, Fasana seconded to adopt Resolution No. 03-31, and carried by the following Roll Call vote:
AYES: Finlay, Paras, Fasana, Chapjian
NOES: Reyes

CONSENT CALENDAR Finlay moved, Paras seconded to approve the Consent Calendar, as follows, and carried unanimously.
Approve Items A, B.
Receive and File Item C.
Deny Item D.

COUNCIL BILL
Council Bill 03-R-29
Local Agency Investment Fund Leech read by title Council Bill 03-R-29:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND

RESOLUTION NO. 03-29 Fasana moved, Finlay seconded to waive further reading and adopt Resolution No. 03-29, and carried unanimously.

CITY MANAGER
Notice of Completion
Duarte Skate Park
California Skateparks Reyes moved, Finlay seconded to accept the Duarte Skate Park 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 The following spoke about items not on the Agenda:
Bill Hyatt – Development, financial statements, fiscal responsibility, exclusive rights.

ITEMS FROM COUNCIL REYES: 1) Thanked staff for organizing the recognition of the Eagle Scouts; and 2) Thanked staff and all involved in the Red Ribbon Week activities.

FASANA: 1) Stated the Red Ribbon walk was a good event, and thanked all involved; and 2) Asked that the Council Meeting be adjourned in memory of Janice Burgoyne.

FINLAY: 1) Discussed the State’s triple flip relating to sales tax; 2) Stated the Sanitation District will increase fees by \$6 per year until 2014; and 3) Asked that the Council Meeting be also adjourned in memory of Harry Crump.

PARAS: 1) Requested staff look into our options for the former Lerner’s lot in the next several months; 2) Discussed a newspaper article about the increase in Duarte’s median home prices; 3) Stated she hopes all exercise their right to vote on November 4; and 4) Stated she appreciates those who provide input and question things.

CHAPJIAN: Asked that the Council Meeting be also adjourned in memory of Bea Smith.

ADJOURNMENT Fasana moved, Reyes seconded to adjourn the meeting at 9:43 p.m. in memory of Janice Burgoyne, Harry Crump, and Bea Smith, and carried unanimously.

Mayor George Chapjian

ATTEST:

City Clerk