

**MINUTES**

**CITY COUNCIL OF THE CITY OF DUARTE  
REGULAR MEETING – TUESDAY, DECEMBER 9, 2003**

The City Council of the City of Duarte met in a regular meeting in the Council Chambers, 1600 Huntington Drive, Duarte, California. Mayor Fasana called the meeting to order at 7:06 p.m.

- PLEDGE TO THE FLAG** Reyna Diaz 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: Finlay, Gaston, Paras, Reyes, Fasana  
ABSENT: None  
ADMINISTRATIVE STAFF PRESENT: City Manager Duff, City Attorney Ralph Leech
- ADOPTION OF AGENDA** Reyes moved, Paras seconded to adopt the Agenda, and carried unanimously.
- FISCAL AFFAIRS** Finlay moved, Gaston seconded to approve payment to the Southern California Edison Company, and carried with Fasana abstaining due to a declared conflict of interest.  
Finlay moved, Paras seconded to approve the remainder of Fiscal Affairs, and carried unanimously.
- SPECIAL ITEM**  
Recognition – Reyna Diaz  
Mayor Fasana introduced Reyna Diaz, and presented her with a Certificate of Appreciation in recognition of her being the recipient of honor by the International Association of Women of San Salvador, and congratulations were extended.
- Presentation – STTOP Program  
Sergeant Bobby Izell, Los Angeles County Sheriff’s Department, described the Sheriff’s Teen Traffic Offender Program (STTOP) and its objective to intervene when reckless driving habits of teen drivers are brought to the attention of law enforcement through a special 24-hour hotline number.
- ORAL COMMUNICATIONS** The following spoke about items not on the Agenda:  
Bill Baca – Senator Romero’s letter regarding vehicle license fees, happy holidays.  
Pastor Selma Brown – Alleged zoning violation for God’s Grace Christian Fellowship Church.  
Henry Baltazar – Zoning for church, City ordinance.  
Jack Collins – Construction work at neighboring apartments, empty lots on Huntington Drive, STTOP program.  
Neil Bjornsen – Traffic and Safety Commission support for STOPP program.  
Robert Cuite – Thanked Mr. Fasana for representation on MTA.
- PUBLIC HEARING ITEM**  
Final EIR, Mitigation Monitoring Program, Tentative Tract Map 52867 (Attalla Ranch)  
(Continued from 11/25/03)  
Mayor Fasana stated the Public Hearing to consider the Final Environmental Impact Report, Mitigation Monitoring Program, and Tentative Tract Map 52867 (Northeasterly terminus of Sunnydale Drive and Woodbluff Avenue – Attalla Ranch) was held and closed on November 11, 2003. Leech stated comments made after the public hearing was closed would not be evidence for the administrative record.  
Ed Cox, Director of Community Development, provided a staff report, and discussed four additional conditions to be considered as part of the approval of the tract map.  
Bill Maul, Attalla Ranch engineer, presented an overview of the proposed development.

There was discussion about the view from Sunnydale, requirements of the hillside ordinance, stability of land after grading, and geotechnical report.

Steve Hernandez, Duarte, stated he visited the site and felt it will not have the impact he spoke of at the last meeting.

Harb Thind, Duarte, stated he is pleased with the design, complimented staff, and thinks it should be approved.

Finlay moved, Paras seconded to approve and certify the Final Environmental Impact Report, approve the Mitigation Monitoring Program, and approve Tentative Tract Map 52867 subject to the 38 conditions applied by the Planning Commission and the following five additional conditions: (39) Pad elevations for Lots 1 through 6 shall be reduced two feet from those shown on the December 8, 2003, Tentative Tract Map No. 52867 exhibit. The new maximum pad elevations for Lots 1 through 6 shall be 724.0, 727.5, 731.5, 734.5, and 739.5 respectively; (40) Homes for Lots 1 through 6 shall be a split-level pad with a maximum of 1½ stories adjacent to the street. The minimum split-level shall be five (5) feet from the maximum pad elevations for these lots. In no case can the street level finish floor elevation exceed the maximum pad elevation by five (5) feet; (41) All parcels shall have an individual lateral to a public sewer; (42) Cross lot surface drainage is not allowed. If cross lot drainage is necessary, a publicly maintained storm drain system shall be constructed to the satisfaction of the City Engineer; (43) The builder is required to provide a full-time on-site inspector during all grading activities. The cost associated with said inspector shall be incorporated into the grading permit.

Duff asked Mr. Attalla is he was in agreement with all 43 conditions. Mr. Attalla stated yes.

The motion carried by the following Roll Call vote:

AYES: Reyes, Gaston, Paras, Finlay, Fasana

NOES: None

Mayor Fasana asked that at some point over the next months, the Planning Commission review the hillside ordinance.

#### CONSENT CALENDAR

Finlay moved, Paras seconded to approve the Consent Calendar, as follows, and carried with Reyes abstaining from the Minutes. Approve Items A, B. Receive and File Item C.

#### COUNCIL BILL

Council Bill 03-R-34  
New Duarte Library

03-R-34 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE APPROVING AND CERTIFYING THE PROJECT BUDGET, LOCAL FUNDING COMMITMENT, SUPPLEMENTAL FUNDS, AND THE OPERATION OF THE NEW DUARTE LIBRARY

Duff provided a staff report about the status of the City's application for Proposition 14 grant funding for the proposed new library, and discussed suggested changes to improve the grant.

Karen Herrera, Assistant to the City Manager, described changes made to the Resolution and Joint Use Agreement.

Bill Hyatt, Duarte, asked about the cost to citizens.

Pat Wood, Duarte, stated she is interested in the financial aspects, and asked about an additional tax burden.

Duff stated a tax measure is not planned, has not been discussed, and is not part of this project, and described the Redevelopment Agency's participation in the process.

#### RESOLUTION NO. 03-34

Finlay moved, Gaston seconded to waive any reading and adopt Resolution No. 03-34, and carried unanimously.

CITY MANAGER  
Warrant Register – 12/23/03

There was discussion about the lack of a quorum at the January 13, 2004, City Council meeting. It was determined that a Special City Council meeting would be held on January 6, 2004, and the January 13, 2004, Regular City Council meeting would not be held.

Reyes moved, Gaston seconded to authorize the City Manager to issue warrants pursuant to the Warrant Register of December 23, 2003, subject to review by the City Council at its Special Meeting of January 6, 2004, and carried unanimously.

Refuse/Recycling Rates

Kristen Petersen, Assistant to the City Manager, provided a staff report about the annual refuse collection and recycling rate adjustment, overall contract considerations, and draft construction and demolition ordinance.

Steve Hernandez, Duarte, stated Burrtec has been honest and fair, they participate in the community, and thanked them.

Reyes moved, Gaston seconded to approve the refuse collection and recycling rates set forth in Attachment 1 (schedule) of the staff report, per staff recommendation, and carried unanimously.

Traffic signal installation  
(Huntington/Crestfield)

Pat Wood, Duarte, stated this is important to move on, as there have been accidents at the intersection.

Finlay moved, Reyes seconded to approve the selection of the consultant Linscott, Law & Greenspan for the design of the traffic signal installation at Huntington Drive and Crestfield Drive, per staff recommendation, and carried unanimously.

Mayor Fasana stated he would like to see all bid amounts in the future.

ORAL COMMUNICATIONS

The following spoke about items not on the Agenda:

Brian Lister – Issue of fireworks should be addressed.

Hal Firth – Election congratulations, access to Fish Canyon Falls.

Rosetta Brown – God's Grace Christian Fellowship Church.

Bill Hyatt – Library grant.

Steve Hernandez – City's reserve, increased property value.

Mayor Fasana asked for a report about Fish Canyon Falls at a future City Council meeting.

ITEMS FROM COUNCIL

City Commissions  
(Continued to 1/6/04)

It was determined that this item would be continued to the City Council Meeting of January 6, 2004.

Letter to Governor – VLF Fees

Fasana moved, Finlay seconded to send correspondence to the Governor concerning vehicle license fees, with copies to the State Senator and Assemblymember, and carried unanimously.

Letter of support – AB 712 (Liu)  
Gold Line Construction Auth.  
(Fasana)

Pat Wood, Duarte, asked about the reduction of funds removed from the Gold Line extension. Mayor Fasana responded, stated cities are committed to saving this project, and there is some legislative support for funding.

Finlay moved, Reyes seconded to go on record in support of AB 712 (Liu), and to send correspondence expressing the City's support, and carried unanimously.

Discussion/Action – Oral Communications agenda item (Fasana)  
(Continued to 1/6/04)

It was determined that this item would be continued to the City Council Meeting of January 6, 2004.

REYES: 1) Congratulated Ms. Gaston, Mr. Fasana, and School Boardmembers on their elections, and thanked those who have retired; and 2) Wished all a wonderful holiday.

GASTON: 1) Apologized to Pastor Brown for not returning her call that she received late last night, and asked to speak with her tonight; 2) Personally saluted Reyna Diaz for her accomplishments and representation in the community; 3) Commended citizens, staff, and Attalla property owners for their patience until an acceptable consensus could be reached; 4) Announced Duarte Community Service Council is seeking families in need; 5) Congratulated the City of Hope for receiving the State WRAP Award for recycling; 6) Thanked Mayor Fasana for representing Duarte on the MTA Board; 7) Thanked Mr. Duff and staff for helping her better understand City operations; and 8) Invited all to the Buena Vista Pavilion float viewing event from December 27-30, and stated December 28 is a courtesy day for residents and employees of the City of Duarte, School District, and City of Hope.

PARAS: 1) Stated she will be working at the Buena Vista Pavilion the morning of December 31; 2) Congratulated Mohamed Trafeh for finishing second at the State meet in Fresno; and 3) Wished all a happy and fulfilling holiday.

FASANA: 1) Congratulated the City of Hope for receiving the WRAP award, and thanked City staff for helping them with consultative work; 2) Thanked all involved with the Mayor's Prayer Breakfast; 3) Congratulated Mohamed Trafeh on his distinguished honors; and 4) Wished all a safe and happy holiday season.

ADJOURNMENT

Reyes moved, Paras seconded to adjourn the meeting at 9:44 p.m. in memory of Charles Graham, to a Special City Council Meeting on January 6, 2004, 7:00 p.m., and carried unanimously.

---

Mayor John Fasana

ATTEST:

---

City Clerk