

MINUTES

**CITY COUNCIL OF THE CITY OF DUARTE
REGULAR MEETING – NOVEMBER 23, 2004**

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 7:08 p.m.

- PLEDGE TO THE FLAG** Julianne Hines 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 George, City Attorney Slater
- ADOPTION OF AGENDA** Finlay moved, Reyes seconded to adopt the Agenda, as amended to include a Closed Session pursuant to Government Code Section 54954.2(b)(2) as Item 14, and carried unanimously.
- ANNOUNCEMENTS**
Karen Herrera announced Holiday of Promise kick-off event on November 24, and thanked Congresswoman Solis for donating ten turkeys to the Community Services Council.
Kristen Petersen announced Mayor’s Prayer Breakfast on November 24 at 7:00 a.m.
Reyes stated Congresswoman Solis donated ten turkeys to LULAC.
Finlay stated she received a call from AMR inviting Duartean to participate in its Home for the Holidays Program, where AMR will use its ambulances to pick up persons in their hospital beds and transport them to their families.
- FISCAL AFFAIRS** Finlay moved, Paras 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**
City Council Reorganization
Election of Mayor
City Manager George assumed the chair and announced that nominations were open for Mayor.
Gaston moved, Reyes seconded to nominate Margaret Finlay for Mayor. Reyes moved, Paras seconded to close nominations.
- Mayor Margaret Finlay** The motion to elect Margaret Finlay as Mayor carried by the following Roll Call vote:
AYES: Reyes, Gaston, Fasana, Paras, Finlay
NOES: None
- Election of Mayor Pro Tem** Mayor Finlay assumed the chair and announced that nominations were open for Mayor Pro Tem.
Fasana moved, Gaston seconded to nominate Tzeitel Paras for Mayor Pro Tem. Reyes moved, Fasana seconded to close nominations.
- Mayor Pro Tem Tzeitel Paras** The motion to elect Tzeitel Paras as Mayor Pro Tem carried by the following Roll Call vote:
AYES: Reyes, Gaston, Paras, Fasana, Finlay
NOES: None

CONSENT CALENDAR	Reyes moved, Paras seconded to approve the Consent Calendar, as follows, and carried unanimously. Approve Items A, B. Receive and File Items C, D.
COUNCIL BILL Council Bill 04-R-33 Community Challenge Grant	Slater read by title Council Bill 04-R-33: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES COMMUNITY CHALLENGE GRANT PROGRAM FOR LOCAL SOLUTIONS TO REDUCE TEEN AND UNWED PREGNANCIES AND FATHERLESSNESS Fasana moved, Reyes seconded to waive further reading, and carried unanimously.
RESOLUTION NO. 04-33	Fasana moved, Gaston seconded to adopt Resolution No. 04-33, and carried unanimously.
CITY MANAGER Refuse collection/Recycling rate adjustment	Kristen Petersen, Assistant to the City Manager, provided a detailed staff report about the proposed annual refuse collection and recycling rate adjustment, including the contract formula, percentage cap, and extraordinary circumstances. Fasana moved, Paras 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.
ORAL COMMUNICATIONS	The following spoke about items not on the Agenda: Joseph Hart – Red tag warning notice.
ITEMS FROM COUNCIL	REYES: 1) Congratulated and thanked John Fasana for his year as Mayor and for his commitment, and congratulated Mayor Finlay on her appointment; 2) Inquired about the possibility of a Closed Session to determine what action, if any, City Council may want to pursue pertaining to Vulcan; 3) Stated there is a potential development of an amphitheater along the City's eastern boundary in Azusa, expressed concern about the potential venue and impact on residents, and felt contact should be made; 4) Stated Azusa residents north of the San Gabriel River are attempting to get the San Gabriel Valley Gun Club's permit revoked, and inquired if the noise level is a concern for Duarte residents; 5) Thanked Congresswoman Solis for her donation to the community and for her efforts in securing the \$97,000 grant for the future library; and 6) Asked for an update about the youth sports meeting. Mayor Finlay inquired about the possibility of having a meeting regarding the hillside. Slater stated he would look into the matter to determine if the subject is consistent with the Brown Act. GASTON: 1) Congratulated Mayor Finlay on her appointment; 2) Thanked John Fasana for the opportunity to assist him as Mayor; 3) Regarding Vulcan, stated health problems affect those in the neighborhood, and she feels we may need to intercede; 4) Thanked all who will be honored at the Mayor's Prayer Breakfast, and congratulated Helen and Ed Ferguson for their community service; 5) Thanked Planning Department staff and the CDBG Committee, and stated it is a great opportunity to see how the process works; 6) Stated she read to kindergartners at Valley View, and stated she is proud of the efforts in the community to promote literacy; 7) Attended the First Annual Housing Summit sponsored by three COGs, and encouraged all Councilmembers to attend the next meeting; and 8) Displayed the certificate she received from Sheriff Baca for attending the Sheriff's Academy.

PARAS: 1) Stated she attended a recent Neighborhood Watch meeting, and thanked the Brieno and Buentello families for serving as co-captains; 2) With regard to the City's website, suggested the possibility of a FAQ section pertaining to code enforcement; and 3) Wished all a Happy Thanksgiving.

FASANA: 1) Thanked all who attended the Neighborhood Watch Meeting at the Brieno home, including Mr. Baca who assisted with translating; 2) Congratulated Able Card on its grand opening; 3) Thanked legislators and staff who supported our application for the library grant; 4) Congratulated the Chamber of Commerce for the successful Hats Off event; 5) Stated the Veteran's Day event was wonderful; 6) Stated HBO is airing a show called Last Letters Home, which features the family of Francisco Martinez; 7) Regarding Azusa Rock, stated he thinks there is a potential risk for litigation, and feels a Closed Session is in order; 8) Thanked staff for submitting the letter supporting the Air Quality District Rule 1157 pertaining to quarrying and dust emissions; 9) Congratulated all awardees who will be recognized at the Mayor's Prayer Breakfast; 10) Wished all a Happy Thanksgiving; and 11) Requested a staff report if there have been changes in the parking procedures.

FINLAY: 1) Congratulated and thanked the Chamber for the great Hats Off event; 2) Announced Mayor's Prayer Breakfast November 24 at 7:00 a.m.; 3) Thanked Karen Herrera and staff for their hard work on the library grant; 4) Thanked Mary Barrow for providing assistance with public information, and stated she does a good job with the City's public relations; 5) Suggested informal meetings be held every few months at the schools, with no structured Agenda; 6) Wished all a Happy Thanksgiving; and 7) Thanked her colleagues for their vote of confidence.

RECESS

Mayor Finlay called a Recess at 8:07 p.m. for the Redevelopment Agency Meeting. City Council reconvened at 8:17 p.m., with all members present.

CLOSED SESSION

Mayor Finlay called a Closed Session at 8:17 p.m. City Attorney Slater stated the Closed Session item is a conference with real property negotiators pursuant to Government Code Section 54956.8; Property: 1648 Huntington Drive, Duarte; City Negotiators: Darrell George, Ed Cox; Negotiating Parties: Kanchan M. Bhatka Revocable Living Trust dated 10/20/00 with Kanchan M. Bhatka as trustee; Under Negotiation: Price and Terms of Payment. City Council reconvened at 8:45 p.m., with all members present. City Attorney Slater reported that the City Council took an action to exercise the option to acquire the property at 1648 Huntington Drive pursuant to the Option Agreement dated January 4, 2002, between the City and the Bhatka Trust, and authorized staff to take all necessary actions to implement the exercise of the option and the acquisition of the property.

ADJOURNMENT

Reyes moved, Gaston seconded to adjourn the meeting at 8:46 p.m., and carried unanimously.

Mayor Margaret Finlay

ATTEST:

City Clerk