

MINUTES

**CITY COUNCIL OF THE CITY OF DUARTE
REGULAR MEETING – DECEMBER 14, 2004**

The City Council of the City of Duarte met in a regular meeting in the Council Chambers, 1600 Huntington Drive, Duarte, California. Mayor Finlay called the meeting to order at 7:10 p.m.

- PLEDGE TO THE FLAG** Jan Wight 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, Gaston, Paras, Finlay
ABSENT: Reyes
ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Slater
- ADOPTION OF AGENDA** Paras moved, Gaston seconded to adopt the Agenda, and carried unanimously.
- ANNOUNCEMENTS**
- Jack Collins thanked all those who worked hard on the Library grant.
- Karen Herrera stated Holiday of Promise items will be used for holiday baskets, announced gift wrapping events at Bargain Mart and Wal-Mart on December 20-23, and stated the Foothill Unity Center is in need of turkey and ham donations.
- Pui-Ching Ho announced special holiday program of stories and crafts at Duarte Library, December 18, at 2:00 p.m.
- Jan Wight, Duarte Chamber of Commerce, stated the Church of the Good Shepherd assisted the Foothill Unity Center at Thanksgiving, thanked City staff for helping with Hats Off, announced Chamber Mixer on December 15 at the Diaz home, and State of the City on March 9, and wished all a Merry Christmas and a prosperous New Year.
- Henry Baltazar, Praise Chapel, announced Christmas Caroling event on December 21, 7:00 p.m., in the Pamela Park area.
- Diana Peterson-More, teacher, East L. A. Community College, stated students are in attendance at this Council Meeting to complete a school assignment.
- FISCAL AFFAIRS**
- Gaston moved, Paras seconded to approve payment to the Southern California Edison Company, and carried with Fasana abstaining due to a declared conflict of interest.
- Gaston moved, Paras seconded to approve the remainder of Fiscal Affairs, and carried unanimously.
- SPECIAL ITEMS**
- Recognition of Detectives**
- Don Anderson, Director of Safety Coordination, and Lt. Biagini described recent incidents and investigations resulting in search warrants and multiple arrests. Mayor Finlay presented Certificates to the Temple Station Narcotics Team and Duarte Satellite Station Detective Bly in recognition of their outstanding professionalism and dedication to their work, and congratulations were extended.
- Recognition – Deputy Gauthier**
- Don Anderson and Lt. Biagini described a recent incident that resulted in an arrest due to Deputy Matthew Gauthier's excellent observation and outstanding actions. Mayor Finlay presented a Certificate of Appreciation to Deputy Gauthier, and congratulations were extended.

RECESS

Mayor Finlay called a Recess at 7:41 p.m. for the Redevelopment Agency Meeting. Council reconvened at 7:43 p.m. for the Joint Public Hearing.

JOINT PUBLIC HEARING
Council Bill 04-R-34
D.D.A. – AHSU, LLC

Mayor Finlay announced this was the time and place set for a Joint Public Hearing to consider a proposed Disposition and Development Agreement between the Redevelopment Agency of the City of Duarte and AHSU, LLC. Chairperson Gaston called the Redevelopment Agency into session for the Joint Public Hearing, and noted four members were present, with Reyes absent.

City Attorney Slater 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 Finlay 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 Disposition and Development Agreement, and presented an overview of the project, including background, location of site, size, surrounding land uses, deal points, and site plan of proposed Huntington Courts, and answered questions from City Council/Agency Board pertaining to site plan approval process, lighting, landscaping, impact on traffic, and street access.

Mayor Finlay and Chairperson Gaston opened the Joint Public Hearing, and asked if there was anyone in the audience who wished to be heard on this matter.

Harb Thind, Duarte, stated he was pleased with the quality of the project, and stated he does not think traffic is a concern.

Manoj Patel, AHSU, LLC, thanked staff for their assistance, introduced the contractor for the project, and stated he met with neighbors within a 600-foot radius of the proposed project to receive input, and the feedback was positive.

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

Slater introduced Nikki Nguyen, Rutan and Tucker, who had prepared the Disposition and Development Agreement.

Slater read by title Council Bill 04-R-34:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF DUARTE AND AHSU, LLC, AND THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM PREPARED IN CONJUNCTION THEREWITH

RESOLUTION NO. 04-34

Fasana moved, Gaston seconded to waive further reading and adopt Resolution No. 04-34, and carried by the following Roll Call vote:

AYES: Fasana, Paras, Gaston, Finlay
NOES: None
ABSENT: Reyes

CONSENT CALENDAR

Paras moved, Gaston seconded to approve the Consent Calendar, as follows, and carried unanimously.
Approve Items A, B.
Receive and file Items C, D, E.

COUNCIL BILL
Council Bill 04-O-06
Conflict of Interest Code
(First Reading)

Slater read by title Council Bill 04-O-06:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING CHAPTER 2.44, "CONFLICT OF INTEREST CODE," OF THE DUARTE MUNICIPAL CODE (First Reading)

Fasana moved, Gaston seconded to waive further reading and introduce Council Bill 04-O-06 for first reading, and carried unanimously. Slater stated this Ordinance is not subject to a Public Hearing.

CITY MANAGER
Recommendation – CDBG
Advisory Committee

Fasana moved, Paras seconded to approve the proposed 31st Year (2005-2006) Community Development Block Grant (CDBG) projects and allocation of funds recommendations by the CDBG Advisory Committee, per staff recommendation, and carried unanimously.

Duarte Library grant recap

Karen Herrera, Assistant to the City Manager, presented a recap report about the Duarte Library grant application, and discussed funding provided by SB 1161, option to purchase agreement for 1648 Huntington Drive, Federal Spending Bill HR 4880, Bond Act grant hearing, and options to proceed. The recap report was received and filed.

Warrant Register – 12/28/04

Fasana moved, Gaston seconded to authorize the City Manager to issue warrants pursuant to Warrant Register of December 28, 2004, subject to review by City Council on January 11, 2005, and carried unanimously.

ORAL COMMUNICATIONS

The following spoke about items not on the Agenda:
Harb Thind – Intersection at Royal Oaks School.
Brian Lister – Float viewing for Duarte residents.

ITEMS FROM COUNCIL

Gaston stated the Duarte Courtesy Day at the Buena Vista Pavilion is December 29, from 9:00 a.m. – 8:00 p.m.

Intergovernmental Organizations

City Council concurred with the following appointments to intergovernmental organizations:

Area "D Emergency Services
City Manager – Representative
Full Council – Alternates

California Contract Cities
Margaret Finlay – Delegate
Lois Gaston – Alternate

City Selection Committee (County)
Margaret Finlay – Delegate
John Fasana – Alternate

Community Education Council
Tzeitel Paras – Representative
Margaret Finlay – Alternate

Duarte Community Service Council
Tzeitel Paras – Representative
Lois Gaston – Alternate

Duarte Education Foundation
Margaret Finlay – Representative
Lois Gaston – Alternate

Foothill Employment and Training Consortium
Tzeitel Paras – Delegate
Phillip Reyes – Alternate

Foothill Transit Zone
John Fasana – Delegate
Lois Gaston – Alternate

Joint Powers Insurance Authority
Margaret Finlay – Director
City Manager/Full Council – Alternates

League of California Cities
John Fasana – Delegate
Full Council – Alternates

San Gabriel Valley Council of Governments
John Fasana – Governing Board Representative
Lois Gaston – Alternate Governing Board Representative

San Gabriel Valley Economic Partnership
Tzeitel Paras – Representative
Margaret Finlay – Alternate

San Gabriel Valley Vector Control District
Margaret Finlay – Representative

Sanitation Districts #15 and #22
Margaret Finlay – Delegate
Tzeitel Paras – Alternate

Southern California Association of Governments
Lois Gaston – Representative
Tzeitel Paras – First Alternate
Fasana, Finlay, Reyes – Second Alternates

“Fitness Warm-Up” Agenda
Item (Gaston)

Gaston suggested adding an item “Fitness Warm-Up” to the City Council Agenda after the Moment of Reflection.

Fasana moved, Paras seconded to add the item “Fitness Warm-Up” to the City Council Agenda after the Moment of Reflection, which would include approximately two minutes of seated exercises, and carried unanimously.

FASANA: 1) Requested a memo to City Council about the structure fire on Sorrento; 2) Congratulated Supervisor Antonovich on his new term; and 3) Wished all a Merry Christmas, Happy Holidays, and Happy New Year!

PARAS: 1) Stated she attended the National League of Cities Conference in Indiana and served as a workshop panelist; 2) Provided information received at the NLC Conference to the City Manager pertaining to websites, and asked that a presentation be made prior to budget time next year about applications and payments made online; 3) Provided information about waterless urinals; and 4) Wished the community and the troops Happy Holidays!

GASTON: 1) Thanked the Parks and Recreation Department for the outstanding Christmas Tree Lighting event; 2) Thanked Karen Herrera and all who worked on the holiday food drive; 3) Stated Foothill Unity Center provides food and toys to over 900 families, and donations are needed; 4) Thanked all who assisted with the accident in front of City Hall on Monday; 5) Provided invitations to City Council for float viewing; and 6) Wished Happy Holidays to all!

FINLAY: 1) Attended the National League of Cities Conference, and encouraged her colleagues to check out the NLC.org website; 2) Inquired about installing countdown traffic signals near the Home Depot; 3) Inquired about the possibility of fitness courses at the parks or along the bike trail, and suggested this could be a collaborate effort with the School District and Education Foundation; 4) Inquired about the status of conducting meetings at schools, and suggested there could be standing quarterly dates; 5) Announced Live Nativity program at Church of Jesus Christ of Latter-Day Saints on December 16

and 17; 6) Stated Fiddler on the Roof tryouts will be held January 8; 7) Announced AMR Home for the Holidays program, and invited anyone interested to call the Senior Center; and 8) Wished all a Merry Christmas, Happy Hanukkah, Happy Kwanzaa, and Happy New Year!

ADJOURNMENT

Paras moved, Gaston seconded to adjourn the meeting at 9:30 p.m., and carried unanimously.

Mayor Margaret Finlay

ATTEST:

City Clerk