

MINUTES

CITY COUNCIL OF THE CITY OF DUARTE REGULAR MEETING – MARCH 8, 2005

At 4:30 p.m., City Council conducted interviews of applicants for the Economic Development Commission position.

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 7:14 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.
FITNESS WARM-UP	Reyes led the group in a series of warm-up exercises.
RECORDATION OF ATTENDANCE	The following were in attendance: PRESENT: Gaston, Paras, Reyes, Fasana, Finlay ABSENT: None ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Slater
ADOPTION OF AGENDA	Reyes moved, Gaston seconded to adopt the Agenda, as amended to conduct the Redevelopment Agency Meeting after Item 7, replace the word “restore” with “maintain” in Item 11.A, and adjourn in memory of Janet Gray, and carried unanimously.
ANNOUNCEMENTS	Jan Wight, Duarte Chamber of Commerce, announced State of the City and Public Service Employee Awards on March 9, Good Morning Duarte on March 15, 7:15 a.m., at Duffer’s, and Mixer on March 24 at SCE Federal Credit Union, 5:00 p.m., and read the Chamber’s new mission statement. Mayor Finlay introduced Mayor Juan Manuel de Jesus Flores from Quezaltepeque, El Salvador, noted AMR donated an ambulance to that city last year, and displayed a wooden art piece from El Salvador. Nita Norgard and Jack Collins thanked the City for the \$500 donation for the reading project, and announced Ray Bradbury event on March 19 at 6:00 p.m. Lino Paras discussed March Madness. Paras stated Mr. Scalise announced that Mt. Olive High School was recently named as one of the top Model Alternative Schools in the State of California, and requested that the school be recognized at the next City Council Meeting.
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, Gaston seconded to approve the remainder of Fiscal Affairs, and carried unanimously.
SPECIAL ITEM Recognition – Dorothy Smith	Mayor Finlay introduced Dorothy Smith, displayed the plaque she received from Waste Management for community involvement, presented a Certificate to her in appreciation of her many years of volunteerism, and congratulations were extended.
RECESS	Mayor Finlay called a Recess at 7:47 p.m. for the Redevelopment Agency meeting. City Council reconvened at 8:43 p.m., with all members present.

CONSENT CALENDAR	Fasana moved, Gaston seconded to approve the Consent Calendar, as follows, and carried unanimously. Approve Items A, B.
COUNCIL BILLS Council Bill 05-R-04 CDBG Funding	Slater read by title Council Bill 05-R-04: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, SUPPORTING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND URGING CONGRESS TO MAINTAIN ITS FUNDING
RESOLUTION NO. 05-04	Fasana moved, Reyes seconded to waive further reading and adopt Resolution No. 05-04, and carried unanimously. Gaston encouraged citizens to contact their elected officials about the need to protect CDBG funding, and asked that copies of the resolution be provided to DYAC and the Duarte Community Service Council.
Council Bill 05-R-05 Audit of Sheriff's costs	Slater read by title Council Bill 05-R-05: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE REQUESTING THE LOS ANGELES COUNTY BOARD OF SUPERVISORS TO UNDERTAKE A FAIR AND NON-ARBITRARY AUDIT OF SHERIFF'S COSTS CHARGED TO THE TAXPAYERS OF THE CONTRACT CITIES
RESOLUTION NO. 05-05	Fasana moved, Paras seconded to waive further reading and adopt Resolution No. 05-05, and carried unanimously.
TRAFFIC AND SAFETY COMMISSION Recommendation – Parking	Fasana moved, Reyes seconded to authorize staff to conduct a survey of surrounding communities pertaining to parking requirements for residential developments, with a report back to the Traffic and Safety Commission within 90 days to determine additional direction, and carried unanimously.
CITY MANAGER Citywide lighting/landscape maintenance public vote	George provided a staff report about the Citywide lighting and landscape maintenance district and the process required to increase property assessments. Lino Paras stated the report does not address individual areas or include bonded indebtedness. Fasana moved, Gaston seconded to direct staff to take the necessary and appropriate steps to proceed with the process of a vote of the property owners to increase the assessments associated with the Citywide lighting and landscape maintenance district, and carried unanimously.
Options regarding spiked fences	Slater provided a staff report outlining options for future City legislative actions regarding spiked fences. Fasana moved, Paras seconded to direct staff to prepare an ordinance declaring spiked fences to be a nuisance in the Hillside Overlay District, and carried unanimously. Council also directed staff to include in its report an appropriate amortization period for owners to abate legal non-conforming spiked fences. Mayor Finlay asked that the City Manager of Bradbury be notified of this action.
City Commissioner attendance	George provided a staff report about City Commissioner attendance. Slater read Duarte Municipal Code Section 2.30.090 pertaining to absences. Fasana moved to declare the seats of Commissioners Van Doren and McLaurin vacant, and to invite them to the City Council Meeting for recognition of their service, as well as Ad Hoc

Committee members Aikens and Diramarian. The motion died for lack of a second.

Gaston moved, Fasana seconded that all Commissioners and Committee members who are not in compliance with the Duarte Municipal Code for attendance be notified in writing that they are in violation, and inquire of their desire and availability to serve in compliance, and to declare the seats of Ad Hoc Committee members Aikens and Diramarian vacant. There was discussion. Fasana withdrew his second. The motion died.

Gaston moved, Paras seconded that all Commissioners and Committee members who are not in compliance with the attendance requirement of the Duarte Municipal Code be notified in writing of their non-compliance, and be given 30 days to respond as to their desire and availability to serve in compliance with the Municipal Code or not, with a determination to be made by City Council after responses are received as to whether the term shall be terminated and the office deemed vacant, and carried unanimously.

Request – Duarte Education Foundation – \$5,000 for musical

Fasana moved, Paras seconded to approve the request from the Duarte Education Foundation for \$5,000 for the Fiddler on the Roof Musical, and carried unanimously.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda:

Ruth Anne Smith – Incapacitated Persons Legal Protection Act of 2005.

Lino Paras – Agenda not posted on website, Council attendance.

ITEMS FROM COUNCIL
Directory Ad – Immaculate Conception Church (Finlay)

Mayor Finlay stated Immaculate Conception Church will be preparing a celebration book in honor of its 100-year anniversary, and has invited the City of Duarte to place an ad in it at a cost of \$250.

Paras moved, Gaston seconded to approve a congratulatory ad in the amount of \$250 in the Immaculate Conception Church's celebration booklet in honor of its 100-year anniversary celebration.

Ruth Anne Smith stated the ad would be an expression of good will.

Harb Thind stated he does not think the City is entitled to contribute to religious things.

Lino Paras stated as long as it does not support a religion, the community is sharing in the celebration of a historical event.

Mayor Finlay asked that a Proclamation be prepared in September for the event.

Reyes called for the question. The motion to approve a congratulatory ad in the amount of \$250 in the Immaculate Conception Church's celebration booklet in honor of its 100-year anniversary celebration carried unanimously.

REYES: 1) Thanked staff for the Community Meeting at Valley View School, stated he is concerned with the proposed Vulcan expansion and quality of life for Duarte residents, and inquired if this item would qualify for a closed session. Slater stated staff would look into the situation to determine if it could be agendaized; 2) Attended DYAC opening day program, and thanked Mr. and Mrs. Houlemarde; and 3) Thanked Dorothy Smith for serving as president of Duarte Community Service Council and helping those in need.

GASTON: 1) Thanked Commissioners in attendance for their service and attention to detail; and 2) Introduced and welcomed new Duarte resident Fran Traylor.

PARAS: 1) Asked that when responses are received from the Commissioners and Committee members, the staff report include how absences will be addressed in the future; 2) Congratulated DYAC on its opening day event; 3) Stated the Community Meeting at Valley View School was well-attended; and 4) Asked that the Council Meeting be adjourned in memory of 30-year Duarte resident Janet Gray.

FASANA: Asked that an item concerning a requirement that potential developments with two or more dwellings be connected to a sewer system be researched and agendized at a future City Council meeting.

FINLAY: 1) Congratulated Councilmember Gaston for being the recipient of the School District's Golden Apple award for the second time; 2) Stated the Community Meeting at Valley View was well-publicized and well-attended, and stated many in the community are concerned about Vulcan's 80-acre expansion; 3) Announced Ray Bradbury event on March 19, at 6:00 p.m., at the Performing Arts Center; 4) Congratulated DYAC on its opening day program; and 5) Noted the first case of West Nile Virus has been reported in the San Gabriel Valley, and stated residents can call Vector Control to come to their homes and spray for mosquitoes.

ADJOURNMENT

Paras moved, Gaston seconded to adjourn the meeting at 10:35 p.m., in memory of Janet Gray, and carried unanimously.

Mayor Margaret Finlay

ATTEST:

City Clerk