

MINUTES

**CITY COUNCIL OF THE CITY OF DUARTE
REGULAR MEETING – APRIL 12, 2005**

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

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 7:06 p.m.

PLEDGE TO THE FLAG	Judy Blake led the Pledge of Allegiance to the Flag.
MOMENT OF REFLECTION	A silent moment of reflection was observed.
FITNESS WARM-UP	Gaston led the group in a series of warm-up exercises.
RECORDATION OF ATTENDANCE	The following were in attendance: PRESENT: Fasana, Gaston, Paras, Reyes, Finlay ABSENT: None ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Slater
ADOPTION OF AGENDA	Reyes moved, Paras seconded to adopt the Agenda, as amended to remove Item 13.A, conduct the Redevelopment Agency Meeting after Item 10, and to add a Conference Attendance item to the Consent Calendar (see below), and carried unanimously.
ANNOUNCEMENTS	Jan Wight, Duarte Chamber of Commerce, announced grand opening of Carpets on Wheels on April 14, Good Morning Duarte on April 19, April Mixer on April 27, and Installation of Officers on May 13. Pui-Ching Ho, Duarte Library, announced special story time in celebration of National Library Week on April 13 at 3:00 p.m. Karen Herrera announced National Youth Service Day event on April 23 and stated Duarte's Promise and Rebuilding Together will refurbish a home, announced Duarte Kiwanis Club/Duarte's Promise Annual Immunization Fair on May 14 at Maxwell School, noted nominations for Pride of Duarte Awards are due by April 14, and stated Vulcan Materials will be making a visual presentation at the April 26 City Council meeting. Paras invited all to attend the Fiddler on the Roof Musical to be held at the Performing Arts Center, April 21-23, and thanked sponsors, cast, and coaches. Jim Kirchner, Route 66 Parade Chair, announced 10 th Annual Parade on September 17, and stated volunteers are needed.
FISCAL AFFAIRS	Gaston moved, Reyes seconded to approve payment to the Southern California Edison Company, and carried with Fasana abstaining due to a declared conflict of interest. Fasana moved, Paras seconded to approve the remainder of Fiscal Affairs, and carried unanimously.
SPECIAL ITEM Presentation – AQMD 2005 Legislative Agenda	Rainbow Yeung, Public Affairs Specialist, Air Quality Management District, provided an overview of legislation sponsored by AQMD (AB 1222, AB 888, SB 459), and answered questions from Councilmembers. It was noted a resolution supporting the proposed legislation is on the Consent Calendar.
CONSENT CALENDAR (Item Added)	Fasana moved, Gaston seconded to add Conference Attendance for Emerald Necklace Gala Dinner, April 29, to the Consent Calendar, and carried unanimously.

Fasana moved, Reyes seconded to approve the Consent Calendar, as follows, and carried unanimously.
Approve Items A, B, C.
Receive and File Items E, F, G.
Remove Item D (Council Bill 05-R-06)

(Item Removed)
Council Bill 05-R-06
Support AQMD legislation

Item D. Council Bill 05-R-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE EXPRESSING THE CITY COUNCIL'S SUPPORT FOR ASSEMBLY BILL 1222 (JONES), ASSEMBLY BILL 888 (DE LA TORRE), AND SENATE BILL 459 (ROMERO) TO ENACT LOCOMOTIVE AND RAIL YARD EMISSIONS REDUCTION AND MITIGATION PROGRAMS, A REMOTE SENSING PROGRAM, AND TO CALL UPON U. S. EPA TO FURTHER LIMIT LOCOMOTIVE EMISSIONS

RESOLUTION NO. 05-06

Fasana moved, Gaston seconded to amend the resolution to ensure that SB 459 would not adversely affect plans and funding for grade separations in the San Gabriel Valley by the Alameda Corridor East Construction Authority, and to approve the resolution with the added wording, and carried unanimously.

RECESS

Mayor Finlay called a Recess at 7:46 p.m. for the Redevelopment Agency Meeting. City Council reconvened at 7:48 p.m.

CLOSED SESSION
Real Property Negotiations
(Duarte foothills)

City Attorney Slater called a Closed Session at 7:48 p.m. and stated due to a conflict of interest, Mayor Finlay would not participate in the Closed Session. Slater stated the Closed Session item is pursuant to Government Code Section 54956.8 – Real Property Negotiations; Property: 329 acres of vacant land located in the Duarte foothills; APN Nos. 8527-010-011, 8527-011-001, 8689-007-001, and 8689-007-004; City Negotiator: Darrell George, Ed Cox, Kristen Petersen; Negotiating Parties: City of Duarte and Palmdale Summit; Under Negotiation: Price and terms of payment. City Council reconvened at 8:42 p.m.

Public report of action

Slater reported that Mayor Finlay recused herself from the Closed Session, four members discussed the current state of the City's submission of the application to the State, and, by unanimous vote, direction was given to staff to continue processing the application, with no further action taken.

COUNCIL BILL
Council Bill 05-R-07
Cooperation Agreement
CDBG Program 2006-2008

Slater read by title Council Bill 05-R-07:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE AUTHORIZING AND APPROVING THE EXECUTION OF A COOPERATION AGREEMENT BETWEEN THE LOS ANGELES COUNTY COMMUNITY DEVELOPMENT COMMISSION AND THE CITY OF DUARTE FOR FISCAL YEARS 2006-2008

RESOLUTION NO. 05-07

Fasana moved, Gaston seconded to waive further reading and adopt Resolution No. 05-07, and carried unanimously.

CITY MANAGER
2005 Fireworks Applications

Reyes moved, Paras seconded to award licenses to sell safe and sane fireworks to the Duarte Community and Education Foundation, Duarte High School Booster Club, L.U.L.A.C., and Kiwanis Club of Duarte.

After discussion about Council policy, site locations, outreach, and funding of youth activities, the motion passed unanimously.

Commission/Committee
attendance

Fasana moved, Reyes seconded to receive and file the staff report about Commission/Committee attendance, and to allow Councilmember Gaston to make the appointment to the Downtown Duarte Advisory Ad Hoc Committee for the replacement

of Jack Diramarian, with the appointment to be announced at a subsequent City Council Meeting, and carried unanimously.

Family Fun Festival Proposal

Karen Herrera, Assistant to the City Manager, provided a staff report about the Family Fun Festival proposal, and introduced Dave Gayman, Family Festival Productions, Inc., who answered questions from Councilmembers pertaining to vendors, costs, impact on businesses, success rate, and dates of operation. There was discussion about Concerts in the Park.

Elizabeth Bagwell, Duarte Chamber of Commerce, stated the Chamber Board took action to support the project, and has not yet committed to support it financially.

Gaston moved, Fasana seconded to refer the report concerning the Family Fun Festival proposal back to staff for input pertaining to Concerts in the Park and financial information, as well as input from the Chamber of Commerce and local business representatives, and carried unanimously.

Buena Vista Pavilion Extension Agreement

Fasana moved, Reyes seconded to authorize the City Manager to execute the amendment to the agreement between the City of Duarte, City of Hope, and Pasadena Tournament of Roses Association for the Buena Vista Pavilion site, extending the current agreement to March 31, 2007, and carried unanimously.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda:

Jack Collins – Neighborhood appearance.

ITEMS FROM COUNCIL Appointment to Economic Development Commission and Planning Commission

Finlay moved, Paras seconded to appoint Lorraine Perez and Lyn Cross to the Economic Development Commission, for terms expiring 12/31/07; and to appoint Robert Cuite to the Planning Commission effective now, and Bill Lawrence to the Planning Commission effective 6/1/05, for terms expiring 12/31/05, and carried unanimously.

Fasana asked that all applicants not appointed to Commissions be contacted when community general plan committees are formed. Gaston stated if the applicants are interested in serving on other Commissions, the interview could be waived.

FASANA: Congratulated the youth that went to China on their excellent performances, and acknowledged the efforts of the entire delegation.

PARAS: 1) Attended the ceremony for Ezequiel Lopez when he was presented with his service medals from Hilda Solis, and suggested he and his family be invited to a City Council Meeting for recognition; 2) Stated the Tea Party at Mt. Olive School was a wonderful event; 3) Noted the hand-held signs she has seen are smaller and are being held; 4) Stated there is not a left turn lane for north/south traffic at Highland and Huntington, and inquired if the Traffic and Safety Commission could look into that; and 5) Stated she has seen the same graffiti on some signs near Royal Oaks Park.

GASTON: 1) Welcomed Councilmembers home from China; 2) Thanked staff for the quick response in cleaning graffiti at Encanto Park; 3) Asked that Dave Stewart be recognized; 4) Stated there were a number of youth programs on the weekend, and stated she was impressed with the organization of Parks and Recreation staff; 5) Asked that the Council Meeting be adjourned in memory of James Cuite; and 6) Stated Mayor Finlay will be honored at the Contract Cities dinner on April 20.

REYES: Thanked all who helped with the trip to China, stated it will be a life-long experience for the youth, and asked that there be a reception held prior to the next Council Meeting to thank the sponsors, with a performance by the choir.

FINLAY: 1) Thanked Bill Moore for being a tremendous leader, and stated while in China, there were discussions with the headmaster about a possible student exchange program; 2) Stated she went to El Salvador with Reyna Diaz and others from the community and delivered clothing and shoes; 3) Invited all to attend the Fiddler on the Roof musical; 4) Asked that Robert Prado be recognized at a future City Council Meeting; 5) Discussed an article from the Los Angeles Times about the need to build up a city's residential population in order to attract businesses; and 6) Stated she recently saw three bears on Mt. Olive Drive north of Royal Oaks, and after the arrival of Animal Control Officers, the bears headed up the hill.

ADJOURNMENT

Finlay moved, Fasana seconded to adjourn the meeting at 10:20 p.m., in memory of James Cuite, and carried unanimously.

Mayor Margaret Finlay

ATTEST:

City Clerk