

MINUTES

**CITY COUNCIL OF THE CITY OF DUARTE
REGULAR MEETING – JULY 26, 2005**

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** D. J. Spilsbury led the Pledge of Allegiance to the Flag.
- MOMENT OF REFLECTION** A silent moment of reflection was observed.
- FITNESS WARM-UP** Paras 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** Gaston moved, Reyes seconded to adopt the Agenda, and carried unanimously.
- ANNOUNCEMENTS** Pui-Ching Ho invited all to attend the Carnival for the Summer Reading Program on August 6 at the Duarte Library.
- Nita Norgard, Friends of the Library, thanked the librarian for improvements to the library, and announced Ray Bradbury will be the keynote speaker at this year's Festival of Authors.
- Sister Mary Louise, Santa Teresita Medical Center, provided information about the medical services available at the center, and announced 75th Anniversary celebration on July 31.
- Rodney Jefferson, "A" Game Basketball Clinic, invited all to observe the program during the week of August 1, and stated he would like the City to consider hosting a clinic in the future.
- Karen Herrera announced Duarte's Promise/Foothill Unity Center Annual Back-To-School event on August 25, and stated bus transportation will be available from Duarte to the Santa Anita Race Track.
- FISCAL AFFAIRS** Reyes moved, Gaston seconded to approve payment to the Southern California Edison Company for warrants dated 7/12/05 and 7/26/05, 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 ITEMS**
- Recognition of Eagle Scouts
D. J. Spilsbury – Evan Finlay
Mayor Finlay introduced D. J. Spilsbury and Evan Finlay, and presented them with Certificates in recognition of their achieving the rank of Eagle Scout, and congratulations were extended.
- Proclamation – National Night Out
Mayor Finlay read and presented the Proclamation for National Night Out to Crime Prevention Specialist Abby Lai, who outlined the activities that will take place as part of the event.
- Recognition – Duarte Healthy Cities Collaborative
Donna Georgino described the Healthy Cities Collaborative, and introduced participants. Mayor Finlay presented the volunteers with Certificates of Recognition, and congratulations were extended.
- Jack Collins encouraged walking and bike riding, and suggested there be lights on the bike path.
- Recognition – Greg Peterson
Miracle Workers Mural
Karen Herrera introduced Daniela Rodriguez, Duarte's Promise, who provided a slide presentation about the Miracle Workers

	<p>mural at Northview Intermediate School, and introduced Greg Peterson, recipient of grant. Mayor Finlay presented Greg with a Certificate of Appreciation for attaining the grant. Damon Colalula, Santa Anita Family YMCA, presented him with a token of appreciation representing YMCA core values.</p>
<p>Recognition – Gordon Whitby Hiram Award</p>	<p>Mayor Finlay presented a Certificate of Appreciation to Gordon Whitby for being the recipient of the Hiram Award, and congratulations were extended.</p>
<p>Presentation – Assemblymember Carol Liu</p>	<p>Assemblymember Carol Liu made a presentation about the state of the State of California, including an update on issues and activities in Sacramento, highlights of the 2005-06 budget, and current proposed legislation she has authored.</p>
<p>CONSENT CALENDAR</p>	<p>Gaston moved, Reyes seconded to approve the Consent Calendar, as follows, and carried unanimously. Remove Item A. Approve Item B. Deny Item C.</p>
<p>(Item Removed) Minutes of 7/12/05</p>	<p>Fasana moved, Paras seconded to approve the Minutes of July 12, 2005, and carried with Reyes and Finlay abstaining.</p>
<p>COUNCIL BILLS Council Bill 05-R-24 Second Amendment – Agreement Kanchan M. Bhakta</p>	<p>Slater read by title Council Bill 05-R-24: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE APPROVING THE SECOND AMENDMENT TO PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS BY AND BETWEEN THE CITY OF DUARTE, AS BUYER, AND THE KANCHAN M. BHAKTA REVOCABLE LIVING TRUST DATED 10/20/00 WITH KANCHAN M. BHAKTA, TRUSTEE, AS SELLER, PERTAINING TO THE CITY'S ACQUISITION OF 1648 HUNTINGTON DRIVE, CITY OF DUARTE, TO EFFECT A TEMPORARY LEASE-BACK OF THE HOUSE ON THE PROPERTY TO KANCHAN M. BHAKTA UPON CITY'S ACQUISITION OF THE PROPERTY</p>
<p>RESOLUTION NO. 05-24</p>	<p>Reyes moved, Gaston seconded to waive further reading and adopt Resolution No. 05-24, and carried unanimously.</p>
<p>Council Bill 05-R-25 Applicant's Agent – FEMA</p>	<p>Slater read by title Council Bill 05-R-25: A RESOLUTION OF THE CITY OF DUARTE DESIGNATING THE APPLICANT'S AGENT FOR ALL MATTERS RELATING TO THE DISASTER DECLARATION FEMA-CA-DR1577</p>
<p>RESOLUTION NO. 05-25</p>	<p>Fasana moved, Paras seconded to waive further reading and adopt Resolution No. 05-25, and carried unanimously.</p>
<p>Council Bill 05-R-26 Detoured Traffic Route 66 Parade</p>	<p>Slater read by title Council Bill 05-R-26: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, SUPPORTING THE DUARTE ROUTE 66 PARADE AND AGREEING TO ACCEPT LIABILITY AND MAINTENANCE FOR DETOURED TRAFFIC FROM THE MOUNT OLIVE OFF-RAMP</p>
<p>RESOLUTION NO. 05-26</p>	<p>Fasana moved, Reyes seconded to waive further reading and adopt Resolution No. 05-26, and carried unanimously.</p>
<p>CITY MANAGER Actuarial Analysis – GASB 45</p>	<p>Mike Yelton, Assistant to the City Manager, provided a detailed staff report about the Government Accounting Standards Board's (GASB) new rules for the financial management of healthcare benefits for retirees.</p>

Fasana moved, Reyes seconded to authorize staff to contract for an actuarial analysis of retirement healthcare costs, per staff recommendation, and carried unanimously.

Contract – General Plan Outreach Consultant

George provided a staff report about the RFP process for an outreach consultant to assist the City with its General Plan update process, including staff's recommendation to award the contract to Arellano & Associates.

Genoveva Arellano, Project Director, Arellano & Associates, discussed the scope of work, specific outreach, workshops, and additional services that could be included at the City's discretion, and answered questions from City Councilmembers pertaining to the public outreach process.

Reyes moved, Fasana seconded to award the contract for general plan outreach consultant to Arellano & Associates, per staff recommendation, authorize execution by the City Manager, and carried unanimously.

Update – Emergency Repairs

George provided an update on the status of emergency repairs pertaining to a portion of Rim Road between 2404 and 2412 Rim Road, stated on July 18, there was a job walk-through with staff and five contractors to look at implementation of this project, it is anticipated that the bids will be submitted by August 1, and once the bids are opened, staff will report back to City Council at that time.

Fasana moved, Reyes seconded to receive and file the report, and carried unanimously.

Voting Delegate/Alternate 2005 League Conference

Paras moved, Fasana seconded to designate Lois Gaston as the Voting Delegate and Voting Alternate for the 2005 League of California Cities Annual Conference, and carried unanimously.

Duarte Poet Laureate

There was discussion about the appointment of Robert Prado as Duarte's Poet Laureate, including opportunities for his talent to be showcased, such as the Festival of Authors event, Route 66 Parade, and prior to the second City Council Meeting in August when the City's 48th Anniversary is celebrated, as well as the need to define the role of the Poet Laureate.

Fasana moved, Gaston seconded to appoint Robert Prado as the City of Duarte's first Poet Laureate for a four-year term. After discussion, Fasana withdrew the motion.

Fasana moved, Paras seconded to appoint Robert Prado as the City of Duarte's first Poet Laureate for an indefinite term.

Paras moved, Gaston seconded a substitute motion to appoint Robert Prado as the City of Duarte's first Poet Laureate for a two-year term, and carried unanimously. Paras stated there is a need to define what is expected of the Poet Laureate.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda:

Doug Stokes – Illegal fireworks, banning fireworks.

Steve Hernandez – Youth programs supported by fireworks.

Chris Russo – Dial-A-Ride service.

Harb Thind – City Council/Committee absences, closed session.

ITEMS FROM COUNCIL

REYES: 1) Thanked all involved with keeping the City safe during the 4th of July holiday, and thanked those who worked the booths; 2) Inquired about Caltrans schedule for cleanup and maintenance of freeway ramps; and 3) With regard to recent violence on the streets, stated he appreciates the meetings scheduled with Supervisor Antonovich and the deputies, and feels more preventative and corrective measures are needed.

GASTON: 1) Stated the number of special items on the Agenda shows how progressive and involved our citizens are; 2) Congratulated Santa Teresita on its 75th anniversary, and stated she will not be able to attend the event, as she will be at a League meeting; 3) Commended all persons recognized at tonight's meeting; 4) Thanked Reyes and Finlay for the gifts; 5) Stated she is concerned about problems in the community, it is important to get youth on the right track, and there is a need to build stronger relationships; and 6) Asked that the Council Meeting be adjourned in memory of Cindy Bakanas.

PARAS: 1) Stated she had an opportunity to make use of the shopping cart retrieval program, and the cart was picked up the following day; 2) Stated it is important to participate in National Night Out, as it is an opportunity to talk with neighbors; 3) Announced Concerts in the Park on Thursday; 4) Stated it is wonderful to see both young and old receive recognition with special presentations; and 5) Stated it is election time, and the filing period is from July 18 – August 12.

FASANA: 1) Congratulated Dr. Martinez on his appointment as Principal of Duarte High School; 2) Stated agreements have been signed for Caltrans soundwall construction on the north side of the freeway, and noted landscaping is needed on both sides; and 3) With regard to youth violence, stated he is concerned and feels there needs to be new approaches to keeping youth busy, and suggested the possibility of meeting with the Duarte ministerial alliance.

FINLAY: 1) Congratulated Santa Teresita on its 75th anniversary; 2) With regard to areas of trash, suggested the possibility of tapping into Boy Scout troops to assist, as they are always looking for community service projects; and 3) Asked that the meeting also be adjourned in memory of Marjorie Barbour and Eliga Tuilesu.

RECESS

Mayor Finlay called a Recess at 9:55 p.m. for the Redevelopment Agency Meeting. City Council reconvened at 10:08 p.m., with all members present.

JOINT CLOSED SESSION Conference with Real Property Negotiators – 1101 Oak Avenue

Mayor Finlay called a Joint Closed Session and a Closed Session at 10:08 p.m. Slater stated the Joint Closed Session is a conference with real property negotiators, pursuant to Government Code Section 54956.8; Property: 1101 Oak Avenue, APN 8530-11-062, located generally at the southwest corner of Third and Oak, City of Duarte; Agency negotiators: Darrell George, Ed Cox; Negotiating parties: Redevelopment Agency of the City of Duarte and Mr. Lee; Under negotiation: Price and terms of payment.

CLOSED SESSION Conference with Legal Counsel Anticipated Litigation

Slater stated the Closed Session is a conference with legal counsel pertaining to anticipated litigation, pursuant to Government Code Section 54956.9(b)(1) and (b)(3)(D), regarding 2404 and 2412 Rim Road, and City drainage easement; Potential number of cases: Two.

The City Council/Agency Board reconvened at 10:50 p.m., with all members present. Slater stated with regard to the Joint Closed Session, the City Council/Agency Board heard a presentation from the Agency negotiators with respect to the potential acquisition of the property, discussed potential price and terms of payment for that property, and unanimously authorized Agency negotiators to offer to the property owner the appraised fair market value for the property, and to engage in additional

negotiations with the property owner in an attempt to secure a purchase and sale agreement with the property owner, to be brought back to the City Council/Agency Board at future date.

Slater stated with regard to the Closed Session, legal counsel and staff provided the City Council with an update on the status of the threatened litigation, discussions with the property owners, and communications with legal counsel for one of the property owners, with no action taken.

ADJOURNMENT

Gaston moved, Reyes seconded to adjourn the meeting at 10:57 p.m., in memory of the four Boy Scout Leaders involved in the unfortunate accident in Virginia, Cindy Bakanas, Eliga Tuilesu, and Marjorie Barbour, and carried unanimously.

Mayor Margaret Finlay

ATTEST:

City Clerk