

MINUTES

CITY COUNCIL OF THE CITY OF DUARTE REGULAR MEETING – AUGUST 23, 2005

At 6:00 p.m., a reception was held to celebrate the Forty-Eighth Anniversary of the City of Duarte.

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	Julie Davey 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, Fasana seconded to adopt the Agenda, as amended to recess to the Redevelopment Agency Meeting after Item 15 (Items from City Council), and carried unanimously.
ANNOUNCEMENTS	Kristen Petersen announced Honor Among Ashes ceremony on September 12, 9:00 a.m., at Royal Oaks School, 2005 Foothill Cities College Fair on September 26, 5:00 p.m., at Duarte High School cafeteria, College Preparation Seminar on October 18, 6:30 p.m., at Performing Arts Center, and Duarte Rotary Club Annual Golf Tournament on September 15. Chris Russo, Duarte, urged Council to adopt Dial-A-Ride. Jan Wight, Duarte Chamber of Commerce, announced Lunch Connection on August 24 at Old Spaghetti Factory, displayed the new Chamber logo and tagline “A Link to the Community,” distributed copies of the Chamber directory, and stated the Chamber breakfasts are now being held at Cabrera’s.
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. Paras moved, Gaston seconded to approve the remainder of Fiscal Affairs, and carried unanimously.
SPECIAL ITEM Appointment – Robert Prado Duarte Poet Laureate	Mayor Finlay presented a Certificate of Appointment to Robert Prado, who will serve as Duarte’s first Poet Laureate for a term of two years, provided information on the background and duties of a poet laureate, and extended congratulations. Mr. Prado read the poem he wrote commemorating the 48 th Anniversary of the City of Duarte.
CONSENT CALENDAR	Reyes moved, Gaston seconded to approve the Consent Calendar, as follows, and carried unanimously. Approve Items A, B, C, D.
COUNCIL BILL Council Bill 05-R-28 Appointment to Offices (Cancels 11/8/05 Election)	Slater read by title Council Bill 05-R-28: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, PROVIDING FOR THE APPOINTMENT TO THE OFFICES OF THE CITY OF DUARTE THAT WERE TO BE ELECTED ON TUESDAY, NOVEMBER 8, 2005

RESOLUTION NO. 05-25

Fasana moved, Gaston seconded to waive further reading and adopt Resolution No. 05-28, and carried by the following Roll Call vote:

AYES: Reyes, Gaston, Paras, Fasana, Finlay

NOES: None

Mayor Finlay suggested that at the next City Council Meeting, Councilmembers Paras, Reyes, and herself read and discuss the statements they had originally prepared for inclusion in the voter’s pamphlet.

COMMISSIONS

Recommendation – Economic Development/Ad Hoc Downtown Duarte Advisory Committee ADK&A Downtown Report

Kristen Petersen provided a brief staff report about the item, and introduced Economic Development Commission/Ad Hoc Downtown Duarte Advisory Committee Chair Ed Houlemarde and Allan D. Kotin, consultant.

Mr. Houlemarde discussed the Committee recommendations, and stated the report was being presented to City Council with the Committee’s support.

Mr. Kotin presented information about his findings pertaining to a general assessment of the economic feasibility of the implementation of the Town Center Concept Plan and, more specifically, the Northeast corner of Buena Vista and Huntington Drive, and answered questions from Councilmembers regarding overall general concept plan, economic feasibility, risk issues, density, and possible alternative approaches.

City Council thanked members of the Task Force for their efforts, commitment, patience, and dedication.

Slater stated that at a special meeting of the Redevelopment Agency conducted at 5:00 p.m., the Agency Board voted unanimously to authorize the Agency Executive Director to locate an urban designer to work with Mr. Kotin and City staff to refine the potential properties, subject to potential Agency acquisition, and the factors and terms affecting property prices for the affected parcels.

Fasana moved, Paras seconded to concur with the action taken by the Redevelopment Agency, as stated above, and carried unanimously.

Gaston moved, Paras seconded to receive and file the ADK&A Downtown Report, and carried unanimously.

CITY MANAGER

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, and stated the City did not receive any bids last week for this project and it will be re-bid within the next two weeks.

Dial-A-Ride report

Mike Yelton presented a detailed staff report about the City’s existing transit services and Dial-A-Ride programs provided in other communities.

Chris Russo, Duarte, stated seniors make up 12% of the population, and many cannot use a fixed route system.

Dave Rendon, Transit Supervisor, answered questions from Councilmembers pertaining to the City’s fixed route system.

There was discussion about the possibility of using a volunteer approach, increasing the charge, capping services, use of church vans, taxi vouchers, and meeting the needs of individuals that have been brought to the City’s attention.

Gaston moved, Paras seconded that during the next 30 days, those persons whose transit needs are not being met by our current plan be identified, that it be determined if those needs

can be met through either a Dial-A-Ride program or some other means within our City, and that additional information be gathered as to the cost, and carried unanimously.

Councilmembers suggested that information about this action be provided in the Duarte View, Neighborhood Watch Newsletter, and at the Duarte Senior Center.

Concrete Repair Program
Reject Bid

Reyes moved, Gaston seconded to reject the bid received for the Concrete Repair Program, per staff recommendation, and carried unanimously.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda:

Jan Wight – Announced Hats Off on November 9, welcomed Rutan & Tucker to the Chamber.

Lino Paras – Impressed with City Attorney’s performance.

ITEMS FROM COUNCIL

REYES: 1) Congratulated Bill Ornelas on his upcoming retirement from the City; 2) Attended Community Union graduation at Northview, and suggested a letter be sent to Supervisor Antonovich thanking him for his support of this program; and 3) Asked that the Edison Company be contacted about the leaning poles behind Mike’s Food.

GASTON: 1) Inquired about recruitment for classes at Community Union, and suggested they attend the College Fair. Reyes stated the recruitment is through Northview School; 2) Thanked Bill Ornelas for his dedication to the City; 3) Thanked Jan Wight for the Chamber directory; 4) Thanked the City for the Nature Camp program, and stated the City bus is used to transport the youth to various events; 5) Encouraged Councilmembers to attend Contract Cities Association meetings, and stated the recent meeting held in Whittier was helpful; 6) Thanked Mr. Prado for his poetry, and asked that her copy of the poem he presented to her be displayed at the Library, Senior Center, and Teen Center along with his other poems, as well as on the City’s website and DCTV; 7) Wished Mr. Fasana a happy birthday; 8) Announced Duarte Coordinating Council Meeting on August 29 at 7:00 p.m., and invited any persons with transportation issues to attend; and 9) Stated parents attending the Hawks games have noticed and appreciate the increased law enforcement coverage.

PARAS: 1) Inquired about enforcement relating to the use of mini-bikes. Anderson responded; 2) Stated the new tagline for the Chamber defines what it is able to do; 3) Congratulated Mr. Prado on his appointment as first Poet Laureate of Duarte, and suggested he may be able to print his documents at City Hall or be provided with ink cartridges; 4) Congratulated the City on its 48th anniversary and stated she is looking forward to the parade and picnic; and 5) Stated she is glad to serve as Councilmember for another four years.

FASANA: 1) Congratulated Robert Prado on his appointment as Poet Laureate; 2) Stated Ms. Gaston will be receiving a community service award on Sunday from a neighboring church; 3) Thanked Task Force members for their efforts; 4) Announced Healthy Parks and Communities Workshop at Garvey Community Center in Rosemead on September 14 at 10:00 a.m.; and 5) Congratulated Bill Ornelas on his upcoming retirement.

FINLAY: 1) Stated a deer was recently impaled on a spiked fence in Bradbury, and she has called Bradbury City Council-

members and will attend their Council Meeting to talk about prevention; 2) Announced City parade and picnic on September 17; 3) Announced Author's Festival on October 1; 4) Stated she received a letter from the County Assessor, and noted the website is great and answers a number of questions; and 5) Stated last week, she and Mr. George met with the City Manager and Mayor of Azusa regarding the proposed Vulcan expansion, and a citizens' group in Azusa will be getting together next month.

RECESS

Mayor Finlay called a Recess at 9:17 p.m. for the Redevelopment Agency Meeting. Slater stated the City Council would sit in joint session with the Redevelopment Agency.

CLOSED SESSION

- 1) Anticipated Litigation
- 2) Performance Evaluation

Lino Paras, Duarte, stated he feels Mr. George is a unifying force and knows his place well.

Mayor Finlay called a Closed Session at 9:25 p.m. City Attorney Slater stated the first Closed Session is pursuant to Government Code Section 54956.9(b)(1); Conference with Legal Counsel; Anticipated litigation regarding 2404 and 2412 Rim Road and City drainage easement; Potential number of cases: Two. The second Closed Session is pursuant to Government Code Section 54957(b)(1) and 54957.6; Public employee performance evaluation; Title of position: City Manager; Designated representative: Dan Slater, City Attorney.

City Council reconvened at 10:27 p.m., with all members present. Slater stated with regard to the first Closed Session item (Anticipated Litigation), the City Council received an update from the City Attorney regarding discussions with the attorney for one of the property owners, with no action taken and no further discussion. With regard to the second Closed Session item (Public Employee Performance Evaluation), Slater stated the City Council held a confidential and privileged discussion with the designated City representative (City Attorney), regarding the City Manager's evaluation and issues pertaining to the evaluation, and directed the City Attorney to prepare a written evaluation form to be circulated among the City Council, with further discussion at the next City Council Meeting at a Closed Session to be held at 6:00 p.m. No further action was taken.

ADJOURNMENT

Reyes moved, Paras seconded to adjourn the meeting at 10:29 p.m., to a Closed Session at 6:00 p.m., September 13, 2005, and carried unanimously.

Mayor Margaret Finlay

ATTEST:

City Clerk