

MINUTES

CITY COUNCIL OF THE CITY OF DUARTE ADJOURNED REGULAR MEETING – OCTOBER 11, 2005

At 5:00 p.m., a Special Joint Session was held with the Duarte City Council and Duarte Unified School District Board to discuss common problems and common ideas.

The City Council of the City of Duarte met in an adjourned regular meeting in the Council Chambers, 1600 Huntington Drive, Duarte, California. Mayor Finlay called the meeting to order at 7:22 p.m.

RECORDATION OF ATTENDANCE

The following were in attendance:

PRESENT: Fasana, Gaston, Paras, Reyes, Finlay

ABSENT: None

ADMINISTRATIVE STAFF PRESENT: City Manager
George, Assistant City Attorney Laymon

ADOPTION OF AGENDA

Paras moved, Gaston seconded to adopt the agenda, as amended to remove Item 12.C. (Rejection of Claim) from the Consent Calendar, and carried unanimously.

PLEDGE TO THE FLAG

Tina Heany led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION

A silent moment of reflection was observed.

FITNESS WARM-UP

Mayor Finlay led the group in a series of warm-up exercises.

ANNOUNCEMENTS

Pui-Ching Ho, Duarte Library, announced Survival Skills of Native Americans event on October 22 at 3:00 p.m.

Jan Wight, Duarte Chamber of Commerce, stated Midge Dollins had passed away, and announced upcoming Chamber events.

Donna Georgino announced City of Duarte/City of Hope Rose Float Committee golf tournament on November 17.

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. Fasana moved, Gaston seconded to approve the remainder of Fiscal Affairs, and carried unanimously.

SPECIAL ITEMS

Proclamation – Red Ribbon Week

Mayor Finlay read and presented the Proclamation for Red Ribbon Week to Crime Prevention Specialist Abby Lai, who provided information about the events for the week.

Route 66 Parade Committee

Jim Kirchner, Route 66 Parade Committee, introduced Committee members, thanked the City for co-sponsoring the Parade for ten years, and presented plaques to the Bronze, Silver, and Gold sponsors of the Parade.

Gaston invited all sponsors to attend the float viewing at the Buena Vista Pavilion on December 28 at 5:00 p.m.

Duarte-In-Bronze Committee

Jim Kirchner, Duarte-In-Bronze Committee Chair, provided a financial update on the Committee's fundraising efforts, stated approximately \$15,000 has been raised to date, the rough estimate for casting is \$100,000 and for the artist is \$40,000-50,000, and stated the community is supportive and contributing as much as it can.

RECESS	Mayor Finlay called a Recess at 8:08 p.m. for the Redevelopment Agency Meeting. City Council reconvened at 8:15 p.m., with all members present.
CLOSED SESSION	<p>Mayor Finlay called a Closed Session at 8:15 p.m. Assistant City Attorney Laymon stated the Closed Session is pursuant to Government Code Section 54956.9(c); Conference with legal counsel; Anticipated litigation; Reason: City is considering whether to initiate litigation; Number of cases: One.</p> <p>City Council reconvened at 9:42 p.m., with all members present. Laymon stated legal counsel made a presentation of facts and options regarding potential initiation of litigation for one case. The City Council unanimously directed staff and legal counsel to continue gathering information relating to this one potential case of litigation. No further action was taken.</p>
CONSENT CALENDAR	<p>Lino Paras stated the public should be given the information regarding the City Manager's performance evaluation.</p> <p>Fasana moved, Paras seconded to approve the Consent Calendar, as follows, and carried unanimously. Approve Items A, B, E. Remove Item C. Receive and file Item D.</p>
(Item Removed) Rejection of Claim	<p>Fasana stated the response sent to the claimant does not reflect well on the City, and the process is not customer-friendly. Mayor Finlay stated she will contact Carl Warren Insurance Adjusters, she will suggest they send an explanation to all 110 entities, and she will get back to Fasana about the item, and might have Carl Warren make a presentation to Council at a future meeting.</p> <p>Fasana moved, Gaston seconded to approve the rejection of claim from Eileen Chin, and carried unanimously.</p>
COUNCIL BILLS Council Bill 05-O-04 Date/time of regular City Council Meetings (Second Reading)	<p>Laymon read by title Council Bill 05-O-04: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING SECTION 2.04.-020 OF THE DUARTE MUNICIPAL CODE PERTAINING TO DATE AND TIME OF REGULAR CITY COUNCIL MEETINGS (Second Reading)</p>
ORDINANCE NO. 779	Fasana moved, Paras seconded to waive further reading and adopt Ordinance No. 779, and carried unanimously.
Council Bill 05-R-31 Establishing date/time of regular City Council Meetings	<p>Laymon read by title Council Bill 05-R-31: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, ESTABLISHING THE DATE AND TIME OF REGULAR CITY COUNCIL MEETINGS</p>
RESOLUTION NO. 05-31	Fasana moved, Gaston seconded to waive further reading and adopt Resolution No. 05-31, and carried unanimously.
Council Bill 05-O-05 Increase monthly salary of City Council (Second Reading)	<p>Lino Paras stated he supports the salary increase for Council.</p> <p>Laymon read by title Council Bill 05-O-05: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, INCREASING THE MONTHLY SALARY RECEIVED BY MEMBERS OF THE CITY COUNCIL (Second Reading)</p>
ORDINANCE NO. 780	Gaston moved, Reyes seconded to waive further reading and adopt Ordinance No. 780, and carried unanimously. Councilmembers asked that the Expense Policy be brought back to a future meeting for discussion.

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 staff continues to work with the two property owners to finalize agreements.

Notice of Completion
Street Improvements/Mountain
Avenue – All American Asphalt

Fasana moved, Paras seconded to accept the Street Improvements/Mountain Avenue project, per staff recommendation, authorize the City Clerk to file the necessary Notice of Completion together with release of bonds, and carried unanimously.

Commission Appointment
Schedule

Reyes moved, Paras seconded to approve the Commission interview and appointment schedule, per staff recommendation, and carried unanimously.

ITEMS FROM COUNCIL

FASANA: 1) Thanked all involved in the Festival of Authors event; 2) Congratulated the thousands who participated in the Walk for Hope, and thanked staff for their help; and 3) Asked that the meeting be adjourned in memory of Pat and Mercy Miranda.

PARAS: 1) Stated the pot holes on Mount Olive were filled in; 2) Stated the League conference in San Francisco was very educational and enlightening; 3) Announced Concert to benefit Katrina victims on October 21 at the PAC; 4) Announced Lena Valenzuela Park dedication and Red Ribbon event on October 22; and 5) Asked that the meeting be adjourned in memory of Joseph Koontz.

REYES: 1) Inquired about results of General Plan survey. Cox responded; 2) Thanked staff for their work with the Walk for Hope; and 3) Stated he will serve with Councilmember Gaston on the task force to discuss safety issues that was formed at the Joint Council/School Board Session.

GASTON: 1) Stated she served on the General Resolutions Committee at the League conference, the League approved a neutral position on Prop 76, however, the voting delegates voted to overturn that position and support Prop 76; 2) Stated the Author's Festival was outstanding, and she would like the City to recognize the Friends of the Library for their efforts; and 3) Asked that the meeting be adjourned in memory of Midge Dollins.

FINLAY: 1) Stated at this time last year, there were over 200 human infections with West Nile Virus, and this year there have been 31; and 2) Announced an informational meeting on the proposed surface mining expansion of Vulcan on October 13, 7:00 p.m., at Azusa City Hall.

ADJOURNMENT

Fasana moved, Paras seconded to adjourn the meeting at 10:20 p.m., in memory of Midge Dollins, Pat and Mercy Miranda, and Joseph Koontz, and carried unanimously.

Mayor Margaret Finlay

ATTEST:

City Clerk