

## MINUTES

### CITY COUNCIL OF THE CITY OF DUARTE REGULAR MEETING – NOVEMBER 22, 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 7:10 p.m.

#### RECORDATION OF ATTENDANCE

The following were in attendance:  
PRESENT: Fasana, Gaston, Paras-Caracci, Reyes, Finlay  
ABSENT: None  
ADMINISTRATIVE STAFF PRESENT: City Manager  
George, City Attorney Slater

#### PLEDGE TO THE FLAG

Winston Bautista led the Pledge of Allegiance to the Flag.

#### MOMENT OF REFLECTION

A silent moment of reflection was observed.

#### FITNESS WARM-UP

Regina, YMCA staff member, led the group in a series of warm-up exercises.

#### ADOPTION OF AGENDA

Gaston moved, Reyes seconded to adopt the agenda, and carried unanimously.

#### ANNOUNCEMENTS

Pui-Ching Ho, Duarte Library, announced holiday craft event on December 10 at 2:00 p.m.

Jan Wight, Duarte Chamber of Commerce, thanked staff, residents, and exhibitors for the successful Hats Off event, and announced the names of the persons who will receive Community Service Recognition Awards at the Mayor's Prayer Breakfast.

#### FISCAL AFFAIRS

Reyes moved, Gaston seconded to approve payment to the Southern California Edison Company, and carried with Fasana abstaining due to a declared conflict of interest. Paras-Caracci moved, Fasana seconded to approve the remainder of Fiscal Affairs, and carried unanimously.

#### SPECIAL ITEMS

##### Oath of Office

The Oath of Office was administered to re-elected City Councilmembers Margaret Finlay, Tzeitel Paras-Caracci, and Phillip Reyes, and congratulations were extended.

##### Election of Mayor

Mayor Finlay thanked her colleagues for allowing her to serve as Mayor during the past year, and thanked City Hall staff for their support.

Lino Paras congratulated re-elected Councilmembers.

City Manager George assumed the chair and announced that nominations were open for Mayor.

Fasana moved, Reyes seconded to nominate Tzeitel Paras-Caracci for Mayor. Fasana moved, Finlay seconded to close nominations.

##### Mayor Tzeitel Paras-Caracci

The motion to elect Tzeitel Paras-Caracci as Mayor carried by the following Roll Call vote:

AYES: Fasana, Reyes, Gaston, Finlay, Paras-Caracci  
NOES: None

##### Election of Mayor Pro Tem

Mayor Paras-Caracci assumed the chair and announced that nominations were open for Mayor Pro Tem.

Finlay moved, Reyes seconded to nominate Lois Gaston for Mayor Pro Tem. Fasana moved, Finlay seconded to close nominations.

Mayor Pro Tem Lois Gaston	The motion to elect Lois Gaston as Mayor Pro Tem carried by the following Roll Call vote: AYES: Fasana, Finlay, Reyes, Gaston, Paras-Caracci NOES: None
CONSENT CALENDAR	Finlay moved, Reyes seconded to approve the Consent Calendar, as follows, and carried unanimously. Approve Items A, B. Receive and file Item C. Deny Item D.
RECESS	Mayor Paras-Caracci called a Recess at 7:42 p.m. City Council reconvened at 7:59 p.m., with all members present.
PLANNING COMMISSION Appeal – Everett Adams 1004 Highland Avenue	<p>Cox provided a staff report about the appeal filed by Everett Adams, pertaining to the design of a sundeck at 1004 Highland Avenue.</p> <p>Everett Adams discussed his proposed sundeck, stated the Architectural Review Board and the Planning Commission had denied the design, and distributed copies of the sundeck to City Councilmembers.</p> <p>Emily Westfall stated she thinks the sundeck is attractive and it adds to the environment of the community on Highland.</p> <p>Jeff Hess stated his property adjoins Mr. Adams' property, he is the only one affected by the structure, it is not a concern to him, and stated he has no issue with the aesthetics.</p> <p>Lino Paras stated the City Council has previously reversed Planning Commission decisions, and stated there are already second stories with balconies in the neighborhood.</p> <p>There was discussion about architectural compatibility, canopy, safety issues, conditions of approval, and the need to apply for building permits in advance of work being started.</p> <p>Finlay moved, Fasana seconded to overturn the Planning Commission decision denying design review approval of the sundeck at 1004 Highland Avenue, and approve the applicant's request for design review approval, subject to the following conditions: 1) That the applicant be required to obtain a building permit and that the sundeck building plan go through the plan check process; 2) No canopy or temporary roof or shade structure shall be allowed; 3) The structure material shall match the color of the house; 4) The sundeck height shall be limited to the legal height of the railing; and 5) The applicant shall work with the Architectural Review Board to implement the above conditions, and carried unanimously.</p>
CITY MANAGER Update – Emergency Repairs	<p>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, and one property owner has one issue left to resolve.</p> <p>Fasana moved, Reyes seconded to receive and file the update, and carried unanimously.</p>
Tentative Tract Map 52867 Attalla Ranch Request for extension	Cox provided a staff report about the extension request for Tentative Tract Map 52867, and answered questions from Councilmembers pertaining to power lines, all-weather access, grading, outside dirt, and delays due to Edison easement issue. There was discussion about possible changes in the General Plan, discretionary approval, and required findings to deny a map.

Finlay moved to deny the extension. The motion died for lack of a second.

Gaston moved, Reyes seconded to grant the applicant a six-month extension for Tentative Tract Map 52867 (Attalla Ranch), and carried by the following Roll Call vote:

AYES: Fasana, Reyes, Gaston, Paras-Caracci

NOES: Finlay

Refuse collection/Recycling rate adjustment

Kristen Peterson, Deputy City Manager, provided a staff report about the proposed annual refuse collection and recycling rate adjustment to become effective January 1, 2006.

Fasana moved, Finlay seconded to approve the refuse collection and recycling rates set forth in Attachment 1 (schedule) of the staff report, per staff recommendation, and carried unanimously.

Award of Contract  
Urban design consultant  
Urban Studio

Finlay moved, Fasana seconded to award a contract to Urban Studio for downtown urban design consulting services, per staff recommendation, and carried unanimously.

#### ORAL COMMUNICATIONS

The following spoke on items not on the Agenda:

Jan Wight – Congratulations to Mayor Paras-Caracci.

Chris Russo – Holiday activities schedule, freedom of religion.

Harb Thind – Congratulations to Mayor and Mayor Pro Tem, public address system.

#### ITEMS FROM COUNCIL

FINLAY: 1) Stated property insurance will be going up due to the hurricane damage; 2) Stated it is flu season, and suggested getting inoculated; and 3) Congratulated Mayor Paras-Caracci and Mayor Pro Tem Gaston on their appointments.

FASANA: 1) Congratulated staff on the event to honor veterans and Bill Ornelas; 2) Stated Hats Off was great; 3) Stated the San Gabriel Valley COG made a presentation about emergency services, and he will report back as necessary; 4) Wished all a happy Thanksgiving; and 5) Congratulated his colleagues.

REYES: 1) Stated the Veteran's Day program was a wonderful event; 2) Stated Hats Off was outstanding and well-attended; 3) With regard to the General Plan outreach efforts, requested a list of the Steering Committee and a report on what has been done so far; 4) Congratulated his colleagues and stated he is proud to be here; and 5) Wished all a happy and safe Thanksgiving.

GASTON: 1) Thanked Councilmembers for having confidence in her to serve as Mayor Pro Tem; 2) Thanked all who donated plastic bags for Foothill Unity Center; 3) Thanked Councilmember Fasana for his presentation on transportation at the Leadership 21 training; 4) Asked that Councilmembers submit suggestions for upcoming Contract Cities conferences; 5) Congratulated staff and the lobbyist on receiving the grant money; 6) Stated the Rose Float Golf Tournament was wonderful; 7) Stated she is concerned about balance on the General Plan team, and felt homeowner's associations, youth sports, parents, and property owners should be included; 8) Thanked all who read to children in schools this week; and 9) Thanked staff for its response to Metro Gold Line Construction Authority.

PARAS-CARACCI: 1) Stated she appreciates the experience and opportunity to serve as a Councilmember for the next four years; and 2) Congratulated City Council for the strides it has taken.

ADJOURNMENT

Finlay moved, Gaston seconded to adjourn the meeting at 9:37 p.m., to December 13, 2005, at 5:30 p.m., for City Council to conduct interviews of applicants for various City Commissions, and carried unanimously.

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Mayor Tzeitel Paras-Caracci

ATTEST:

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City Clerk