

MINUTES

CITY COUNCIL OF THE CITY OF DUARTE REGULAR MEETING – DECEMBER 13, 2005

At 5:30 p.m., the Duarte City Council conducted interviews of applicants for City Commissions.

The City Council of the City of Duarte met in a regular meeting in the Council Chambers, 1600 Huntington Drive, Duarte, California. Mayor Paras-Caracci called the meeting to order at 7:13 p.m.

RECORDATION OF ATTENDANCE

The following were in attendance:

PRESENT: Fasana, Finlay, Gaston, Reyes, Paras-Caracci

ABSENT: None

ADMINISTRATIVE STAFF PRESENT: City Manager
George, City Attorney Slater

PLEDGE TO THE FLAG

Bill Lawrence 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

Reyes moved, Finlay seconded to adopt the agenda, as amended to continue Item 8 (Presentation – Duarte Teen Center) to a future City Council meeting, and carried unanimously.

ANNOUNCEMENTS

Finlay announced Live Nativity at LDS Church, December 16 and 17, and Posada at Maxwell School on December 18.

Gaston announced float viewing event at the Pavilion from December 29-January 1.

Paras-Caracci congratulated Margaret Finlay on her appointment to the Board of Directors of the National League of Cities.

CLOSED SESSION

Mayor Paras-Caracci called a Closed Session at 7:25 p.m. City Attorney Slater 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. Slater reported that after the posting of the Agenda, Case No. BS 100694 was filed at the Los Angeles County Superior Court, with 21 cities and the Building Industry Legal Defense Foundation as plaintiffs in a lawsuit against the State Water Resources Control Board and the California Regional Water Quality Control Board, Los Angeles Region.

City Council reconvened at 8:18 p.m., with all members present. Slater stated City Council discussed the status of the case with legal counsel, and voted 4-1 (with Gaston opposed) to continue the City's participation as a plaintiff in that lawsuit.

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

CONSENT CALENDAR

Reyes moved, Fasana seconded to approve the Consent Calendar, as follows, and carried unanimously.

Approve Items A, B.

Receive and file Items C, E.

Deny Item D.

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, stated progress has been favorable, with one property owner prepared to sign the agreement, and stated staff continues to work with Congresswoman Solis for a FEMA extension.

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

Award of Contract
Royal Oaks Drive Bus Pocket
E. C. Construction Company

Fasana moved, Gaston seconded to award the contract to E. C. Construction Company for Royal Oaks Drive Bus Pocket, per staff recommendation, authorize execution by the Mayor, and carried unanimously.

Warrant Register – 12/27/05

Fasana moved, Finlay seconded to authorize the City Manager to issue warrants pursuant to Warrant Register of December 27, 2005, subject to review by City Council on January 10, 2006, and carried unanimously.

Appointments to intergovernmental organizations

Slater reported the FPPC opinion that if an appointment to a body is a compensated position, the City Councilmember is not permitted to vote on their own appointment to that body. The compensated positions are Foothill Transit Zone, San Gabriel Valley Council of Governments, San Gabriel Valley Vector Control District, Sanitation Districts, and Southern California Association of Governments. It was noted that the Sanitation Districts' designation of Delegate is automatically assigned to the current Mayor. It was determined that the positions on the Gold Line Phase II JPA are also compensated, and will be added to the list of intergovernmental organizations.

Reyes moved, Paras-Caracci seconded to concur with the following appointments to intergovernmental organizations, and carried with Fasana and Gaston abstaining from voting on Foothill Transit Zone, San Gabriel Valley Council of Governments, and Gold Line JPA, and with Finlay abstaining from voting on San Gabriel Valley Vector Control District.

Area “D Emergency Services

City Manager – Representative

Full Council – Alternates

California Contract Cities

Lois Gaston – Delegate

Margaret Finlay – Alternate

City Selection Committee (County)

Tzeitel Paras-Caracci – Delegate

John Fasana – Alternate

Community Education Council

Tzeitel Paras-Caracci – Representative

Phillip Reyes – Alternate

Duarte Community Service Council

Phillip Reyes – Representative

Lois Gaston – Alternate

Duarte Education Foundation

Margaret Finlay – Representative

Lois Gaston – Alternate

Foothill Employment and Training Consortium

Tzeitel Paras-Caracci – Delegate

Phillip Reyes – Alternate

Foothill Transit Zone

John Fasana – Delegate

Lois Gaston – Alternate

Gold Line Phase II JPA

John Fasana – Member

Lois Gaston – Alternate

Joint Powers Insurance Authority
Margaret Finlay – Director
City Manager/Full Council – Alternates

League of California Cities
Margaret Finlay – Delegate
Full Council – Alternates

San Gabriel Valley Council of Governments
John Fasana – Governing Board Representative
Lois Gaston – Alternate Governing Board Representative

San Gabriel Valley Economic Partnership
Tzeitel Paras-Caracci – Representative
Margaret Finlay – Alternate

San Gabriel Valley Vector Control District
Margaret Finlay – Representative

Sanitation Districts #15 and #22
Tzeitel Paras-Caracci – Delegate
Margaret Finlay – Alternate

Southern California Association of Governments
Lois Gaston – Representative
Tzeitel Paras-Caracci – First Alternate
Fasana, Finlay, Reyes – Second Alternates

Appointments to City
Commissions

By a unanimous vote of City Council, the following appointments were made to City Commissions, with terms expiring December 31, 2009:

Planning – Robert Cuite, Richard Forintos, William Lawrence.

Parks and Recreation – Barbie Houghton, Karen Carbajal, Dianne Cahir.

Traffic and Safety – Michael Sims, Wendy Glatky, Patricia Starratt-Thorpe.

Community Services – Arbi Lazar, Mary Ann Ur, James Causey.

Economic Development – Bruce Staller, Ed Houlemarde.

It was suggested that residents who were not appointed be invited to participate in the General Plan process. It was noted that outgoing City Commissioners would be recognized at a future City Council meeting.

Chamber Representative
School District Representative

Reyes moved, Fasana seconded to concur with the Chamber's appointment of Manoj Patel as the Chamber Representative to the Economic Development Commission, and the Duarte Board of Education's appointment of Ken Bell as the School District Representative to the Parks and Recreation Commission, and carried unanimously.

Recommendation – CDBG
Advisory Committee

Reyes moved, Fasana seconded to approve the proposed 33rd Year (2006-2007) Community Development Block Grant (CDBG) projects and allocation of funds recommendation by the CDBG Advisory Committee, and requested that a presentation about the CDBG dental/vision program and the services available from First Five L.A. be made to City Council within the next few months, and carried unanimously.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda:
Harb Thind – City Council attendance at conferences.

ITEMS FROM COUNCIL

FINLAY: Provided information about a variety of subjects discussed at the National League of Cities Conference, as well as lobbying efforts, and stated the NLC Board of Directors sets policy and direction.

FASANA: 1) Provided a request for a survey completion from the Trust for Public Land to the City Manager; 2) Stated he re-

ceived a request from the School District regarding student trips to Washington D.C. this spring; 3) Announced dedication of the first grade separation for the Alameda Corridor East was held; 4) Suggested the possibility of a volunteer walk or advocacy effort to save the Duarte Route 66 Parade and to ask people and organizations to get involved; and 5) Wished all happy holidays.

REYES: 1) Stated he would support a grass roots outreach for the Parade; 2) Stated the Buena Vista Pavilion is a great venue; and 3) Wished all a great and safe holiday season.

GASTON: 1) Congratulated Margaret Finlay on her appointment to the National League Board; 2) Congratulated all those involved with the Mayor's Prayer Breakfast; 3) Stated there is a need for volunteers for Buena Vista Pavilion assignments; 4) Stated she appreciates the variety of stores and restaurants in the La-Z-Boy Center; 5) Stated the tree lighting ceremony was wonderful; 6) Wished all a Merry Christmas; and 7) Thanked the City Manager for remembering her birthday.

PARAS-CARACCI: 1) Asked if someone from Congresswoman Solis' office could attend a future Council Meeting to present the check for \$500,000 for improvement of the intersection at Mountain Avenue and Duarte Road; 2) Thanked staff and volunteers for the Mayor's Prayer Breakfast; 3) Asked that City Council consider the idea of a Mayor's Youth Council or Mayor's Youth Commission, with staff to present information to City Council; 4) Congratulated Linda Anciano for receiving her Masters in Food Safety; and 5) Wished all a Merry Christmas and great new year.

ADJOURNMENT

Fasana moved, Finlay seconded to adjourn the meeting at 9:20 p.m., in memory of Emily Reeves and Betty Anderson, and carried unanimously.

Mayor Tzeitel Paras-Caracci

ATTEST:

City Clerk