

**MINUTES**

**CITY COUNCIL OF THE CITY OF DUARTE  
REGULAR MEETING – MARCH 28, 2006**

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 7:08 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, Assistant City Attorney Laymon

**PLEDGE TO THE FLAG**

Kristen Petersen led the Pledge of Allegiance to the Flag.

**MOMENT OF REFLECTION**

A silent moment of reflection was observed.

**FITNESS WARM-UP**

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

**ADOPTION OF AGENDA**

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

**ANNOUNCEMENTS**

Pui-Ching Ho, Duarte Library, announced Book Sale on April 1, and National Library Week story time on April 5.

Karen Herrera announced Duarte's Promise Spring Fashion Fair on March 29, Foothill Unity Center's Hoop Challenge on April 8, and stated the Cesar Chavez event at the City of Hope was very successful.

Jan Wight, Duarte Chamber of Commerce, announced State of the City and Duarte Community Employee Awards on March 29, and upcoming Chamber events for the month of April.

Don Anderson announced Emergency Preparedness Fair on April 1 at the Duarte Community Center.

**FISCAL AFFAIRS**

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

**SPECIAL ITEMS**

**Proclamation  
Beautification Month**

Mayor Paras-Caracci read and presented the Proclamation for Beautification Month to Cesar Monsalve, who discussed criteria for judging and activities relating to the event.

**PUBLIC HEARING**

**Council Bill 06-R-10  
General Plan Amendment 04-2**

**Council Bill 06-O-02  
Zone Change 04-01  
(First Reading)**

Mayor Paras-Caracci stated this was the time and place set for a Public Hearing to consider General Plan Amendment 04-2, Zone Change 04-1, Environmental Impact Assessment No. 205, Tentative Tract Map 062030 (with conditions), and Mitigated Negative Declaration and Mitigation Monitoring Program for General Plan Amendment 04-2 and Zone Change 04-1 (2351-2435 Huntington Drive).

Laymon read by title Council Bills 06-R-10 and 06-O-02:

**06-R-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING THE LAND USE POLICY MAP OF THE CITY'S GENERAL PLAN FOR ONE PARCEL OF LAND (APN 8604-003-901) FROM GENERAL COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL (General Plan Amendment 04-2)**

**06-O-02 AN ORDINANCE OF THE CITY OF DUARTE, CALIFORNIA, REVISING THE DUARTE MUNICIPAL CODE BY CHANGING THE ZONING OF EIGHT PARCELS**

OF LAND FROM C-2 (GENERAL COMMERCIAL) AND R-4 (MULTIPLE RESIDENTIAL – HIGH DENSITY) TO R-3 (MULTIPLE RESIDENTIAL – MEDIUM DENSITY) (Zone Change 04-1) (First Reading)

Assistant City Attorney Laymon asked City Clerk Akana if notice of the hearing had been given. Akana stated the notice had been given and the affidavit was on file.

Mayor Paras-Caracci asked if any written communications had been filed in the matter. Akana stated there were none.

Jason Golding, Senior Planner, presented a staff report, discussed the Planning Commission's recommendations and conditions, and answered questions from Councilmembers pertaining to guest parking, access for emergency vehicles and trash trucks, trash receptacles, garage doors, timeline, perimeter fence height, and mechanics of the transaction.

Manoj Patel, representing the applicant, introduced his parents and Jason Grohs from Mur-Sol Construction. Mr. Patel and Mr. Grohs answered additional questions from City Councilmembers, and thanked staff for assistance.

Mayor Paras-Caracci asked if there was anyone in the audience who wished to be heard on the matter.

Harb Thind stated this is a great project that will raise the standard of the City.

City Council congratulated the applicant on the beautiful project, and expressed appreciation for saving mature trees.

Reyes moved, Fasana seconded to close the Public Hearing, and carried unanimously.

Finlay moved, Fasana seconded to waive further reading of the Council Bills.

RESOLUTION NO. 06-10

Gaston moved, Reyes seconded to approve Resolution No. 06-10, and carried unanimously.

Fasana moved, Finlay seconded to introduce Council Bill 06-O-02 for first reading, and carried unanimously.

Gaston moved, Fasana seconded to approve Tentative Tract Map 062030 (with conditions) and Mitigated Negative Declaration and Mitigation Monitoring Program for General Plan Amendment 04-2 and Zone Change 04-1, and carried unanimously.

CONSENT CALENDAR

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

Approve Items A, B, C, D.

Receive and file Item E.

COUNCIL BILLS

Council Bill 06-R-11

Amends Personnel Rules

Laymon read by title Council Bill 06-R-11:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE AMENDING SECTION 5 OF THE CITY'S PERSONNEL RULES

RESOLUTION NO. 06-11

Fasana moved, Gaston seconded to waive further reading and adopt Resolution No. 06-11, and carried unanimously.

Council Bill 06-R-12

Platform for Families

Laymon read by title Council Bill 06-R-12:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, ADOPTING THE NATIONAL LEAGUE OF CITIES' PLATFORM FOR STRENGTHENING FAMILIES AND IMPROVING OUTCOMES FOR CHILDREN AND YOUTH

RESOLUTION NO. 06-12

Fasana moved, Gaston seconded to waive further reading and adopt Resolution No. 06-12, and carried unanimously.

CITY MANAGER  
Notice of Completion  
Lena Valenzuela Park  
Mega Way Enterprises

Reyes moved, Fasana seconded to accept the Lena Valenzuela Park Construction project, per staff recommendation, authorize the City Clerk to file the necessary Notice of Completion together with release of bonds, and carried unanimously.

Director of Public Safety  
Coordination

George stated with the upcoming retirement of Director of Public Safety Coordination Don Anderson, the City Manager is asking for City Council's concurrence on filling this position with Deputy Sheriff Brian Villalobos.

Fasana moved, Finlay seconded to concur with staff's recommendation, and carried unanimously. City Council welcomed Mr. Villalobos.

Award of Contract  
Paint Curb Address Numbers  
Project H.O.P.E.

Fasana moved, Gaston seconded to award the contract to Project H.O.P.E. for Painting Curb Address Numbers, per staff recommendation, authorize execution by the Mayor, and carried unanimously.

Fabrication Agreement  
Duarte In Bronze Statue

Fasana moved, Gaston seconded to approve the form of the fabrication agreement between the City of Duarte and Dalian Kai Ma (Metal Products) Co., Ltd, for the fabrication of the Duarte In Bronze statue, authorize the City Manager to modify the contract should comments from Dalian need to be incorporated, and authorize the City Manager to execute the contract as long as the total cost of \$68,688 does not change, per staff recommendation, and carried unanimously.

Duarte Internship Program

George provided a staff report about the proposed change to the Duarte Internship Program eligibility to allow high school students living within the Duarte Unified School District boundaries, but attending school outside the boundaries, the opportunity to participate in the program, and discussed the report provided by the City Attorney's office. Laymon stated reasons and justifications for making a motion pertaining to the eligibility would need to be articulated by Council.

Fasana moved, Finlay seconded to receive and file the report without changing the eligibility, as there is a public benefit that accrues for the entire community through the hiring of Duarte Unified School District high school students.

There was discussion about the program's promotion through Duarte High School with coordination from the City's Parks and Recreation Department, the relationship between the City and School District, and lessening the competition with students who attend private schools. There was further discussion about not limiting the opportunities for Duarte residents who either attend private schools or who are home-schooled, and not taking opportunities away from fellow Duarteans.

Paras-Caracci moved, Finlay seconded a substitute motion to approve the proposed change to the Duarte Internship Program, as the program should be available to all Duarte residents and they should not be disallowed the opportunity to participate.

Finlay called for the question. The substitute motion to approve the proposed change to the Duarte Internship Program failed by the following Roll Call vote:

AYES: Finlay, Paras-Caracci  
NOES: Fasana, Reyes, Gaston

The main motion to receive and file the report without changing the eligibility, as there is a public benefit that accrues for the entire community through the hiring of Duarte Unified School District high school students, carried by the following Roll Call vote:

AYES: Fasana, Reyes, Gaston

NOES: Finlay, Paras-Caracci

#### ORAL COMMUNICATIONS

The following spoke on items not on the Agenda:

Harb Thind – Equal opportunity employment.

#### ITEMS FROM COUNCIL

FINLAY: 1) Announced Emergency Preparedness Fair on April 1; 2) Stated she will be bringing a video about mosquitoes to a future Council meeting; 3) Requested a resolution regarding inclusive communities that was received at the National League of Cities Meeting be on the next agenda, and provided the information to George; 4) Encouraged all residents to read the information about the Landscape and Lighting Maintenance District that will be mailed to them; and 5) Asked that the City Council Meeting be adjourned in memory of Norman Johnson.

REYES: 1) Clarified that the proposed annual increase to residential property owners for the Landscape and Lighting District is \$21.63, or \$1.80 per month; 2) Thanked officers for protecting and serving the youth during the recent walkout at Monrovia and Duarte schools; and 3) Wished Mayor Paras-Caracci good luck on the State of the City address.

GASTON: 1) Thanked those responsible for repairs on Huntington Drive east of Encanto; 2) Thanked Duarte's Promise and the participants in the Cesar Chavez and Martin Luther King Day projects; 3) Attended the Women's History Month event at Mt. Olive School; 4) Announced meeting regarding Cal-Am's application for rate increase on April 5 at Sheraton Monrovia; and 5) Thanked the Parks and Recreation Department for the Junior Olympics event, and stated it was the largest track meet in the City's history.

PARAS-CARACCI: 1) Congratulated Andres Duarte School for placing first in the Junior Olympics; 2) Attended Rotary Installation Dinner and congratulated newly-installed Rotaract officers; 3) Congratulated the City of Hope for receiving a \$20 million grant to establish a research center dedicated to immunotherapy; 4) Attended Congressman Solis' event for Women of Distinction, and stated Dorothy Smith was our honoree; and 5) Asked that the meeting be adjourned in memory of Deputy Pierre Bain.

FASANA: Asked that the meeting be adjourned in memory of Marco Firebaugh.

#### ADJOURNMENT

Finlay moved, Reyes seconded to adjourn the meeting at 8:51 p.m., in memory of Deputy Pierre Bain, Norman Johnson, and Marco Firebaugh, and carried unanimously.

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Mayor Tzeitel Paras-Caracci

ATTEST:

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City Clerk