

## MINUTES

### CITY COUNCIL OF THE CITY OF DUARTE ADJOURNED REGULAR MEETING – MAY 16, 2006

- CALL TO ORDER** The City Council of the City of Duarte met in an adjourned regular meeting in the Council Chambers, 1600 Huntington Drive, Duarte, California. Mayor Paras-Caracci called the meeting to order at 5:10 p.m.
- ADOPTION OF AGENDA** Gaston moved, Reyes seconded to adopt the Agenda, and carried unanimously.
- CLOSED SESSION** Mayor Paras-Caracci called a Closed Session. George stated the Closed Session is pursuant to Government Code Section 54957.6, Conference with Labor Negotiators; Designated City Representatives: Darrell George, Steve Filarsky; Employee Organization: Service Employees International Union (SEIU) Local 347.
- Lino Paras asked the City Council to use due judgment and discussed previous years' budgets.
- The Closed Session concluded at 6:40 p.m. City Council reconvened at 7:10 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
- PUBLIC REPORT OF CLOSED SESSION** George stated during the first part of the Closed Session, Finance Director Yelton presented certain financial information to the City Council relevant to the negotiations, and following that presentation, Mr. Yelton was excused from the Closed Session and did not participate in the discussion pertaining to the negotiations. Discussion with the City Council concerning the union's proposal ensued, and at the conclusion, the City Council unanimously authorized the City's designated representatives to present a response to the union representatives, and to continue negotiations on the labor contract. Beyond that, no action was taken.
- PUBLIC HEARING**  
Citywide Landscape and Lighting Maintenance District
- Mayor Paras-Caracci announced this was the time and place fixed for the Public Hearing relating to the Citywide Landscape and Lighting Maintenance District to consider increasing the annual assessments to finance the costs of the maintenance in accordance with Resolution No. 06-08 adopted on March 14, 2006. Any and all persons having any objections to the work or intent of the assessment district may appear and show cause why said work should not be done or carried out, or why said assessments should not be levied. The City Council will consider all oral and written protests.
- City Clerk Akana stated notice of the Public Hearing has been given in the manner and form as required by law. Mayor Paras-Caracci asked if any written protests had been filed in the matter. Akana stated there were none.
- City Engineer Milano provided a description of the boundaries of the District, explained the extent of maintenance work, summarized the Engineer's Report, explained the method and for-

mula of the assessment spread, and explained the proposed legislative action.

City Attorney Slater stated a formal announcement of the results would be made at the May 23, 2006, City Council meeting.

Mayor Paras-Caracci asked if there was anyone in the audience who wished to speak.

Lino Paras stated he was opposed, as several items paid by the General Fund were transferred to the District, feels press releases issued after mailing of the ballots are in violation of the law, and the Redevelopment Agency should be paying for debt service.

Dori Neuman stated the City previously had four million dollars in reserves, and stated Redevelopment dollars that were given to build a statue should be redirected to landscape and lighting.

Michael Lundgren stated lights at the park are kept on later than what is stated on the signs, and money could be saved if they were turned off.

Oscar Morales asked why the transit system is subsidized by taxpayers. Fasana responded.

Mayor Paras-Caracci announced any remaining ballots are to be turned into the City Clerk at this time.

Gaston moved, Finlay seconded to close the Public Hearing, and carried unanimously.

George stated the City Clerk has designated the City Engineer to tabulate the assessment ballots that were received from the owners of properties within the District prior to the close of the Public Hearing. It is estimated to take approximately four hours to tabulate the ballots. Results will be reported to the City Manager on the morning of May 17, 2006.

CITY MANAGER  
Fireworks Booth Permit

George provided a staff report about the Duarte Unified School District recommendation that the City Council award the permit to the Duarte Falcon Foundation.

Dori Neuman stated we live in fire country, it is dry in July, and it is time to take a stand and say no more fireworks.

Fabian Velazquez stated the Falcon Booster Club has been in existence since 1960, stated the Falcon Foundation co-applied with DYAC, and feels two representatives from each co-applicant should have attended the public safety meeting.

Alton Preston stated he was asked questions about money missing from the fireworks booth, and felt Mr. Martinez should not have made the decision.

Tom Reyes stated not all proceeds would go to the high school, as the co-applicant was DYAC.

George Chapjian stated the Secretary of State's website shows that the Duarte High School Falcon Foundation is incorporated and is an active non-profit organization, and the Booster Club is not on the website.

Christine Vasquez stated she would like to be a part of the parent volunteer group, and has worked the booths for hundreds of kids.

Lino Paras read a portion of the report from Dr. Martinez, and stated he would like to see the two groups reaffirm this.

Fasana moved, Finlay seconded to award the fireworks permit to Duarte Falcon Foundation/DYAC, per Duarte Unified School District recommendation.

There was discussion about using the Pavilion event as a model to look at for future fireworks booth sales, the rotating system not being a guarantee for next year, the hope that both groups would work together, the possibility of the Council setting rules for the following year in August or September, having an automatic lottery, and a review of the current policy with a report to City Council in the Fall.

The motion to award the fireworks permit to Duarte Falcon Foundation/DYAC, per Duarte Unified School District recommendation carried by the following Roll Call vote:

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

NOES: None

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda:  
Dori Neuman – Redevelopment funds, Exxon Mobil grants.  
George Chapjian – Oral communications.

ITEMS FROM CITY COUNCIL

FASANA: Stated he is pleased to hear the perpetrator of the vandalization of the David March sign was captured.

REYES: Stated the bronze statue of Andres Duarte should be completed within 45 days.

GASTON: 1) Thanked all who attended the Gold Line project meeting; 2) Congratulated staff and youth participants in the San Gabriel Valley track meet; and 3) Inquired if expense vouchers could be available online. George stated he would follow-up on the inquiry.

PARAS-CARACCI: Stated she appreciates serving with other City Councilmembers, and hopes the public continues to give input.

ADJOURNMENT

Finlay moved, Fasana seconded to adjourn the meeting at 8:32 p.m., to the Regular City Council Meeting, May 23, 2006, and carried unanimously.

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Mayor Tzeitel Paras-Caracci

ATTEST:

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City Clerk