

**MINUTES**

**JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE  
REGULAR MEETING – OCTOBER 10, 2006**

At 6:00 p.m., two Closed Sessions were held (as stated below). Mayor Paras-Caracci called the meeting to order at 6:13 p.m., with all members present.

**ADOPTION OF AGENDA**

Reyes moved, Fasana seconded to adopt the Agenda, with Item 12.A amended to read “Minutes of September 26, 2006,” and carried unanimously.

**CLOSED SESSIONS**

- Redevelopment Agency
- A) Mountain/Central Avenues
- B) 1263 Huntington Drive

Slater announced the first Closed Session is pursuant to Government Code Section 54956.8, Conference with Real Property Negotiators; Agency Negotiators: Darrell George, Ed Cox; Negotiating Parties: Redevelopment Agency of the City of Duarte and Affiliated Jacobsen Family Holdings 1, LLC; Herminia E. Jensen Trust; Chen Cheng Hsiung and Grace L.; Elm Properties, LLC; Ruben and Reina C. Morales; Eleonora Tardiff Trust; Dixon Mary A. Trust; Simon and Maria Guerrero; Thomas Metcalf and Karyn Obryant; Aurelio and Bernarda Bugarin; Under Negotiation: Price and terms of payment; Pertaining to the following properties generally located East of Mountain Avenue and North of Central Avenue, including on and in the vicinity of Bloomdale Avenue and Park Rose Avenue: APN 8530-012-025, 8530-012-026, 8530-012-027, 8530-012-028, 8530-012-029, 8530-012-037, 8530-012-038, 8530-012-039, 8530-012-040, 8530-012-041, 8530-012-042, 8530-012-043, 8530-012-044, 8530-012-045, 8530-012-046, 8530-012-047, 8530-012-067, 8530-012-001, 8530-012-002, 8530-012-003, 8530-012-004, 8530-012-005, 8530-012-006, 8530-012-007, 8530-012-008, 8530-012-009, 8530-12-010, 8530-012-031, 8530-012-032, 8530-012-073, 8530-012-074, 8530-013-003, 8530-013-004, 8530-013-018, 8530-013-007, 8530-013-006, 8530-013-005, 8530-013-040, 8530-013-041.

The second Closed Session is pursuant to Government Code Section 54956.8; Conference with Real Property Negotiators; Negotiating parties: Redevelopment Agency of the City of Duarte and Cypress Retail Group, The Piken Company, and Soboroff Partners; Agency negotiators: Darrell George and Ed Cox; Under negotiation: Price and terms of payment; Pertaining to Agency-owned property at 1263 Huntington Drive, City of Duarte (Vacant lot at northwest corner of Huntington Drive and Buena Vista Street). The Closed Sessions concluded at 6:50 p.m.

The City Council/Agency Board 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 7:07 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 Ornelas led the Pledge of Allegiance to the Flag.

**MOMENT OF REFLECTION**

A silent moment of reflection was observed.

**FITNESS WARM-UP**

Mayor Paras-Caracci led the group in a series of exercises.

**ANNOUNCEMENTS**

Bill Baca, Senator Romero’s office, announced Meet the Senator event on October 14 at Cabrera’s.

Pui-Ching Ho, Duarte Library, invited all to participate in Teen Read Week and live homework help online.

Jan Wight, Duarte Chamber, asked that the meeting be adjourned in memory of Steve Markman, and announced Lunch Connection on October 11, Good Morning Duarte on October 17, Mixer on October 26, and Hats Off on November 8.

Sue Wyninegar, City of Hope, invited attendance at a breast cancer awareness lecture on October 26 at 6:00 p.m.

Karen Herrera announced General Plan Meeting on October 11 at 7:00 p.m., and College Prep Seminar on October 19.

Mark Montgomery announced Senior Center parking lot sale on October 14.

#### SPECIAL ITEMS

##### Proclamation – Red Ribbon Week

Mayor Paras-Caracci read and presented a Proclamation for Red Ribbon Week to Brian Villalobos, who announced a number of activities planned for the week, and invited all to participate.

##### Proclamation – Fire Prevention Month

Mayor Paras-Caracci read and presented a Proclamation to Captain Dave Morse for Fire Prevention Month, and thanked the Fire Department for its services to the City.

##### Introduction of Promise Fellows

Karen Herrera described the Duarte's Promise program, and introduced new Promise Fellows Jasmine Klintong, Kelli Rayhill, Mitchell Michaelis, and Nancy Delgado, as well as returning Promise Fellows Michael Curtis and Angie Ramirez.

##### Recognition – Steve Esbenshade Peter Walsh Award

Ed Cox provided information about the Municipal Superintendents Association and the prestige associated with the Peter Walsh Award. Mayor Paras-Caracci presented a Certificate of Appreciation to Steve Esbenshade for being the recipient of the 2006 Peter Walsh Award, and congratulations were extended.

##### Recognition – SDAR members

Mayor Paras-Caracci presented Certificates of Appreciation to Mark Wood, Saralyn Lowenstein, and Sue Wyninegar for their commitment to beautifying the City by serving on the Gold Line Station Design and Art Review Committee.

##### Update – Bear issue

Richard Niño, Burrtec Waste Services, discussed trash collection issues pertaining to bears, and provided suggestions and alternatives such as bear proof containers for commercial bins, pull-out service, properly bagging and securing kitchen trash, spraying trash with odor repellent, altering collections schedule, early morning pick-up, and newsletter to include bear-proofing tips.

Rebecca Barbosa, Department of Fish and Game, presented an overview about bears in California, including distribution, reproduction cycles, food habits, behavior, habitat, population monitoring, depredation policy, and public safety incidents, and provided copies of published information for bear prevention.

There was discussion about pull-out service, possibility of an ordinance requiring that in a certain area trash must be put out on the morning of collection, safety concerns, and signage.

Livia Winston stated she thinks the ordinance is a good idea, this is a daily danger and a safety issue, and most residents are ready to support it.

Rick Forintos stated most Duarte Mesa members are in attendance at this meeting, his neighbor saw ten bears last year, he would recommend that the slide show be included on the City's website, some bears may need to be removed, and the trash ordinance is needed.

Brooks Pangburn stated the problem is just as bad east of the Mesa, it is a growing problem, when he lived in Alaska, there were similar problems that included maulings, bears are unpredictable, he is concerned about bears attacking persons, and feels we need to find a way to remove some bears.

Jim Kelley stated children look like food to bears, and it is important to stop it now to prevent someone from getting killed.

Gary Barta stated he thinks the solution is to control the food, some residents leave their trash out all night, lately bears have been coming during the day to forage through trash cans, he puts his trash behind a locked gate and has no problems with bears, and feels education would be helpful.

Rick Wetzler stated his kitchen trash is bagged, it stays in the garage until the trash is picked up, he puts the trash out in the morning and has not had an incident in 1½ years, and felt this could easily be solved by removing food.

Marcy Roschitsch stated it is not just a Duarte Mesa problem, it is a problem for the entire foothill area, and we need to get all communities on the same path.

There was further discussion about the distance bears travel, signage, Halloween night falling on trash night, the need to include Bradbury, suggestions on how to store food waste being included on the City's website, and email alerts.

Slater summarized City Council's request that includes the preparation of a draft ordinance to require that trash not be put out until the morning of trash pick-up in a determined area, development of signage, possible public outreach program through Burrtec, and contacting the city of Bradbury. Richard Niño stated Burrtec is willing to work with staff, arrangements can be made to pick up trash on a subsequent day due to Halloween night, and stated notices about bear tips could be included on a barrel hanger.

**PUBLIC REPORT OF CLOSED SESSIONS**

Slater stated the Agency Board met in a Closed Session pursuant to Government Code Section 54956.8, Conference with Real Property Negotiators, as stated above (Mountain/Central Avenues). The Agency Board discussed price and terms of payment, and unanimously directed staff to continue negotiations with Affiliated Jacobsen Family Holdings 1, LLC, to lead to a Disposition and Development Agreement.

The Agency Board also met in a Closed Session pursuant to Government Code Section 54956.8, Conference with Real Property Negotiators, as stated above (1263 Huntington Drive). The Agency Board discussed price and terms of payment, and unanimously directed staff to bring back an Exclusive Negotiating Agreement with Cypress Retail Group at a future meeting.

**ORAL COMMUNICATIONS**

The following spoke about items not on the Agenda:  
Donna Georgino – Halloween Carnival on October 31.

**CONSENT CALENDAR**

Fasana moved, Reyes seconded to approve the Consent Calendar, as follows, and carried unanimously.  
Approve Items A, B, C, D.  
Receive and File Item E.

**RESOLUTION**

Council Bill 06-R-36  
San Gabriel Basin Water Quality Authority

Slater read by title Council Bill 06-R-36:

06-R-36 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, NOMINATING COUNCILMEMBER \_\_\_\_ TO REPRESENT CITIES WITHOUT PRESCRIPTIVE PUMPING RIGHTS ON THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY

**RESOLUTION NO. 06-36**

Fasana moved, Reyes seconded to nominate Rosemead City Councilmember Margaret Clark to represent cities without prescriptive pumping rights on the Board of the San Gabriel Basin Water Quality Authority, and adopt Resolution No. 06-36, and carried with Finlay and Gaston absent from the vote.

ECONOMIC DEVELOPMENT  
COMMISSION  
Attendance – Vacancy

City Council determined that the Business Representative position on the Economic Development Commission (Allan Cook) is vacant, and suggested that candidates for that position be included in the interview process for October 24, and if that is not possible, directed staff to advertise the vacancy.

BUSINESS ITEM  
Nonviolence rally status and  
City participation

George provided a report about the City’s participation in the upcoming nonviolence rally, including staffing booths that would highlight recreation programs, recreational financial assistance, Duarte’s Promise, and Youthworks, and stated staff contacted L. A. County Parks and Recreation Department and Supervisor Antonovich’s office to encourage their involvement in the event.

Felix Aguilar stated this must be addressed as a community, the rally is a first step, he is happy it is being addressed, and invited all to attend a planning meeting on October 11, 7:00 p.m., at the Senior Center. City Councilmembers thanked Mr. Aguilar for his leadership.

ITEMS FROM COUNCIL AND  
CITY MANAGER

FINLAY: Asked that the meeting be adjourned in memory of Louise Winkler.

FASANA: 1) Congratulated Silvia Hurtado as the new Kiwanis president; 2) Asked that the City of Hope make a presentation about the science partnership with Duarte High School teachers; 3) Attended the Festival of Authors event; 4) Asked that a presentation be made about the Gold Line Station artwork; 5) Stated the Walk for Hope was successful, and thanked all volunteers; and 6) Congratulated the Foothill Unity Center on the Golden Plate Dinner and its expanded services.

REYES: 1) Invited all those interested in volunteering for the peace rally to contact himself or other Councilmembers, and invited all to the next meeting; 2) Announced College Prep Seminar on October 19 at 6:30 p.m.; 3) Thanked Fred Hawthorne and Kevin Morris for the variety show at Mt. Olive High School; 4) Thanked all involved with the Duarte Parade; 5) Stated the Festival of Authors was successful; 6) Thanked Dr. Friedman for conducting neighborhood meetings and community outreach; and 7) Thanked City Manager George for his two years of service, and congratulated him on his contract extension.

GASTON: 1) Attended Contract Cities Conference in Coronado, where there were discussions about GASB 45 and 43, emergency systems, homeland security, and border patrol, and asked that City Council be provided with an update about our first responders; 2) Thanked Council for allowing her to represent the City at the Golden Plate Awards; and 3) Thanked the MAD Town Council for adjusting its plans to accommodate the rally at Pamela Park.

PARAS-CARACCI: 1) Stated she was honored to attend the Golden Plate Awards, and appreciates all the Councilmembers’ efforts to attend events; 2) Attended Harvest Moon Festival; 3) Congratulated Silvia Hurtado for being named the new Kiwanis president; and 4) Attended the Fall Festival at Mt. Olive, and asked that Mr. Hawthorne be recognized at the next City Council Meeting.

ADJOURNMENT

Gaston moved, Reyes seconded to adjourn the meeting at 9:52 p.m., in memory of Steve Markman and Louise Winkler, and carried unanimously.

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Mayor Tzeitel Paras-Caracci

ATTEST:

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City Clerk