

MINUTES

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE REGULAR MEETING – NOVEMBER 28, 2006

The City Council/Redevelopment Agency 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 7:18 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

ADOPTION OF AGENDA

Finlay moved, Reyes seconded to adopt the Agenda, as amended to consider Items 7.A and 7.B with Items 15.A and 15.B, and carried unanimously.

PLEDGE TO THE FLAG

Brennen Carter led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION

Vincent Gaston sang America the Beautiful, and was followed by the flag-folding ceremony, and the presentation of Blue Star Banners to the family of Matthew Carter.

FITNESS WARM-UP

Mayor Paras-Caracci led the group in warm-up exercises.

ANNOUNCEMENTS

Donna Georgino, Duarte Rotary Club, announced Breakfast with Santa on December 2.

Bill Baca, Senator Romero's office, presented a Certificate of Recognition to Mayor Paras-Caracci for her term as Mayor.

Reyna Diaz announced annual Posada at her home on December 16, and community Posada on December 20 at Maxwell School.

Councilmember Lois Gaston announced auditions for the Spring Musical on December 2.

SPECIAL ITEMS

City Council and Redevelopment Agency reorganization

Lino Paras stated he would like the Council to consider Lois Gaston as the next Mayor and Phil Reyes as Mayor Pro Tem.

Mayor Paras-Caracci thanked the community, her family, and friends for the chance to serve as Mayor, and stated it has been an honor and privilege.

Election of Mayor

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

Finlay moved, Paras-Caracci seconded to nominate Lois Gaston for Mayor. Finlay moved, Reyes seconded to close nominations, and carried unanimously.

Mayor Lois Gaston

The motion to elect Lois Gaston as Mayor carried unanimously.

Election of Mayor Pro Tem

Mayor Gaston assumed the chair and announced nominations were open for Mayor Pro Tem.

Paras-Caracci moved, Finlay seconded to nominate Phil Reyes for Mayor Pro Tem. Finlay moved, Paras-Caracci seconded to close nominations, and carried unanimously.

Mayor Pro Tem Phil Reyes

The motion to elect Phil Reyes as Mayor Pro Tem carried unanimously.

Election of Chairperson

Executive Director George assumed the chair and announced nominations were open for Chairperson.

	Finlay moved, Reyes seconded to nominate John Fasana for Chairperson. Paras-Caracci moved, Reyes seconded to close nominations, and carried unanimously.
Chairperson John Fasana	The motion to elect John Fasana as Chairperson carried unanimously.
Election of Vice Chairperson	Chairperson Fasana assumed the chair and announced nominations were open for Vice Chairperson. Gaston moved, Paras-Caracci seconded to nominate Margaret Finlay for Vice Chairperson. Paras-Caracci moved, Gaston seconded to close nominations, and carried unanimously.
Vice Chairperson Margaret Finlay	The motion to elect Margaret Finlay as Vice Chairperson carried unanimously. Mayor Gaston stated she is honored to serve in this capacity in the City's 50 th Anniversary Year, introduced family members and friends, and thanked all for their support.
RECESS	Mayor Gaston called a Recess at 8:03 p.m. City Council reconvened at 8:30 p.m., with all members present.
ORAL COMMUNICATIONS	The following spoke about items not on the Agenda. Harb Thind – Reorganization. Lino Paras – Citizen input.
CONSENT CALENDAR	Reyes moved, Fasana seconded to approve the Consent Calendar, as follows, and carried unanimously. Approve Items A, B, C, D.
PUBLIC HEARING Council Bill 06-R-39 California Statewide Communities Development Authority Council Bill 06-R-40 Revenue Bonds – SCPH	Mayor Gaston announced this was the time and place set for a Public Hearing to consider a joint exercise of powers agreement relating to the California Statewide Communities Development Authority, and the issuance of revenue bonds pertaining to Southern California Presbyterian Homes. City Attorney Slater 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 Gaston asked if any written communications had been filed in the matter. Akana stated there were none. Slater read by title Council Bills 06-R-39 and 06-R-40: 06-R-39 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, APPROVING, AUTHORIZING, AND DIRECTING EXECUTION OF AN AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY 06-R-40 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, REGARDING THE APPROVAL OF THE ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO FINANCE AND REFINANCE THE ACQUISITION AND CONSTRUCTION OF CAPITAL IMPROVEMENTS FOR A SENIOR RESIDENTIAL AND CARE FACILITY, WHICH ARE, OR WILL BE, OPERATED BY SOUTHERN CALIFORNIA PRESBYTERIAN HOMES, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION

Mike Yelton, Assistant City Manager, provided a detailed staff report about the proposed bond issuance on behalf of Southern California Presbyterian Homes, and discussed the two resolutions which would authorize the execution of an agreement making the City of Duarte a program participant in the California Statewide Communities Development Authority, and authorize the California Statewide Development Authority to issue bonds in an amount not to exceed \$70 million on behalf of Southern California Presbyterian Homes.

Mayor Gaston asked if there was anyone in the audience who wished to be heard on the matter. There were none.

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

RESOLUTION NO. 06-39
RESOLUTION NO. 06-40

Fasana moved, Finlay seconded to adopt Resolution No. 06-39 and Resolution No. 06-40, and carried unanimously.

ORDINANCES
Council Bill No. 06-O-07
Trash Receptacle Placement
(First Reading)

Slater stated although this is not a public hearing item, residents affected by the proposed ordinance were notified, and read by title Council Bill No. 06-O-07:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING CHAPTER 6.08 OF THE DUARTE MUNICIPAL CODE TO MODIFY THE PERMITTED TIME FOR TRASH RECEPTACLE PLACEMENT BY OWNERS AND OCCUPANTS OF PROPERTY IN THE MESA AREA OF THE CITY; AND AMENDING CHAPTER 9.32 TO DECLARE AS PUBLIC NUISANCES SUCH ACTS, CONDITIONS, OR USES AS DECLARED BY OTHER SECTIONS OF THE DUARTE MUNICIPAL CODE TO BE A PUBLIC NUISANCE (First Reading)

Kristen Petersen, Deputy City Manager, provided a staff report about the proposed ordinance, and noted it had been revised to restrict the placement of the black refuse bins until 6:00 a.m. of the actual trash pick-up day.

George stated a letter was received from Josephine Mapson and Reginald Gay asking City Council to consider 5:00 or 5:30 a.m. as the earliest time for placement of the receptacles.

Julie Davey stated the proposed ordinance is thorough, thanked Burrtec for its assistance, and stated if the ordinance passed, it would be good for bears and residents.

Rick Forintos stated Burrtec does an excellent job, he supports the ordinance, and stated we need to talk with Bradbury so they can pass the same ordinance.

There was discussion about Section 3, Clause C (2), pertaining to trash receptacles that do not exclusively contain recyclable materials. Slater suggested the clause be revised as follows: "(2) trash receptacles that do not exclusively contain recyclable materials shall not be placed in any street, alley, highway, or parkway prior to six a.m. on the day of the regularly scheduled collection thereof."

Finlay moved, Reyes seconded to introduce Council Bill 06-O-07 for first reading, with Section 3, Clause C (2) amended as stated above, and carried unanimously, with the second reading to be considered on December 12, 2006.

BUSINESS ITEM
Annual refuse collection and
recycling rate adjustment
(Continued from 11/14/06)

Kristen Petersen provided a detailed staff report about the proposed refuse collection and recycling rates to become effective January 1, 2007.

Fasana moved, Finlay seconded to approve the refuse collection and recycling rates set forth in the staff report, to become effective January 1, 2007, per staff recommendation, and carried unanimously.

ORAL COMMUNICATIONS
(Continuation)

The following spoke about items not on the Agenda:
Mark Montgomery – Historical firsts.

ITEMS FROM COUNCIL

FASANA: 1) Thanked Councilmembers Paras-Caracci and Reyes for a great year; 2) Congratulated Councilmember Gaston on her appointment as Mayor; 3) Stated he appreciated the leadership and diligent work of all involved with the rally on November 18; and 4) Stated he went to Portland, Oregon, with the Gold Line Board to assist with the station development study and to observe fixed rail stations.

FINLAY: Congratulated Councilmember Gaston on her appointment, and thanked Councilmember Paras-Caracci for a job well done last year.

PARAS-CARACCI: Congratulated Councilmember Gaston on her appointment as Mayor.

REYES: 1) Stated the Mayor's Prayer Breakfast was a great event; 2) Thanked all involved in organizing the peace rally; 3) Stated Hats Off was well-attended; 4) Appreciated staff's efforts on the Veteran's Day event, and noted the possibility of holding the event on Saturday next year; 5) Thanked Councilmember Paras-Caracci for a great and smooth year; and 6) Stated he supports Mayor Gaston, and she is a welcome addition to the team.

GASTON: 1) Thanked staff for the reception; 2) Attended the JPIA event in San Francisco, and was impressed with the caliber of the sessions; 3) Thanked staff for the flag-folding ceremony; 4) Thanked all involved with the Mayor's Prayer Breakfast, 5) Asked that the meeting be adjourned in memory of Alicia Hernandez; and 6) Stated she is honored to be part of this team, and thanked all for their support.

ADJOURNMENT

Finlay moved, Paras-Caracci seconded to adjourn the meeting at 9:30 p.m., in memory of Alicia Hernandez, and carried unanimously.

Mayor Lois Gaston

ATTEST:

City Clerk