

MINUTES

**JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE
REGULAR MEETING – FEBRUARY 13, 2007**

At 6:00 p.m., two Closed Sessions were held (as stated below). Mayor Gaston called the meeting to order at 6:14 p.m., with three members present (Finlay and Reyes arrived during the Closed Sessions).

ADOPTION OF AGENDA

Paras-Caracci moved, Fasana seconded to adopt the Agenda, and carried unanimously.

CLOSED SESSION

- 1) Northeast corner of Buena Vista/Huntington Drive
- 2) Initiation of Litigation

At 6:00 p.m., a Closed Session was held pursuant to Government Code Section 54956.8, Conference with Real Property Negotiators; Agency negotiators: Darrell George, Ed Cox, Karen Herrera; Property: The properties listed under “Negotiating Parties” below, which properties are generally located at the Northeast corner of Buena Vista/Huntington Drive, City of Duarte; Under negotiation: Price and terms of payment; Negotiating Parties: Redevelopment Agency of the City of Duarte and: Lowe Enterprise; The Olson Group; Florence and Joseph Deverman et al, 1415 Huntington Drive, APN 8530-004-069; Alex Romo Inc., 1405 Huntington Drive, APN 8530-004-070, 8530-004-071; Gair, George and Saman Diab, 1303 Huntington Drive, APN 8530-004-072; Old Town Inc., 1307, 1309, 1311, 1313, 1315, 1317, 1319 Huntington Drive, APN 8530-004-074; Rite Aid Surplus Real Estate Dept Store #36069, 1335 Huntington Drive, APN 8530-004-078; Old Town Inc., 1337 Huntington Drive, APN 8530-004-079; Old Town Inc., 1338 Huntington Drive, APN 8530-004-080; Old Town Inc., 1345 Huntington Drive, APN 8530-004-081; Dunn Properties, (Parking Lot Strip), APN 8530-004-082; Hemine Hovsepi, 1355 Huntington Drive, APN 8530-004-083; Consolidated Stores, Inc., 1325 Huntington Drive, APN 8530-004-091, 8530-004-092, 8530-004-093; Mike Krasowski and GS Trs M. Krasowski, 1305 Huntington Drive, APN 8530-004-094; Redevelopment Agency of the City of Duarte, 1423 Huntington Drive, APN 8530-004-900; Redevelopment Agency of the City of Duarte, 1437 Huntington Drive, APN 8530-004-901.

The second Closed Session is pursuant to Government Code 54956.9(c), Conference with Legal Council; Initiation of Litigation; Number of potential cases: 1. The Closed Sessions concluded at 7:00 p.m.

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 Gaston called the meeting to order at 7:05 p.m.

RECORDATION OF ATTENDANCE

The following were in attendance:
PRESENT: Fasana, Finlay, Paras-Caracci, Reyes, Gaston
ABSENT: None
ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Marticorena

PLEDGE TO THE FLAG

Julian Rodriguez led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION

A moment of reflection was observed.

FITNESS WARM-UP

Reyes led the group in a series of warm-up exercises.

PUBLIC REPORT OF CLOSED SESSION

Marticorena stated during the first Closed Session, the Agency Board discussed price and terms of payment, with no action taken. During the second Closed Session, initiation of litigation was discussed, with no action taken.

ANNOUNCEMENTS

Jan Wight, Duarte Chamber of Commerce, congratulated Duarte High School for placing fifth in the Academic Decathlon, and announced upcoming Chamber events.

Nita Norgard thanked staff for the sign at the entrance of the Mesa and for stabilization of the hillside, and announced upcoming Friends of the Duarte Library events.

Deputy Art Valenzuela, Temple Sheriff’s Station, announced the need for sponsors for the Sacramento Experience, Life After High School, and Soap Box Derby.

Karen Herrera stated Fish Canyon Falls Trail is open this weekend, and announced Duarte’s Promise Groundhog Job Shadow Day on February 20, and Cesar Chavez Day event on March 31.

Mark Montgomery stated former Duarte Falcon Mohammed Trafeh won two track events on the weekend.

SPECIAL ITEMS

Proclamations
Black History Month
LULAC Week

Mayor Gaston read the Proclamation for Black History Month, and encouraged all to celebrate our rich cultural diversity.

Mayor Gaston presented the Proclamation for LULAC Week to Julian Rodriguez, who described a number of scholarships that have been awarded by LULAC.

Recognition – DHS Football and Volleyball Teams

Mayor Gaston presented Certificates of Appreciation to members and coaches of the Duarte High School Football and Volleyball teams, and congratulations were extended.

ORAL COMMUNICATIONS

The following spoke about items not on the Agenda:
Fotios Retzepis – Parking ordinance.

CONSENT CALENDAR

Finlay moved, Fasana seconded to approve the Consent Calendar as follows, and carried unanimously.
Approve Items A, B, C, D, E, F.

ORDINANCES

Council Bill 07-O-01
Prohibits activities in violation of law (Second Reading)

Marticorena read by title Council Bill 07-O-01:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING CHAPTER 1.04 OF THE DUARTE MUNICIPAL CODE TO ADD A GENERALLY APPLICABLE PROVISION PROHIBITING ACTIVITIES IN VIOLATION OF LAW (Second Reading)

ORDINANCE NO. 788

Fasana moved, Finlay seconded to adopt Ordinance No. 788, and carried unanimously.

Council Bill 07-O-02
Illegal Businesses (First Reading)

Marticorena read by title Council Bill 07-O-02:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING CHAPTER 5.04, “LICENSES AND PERMITS GENERALLY,” OF TITLE 5, “BUSINESS LICENSES AND REGULATIONS,” OF THE DUARTE MUNICIPAL CODE TO ADD A GENERALLY ACCEPTABLE PROVISION ADDRESSING ILLEGAL BUSINESSES (First Reading)

Fasana moved, Finlay seconded to introduce Council Bill 07-O-02 for first reading, and carried unanimously.

RESOLUTIONS

Council Bill 07-R-01
Supports 605/10 Interchange

Marticorena read by title Council Bill 07-R-01:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DECLARING ITS SUPPORT FOR THE COMPLETION OF IMPROVEMENTS TO THE 605/10 INTERCHANGE AND THE EXTENSION OF INTERSTATE 10 HOV LANES BETWEEN THE 605 AND 57 FREEWAYS

RESOLUTION NO. 07-01

Fasana moved, Finlay seconded to adopt Resolution No. 07-01, and carried unanimously.

Council Bill 07-R-02
Amendment – Gold Line JPA

Marticorena read by title Council Bill 07-R-02:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, ADOPTING AMENDMENT TWO TO THE GOLD LINE PHASE II CONSTRUCTION AUTHORITY JOINT POWERS AGREEMENT, ADDING THE CITY OF ONTARIO AS AN AUTHORIZED MEMBER OF THE GOLD LINE PHASE II CONSTRUCTION AUTHORITY

RESOLUTION NO. 07-02

Fasana moved, Finlay seconded to adopt Resolution No. 07-02, and carried unanimously.

Council Bill 07-R-03
Grant Funds – Encanto Nature
Walk Project

Marticorena read by title Council Bill 07-R-03:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE SUPPORTING THE FILING OF AN APPLICATION BY THE LOS ANGELES CONSERVATION CORP FOR GRANT FUNDS FROM THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT FOR FIRST SUPERVISORIAL DISTRICT EXCESS FUNDING FOR THE ENCANTO NATURE WALK PROJECT

RESOLUTION NO. 07-03

Fasana moved, Finlay seconded to adopt Resolution No. 07-03, and carried unanimously.

BUSINESS ITEMS
Contract – BlueGreen Open
Space Planning & Design

Karen Herrera provided a staff report, and introduced Lynne Dwyer and Martin Kammerer from BlueGreen, who presented a brief overview of their concept for the design of the Encanto Nature Walk, and answered questions from Councilmembers pertaining to the proposed project.

Fasana moved, Finlay seconded to approve the contract for \$150,000 with BlueGreen Open Space Planning & Design for the Encanto Nature Walk Project design, and authorize the City Manager to execute the contract on behalf of the City, and carried unanimously.

2006/07 mid-year budget report

Mike Yelton, Assistant City Manager, provided a detailed staff report about the mid-year budget projections, and summarized the General Fund revenues and expenditures, other City funds, Redevelopment Agency, and proposed budget amendments.

There was discussion about FEMA funds, resource constraints pertaining to the Duarte Mediation Team, possibility of sharing the responsibility with the MAD Town Council, and use of college interns to help with facilitation. Fasana requested update reports about the timeline for collection of FEMA funds, and costs associated with a survey and outreach materials pertaining to the Duarte Mediation Team's efforts.

Finlay moved, Fasana seconded to receive and file the 2006/07 mid-year budget report and to approve the corresponding budget amendments, and carried unanimously.

Audited financial statements

Reyes moved, Paras-Caracci seconded to receive and file the audited financial statements for the fiscal year ended June 30, 2006, per staff recommendation, and carried unanimously.

Revised fireworks permit/license
application process

George provided a staff report about the revised fireworks permit application that had been re-worked to reflect the feedback derived from meetings held with representatives of the Duarte Unified School District, Duarte Kiwanis, DYAC, the Education Foundation, LULAC, Falcon Foundation, and Duarte Falcon Booster Club.

There was discussion about required documentation, number of qualified applicants, booth locations, clean up at parks, storage of fireworks, management of schedules/funds, possibility of a

raffle, and ability to agendize this matter for a policy discussion at a later meeting when all City Councilmembers are present.

Reyes moved, Fasana seconded to receive and file the report on the process associated with the fireworks permit process, and carried unanimously.

ORAL COMMUNICATIONS
(Continued)

The following spoke about items not on the Agenda:
Mark Montgomery – DHS football team, yearbooks.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

FINLAY: Announced All Schools Talent Show on February 24, 7:00 p.m., at the Performing Arts Center; attended the League Board meeting in Oakland/Berkeley, where she received information about dedicated funding for public safety services and proposed eminent domain reform act; and announced the Spring Musical will also honor Francisco Martinez.

REYES: Welcomed students in the audience; thanked Council for supporting CDBG programs and China delegation; stated the banner in front of City Hall looks great and inquired about the area near the statue. George responded; and stated the China delegation will be going to Beijing and Dalian, they will visit schools and orphanages, it is an opportunity to have a student exchange program, and the trip will broaden the perspective of youth.

FASANA: Attended the League meeting where there was an update on the allocation of the housing bond; stated he was re-elected to the City Selection Committee for another term on Metro; discussed eminent domain legislation and County public safety fees; requested a report about the status of displaying letter grades on restaurants, including whether there is a mandate and how many cities participate; and requested a report about damage to infrastructure by squirrels, as they had chewed his phone line.

PARAS-CARACCI: Will attend VIP day at the YMCA Youth in Government event on Friday with Karen Herrera; and stated she received an email from Heritage Park asking that the residents be recognized at a Council Meeting for their toy drive.

GASTON: Announced Spring Musical on April 26-28 and invited participation by all military families; announced Duarte Youth Acres event on March 17; with regard to 50th anniversary events, stated information is on the City's website, residents are invited to submit memorabilia to the Historical Society, asked to meet with seniors to invite them to tour the Pavilion, and asked anyone who has been in the City for 50 years or more to participate; thanked the Interact Club volunteers who help with food distribution at the Senior Center, and asked that information about the program be provided; stated there are broken windows in the building east of the School District office; made a presentation about Duarte to Arcadia Realtors; attended Contract Cities program where Supervisor Molina spoke about upcoming projects; attended League meeting with Councilmember Finlay; received letters from new business owners thanking the City for recognizing them at the grand openings; attended Congressman Solis' swearing-in ceremony; and announced Andres Duarte statue unveiling on March 31.

ADJOURNMENT

Paras-Caracci moved, Finlay seconded to adjourn the meeting at 10:08 p.m., and carried unanimously.

Mayor Lois Gaston

ATTEST:

City Clerk