

MINUTES

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE REGULAR MEETING – JUNE 12, 2007

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 7:11 p.m.

RECORDATION OF ATTENDANCE

The following were in attendance:

PRESENT: Fasana, Finlay, Paras-Caracci, Gaston

ABSENT: Reyes

ADMINISTRATIVE STAFF PRESENT: City Manager
George, Assistant City Attorney Lona Laymon

ADOPTION OF AGENDA

Finlay moved, Fasana seconded to adopt the Agenda, as amended to adjourn to the City Council/Planning Commission Workshop, June 26, 2007, 4:30 p.m., and carried unanimously.

PLEDGE TO THE FLAG

Betty McWilliams led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION

A moment of reflection was observed.

FITNESS WARM-UP

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

ANNOUNCEMENTS

Pui-Ching Ho, Duarte Library, announced citizenship application workshop on June 23, Summer Reading Club beginning June 26, and jewelry making event on June 28.

Nita Norgard, Friends of the Duarte Library, announced Scholarship dinner on June 13, stated the book selected for the One Town One Book event is Snakeskin Shamisen by Naomi Hirohara, and announced Festival of Authors on October 6.

Jan Wight stated Duarte Chamber Spotlight is about the danger of fireworks, and announced Good Morning Duarte breakfast on June 19 and MAD Golf Tournament on July 14.

Bill Baca, Senator Romero's office, announced event to welcome new citizens on June 14 at the Performing Arts Center in Baldwin Park.

Tara Sellers, Jr. All-American Football Association, announced football and cheer sign-ups on Saturday beginning at 9:00 a.m.

Betty McWilliams, Foothill Unity Center, congratulated the Duarte Route 66ers for winning the Hoop Challenge, and displayed the engraved trophy.

Karen Herrera announced Assemblymember Portantino's mobile office on June 18, 8:00 a.m. to 1:00 p.m., in the lobby of Duarte City Hall, and City of Hope Community Meeting on June 20 at 6:00 p.m.

Lino Paras announced Route 66 Parade Committee fundraising event at Duarte Elks on June 30 at 7:00 p.m., meeting on June 13, and Parade on September 22.

SPECIAL ITEMS

Recognition – Track Meet
participants

Cesar Monsalve, Recreation Superintendent, introduced Junior Olympics Track Meet Coaches Corey Dunn, Rachel Evans, and Steven Sarsadias. Mayor Gaston presented certificates to the youth who qualified and participated in the Southern California Municipal Athletic Federation (SCMAF) Track Meet.

Recognition – Girl Scout Silver
Award recipients

Mayor Gaston presented certificates to Girl Scouts Melissa Houlemarde, Vanessa Stumbaugh, and Rebecca Bibb in recognition of their receiving the Girl Scout Silver Award.

Recognition – Artistic Discovery Competition recipients	Mayor Gaston introduced Duarte Art Instructor Joel Jimenez, and presented certificates to Eda Christianson, Chris Granillo, Katherine Dionocio, and Victor Farias in recognition of their participation in the 32 nd Congressional District Artistic Discovery Competition.
Recognition – Scott White Naval Academy Appointment	Mayor Gaston introduced Scott White and presented him with a congratulatory certificate in recognition of his appointment to the United States Naval Academy.
Recognition – Duarte Hawks Football and Cheer Program	Mayor Gaston congratulated the Duarte Hawks Scholarship Awardees and Cheerleaders, and presented certificates in recognition of their achievements.
Presentation – Encanto Nature Walk update	Lynne Dwyer and Martin Kammermer, BlueGreen Open Space Planning and Design, made a presentation about the progress of the Encanto Nature Walk project, including the conceptual plan for the trail, bioswale, and outdoor classroom areas. Harb Thind stated he felt this would create a drainage problem. Mr. Kammermer stated the existing system is being altered to work more efficiently.
ORAL COMMUNICATIONS	The following spoke about items not on the Agenda: Rosemarie Mattea – Duarte Inn, enforcement of no smoking law. Manoj Patel – Huntington Courts groundbreaking on June 26.
CONSENT CALENDAR	Finlay moved, Fasana seconded to approve the Consent Calendar as follows, and carried unanimously.
RESOLUTION NO. 07-16 Holiday Schedule 2007/08	Approve Items A, B, C, D, F. (Item D – Resolution No. 07-16) Receive and File Item E.
JOINT PUBLIC HEARING Agency Bill RA-368 Council Bill 07-R-15 Fountainhead Shrugged DDA	Laymon announced this was the time and place set for a Joint Public Hearing to consider approving a Disposition and Development Agreement between the Redevelopment Agency of the City of Duarte and Fountainhead Shrugged, LLC, and asked City Clerk Akana if notice of the hearing had been given, and if any written communications had been filed in the matter. Akana stated the notice had been given, the affidavit was on file, and no written communications had been filed. Laymon read by title Agency Bill RA-368 and Council Bill 07-R-15: A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF DUARTE APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF DUARTE AND FOUNTAINHEAD SHRUGGED, LLC A RESOLUTION OF THE CITY OF DUARTE APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF DUARTE AND FOUNTAINHEAD SHRUGGED, LLC George provided a staff report about the proposed Disposition and Development Agreement with Fountainhead Shrugged, LLC, for the development of the northwest corner of Buena Vista and Huntington. Paras-Caracci moved, Fasana seconded to open the Public Hearing, and carried unanimously. Mayor Gaston asked if there was anyone in the audience who wished to speak on the matter. Steve Hernandez stated three restaurants and 33 parking spaces seems crowded, there are walls on two sides, it will be segregated from the shopping center, access will be limited, and felt there would be a traffic problem at the exit on Buena Vista.

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

Craig Smith, Fountainhead Shrugged, LLC, stated he was available to answer questions.

There was discussion about a possible traffic problem when attempting to make a left turn on Buena Vista, review by the Traffic and Safety Commission, possibility of a right turn only requirement, impact on traffic flow, the wall on the Ralphs shopping center property, restraint of trade, safety issues, and the possibility of adjusting the length of the median.

Craig Smith stated visibility and access are the two most important things to retailers, and further restraints would be a detriment.

There was discussion about the need to work this out now to prevent problems in years to come, following up with Ralphs, and the possibility of a pedestrian walkway in the wall.

Mayor Gaston noted that the consensus was to refer the matter to staff, and after negotiations to improve the traffic flow, bring it back to Council in two weeks or within 30 days.

Continued - No later than 7/10/07

Fasana moved, Finlay seconded to reopen the Public Hearing, and continue this item to no later than July 10, and carried unanimously.

ORDINANCE

Council Bill 07-O-03
Inclusionary Housing
(Second Reading)

Laymon read by title Council Bill 07-O-03:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING CHAPTER 19.68 OF THE DUARTE MUNICIPAL CODE TO ADD SECTION 19.68.095 (Second Reading)

ORDINANCE NO. 791

Fasana moved, Finlay seconded to adopt Ordinance No. 791, and carried unanimously.

RESOLUTIONS

Council Bill 07-R-12
Calls Election - 11/6/07

Council Bill 07-R-13
Requests consolidation with L.A.
County

Council Bill 07-R-14
Candidate's Statements

Laymon read by title Council Bills 07-R-12, 07-R-13, and 07-R-14:

07-R-12 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2007, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

07-R-13 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2007, WITH THE DUARTE UNIFIED SCHOOL DISTRICT ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE

07-R-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE'S STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2007

RESOLUTION NO. 07-12
RESOLUTION NO. 07-13
RESOLUTION NO. 07-14

Fasana moved, Finlay seconded to adopt Resolutions No. 07-12, No. 07-13, and No. 07-14, and carried unanimously.

Council Bill 07-R-17
Intent to levy assessments
2007/08 Landscape/Lighting
Public Hearing Set – 7/24/07

Laymon read by title Council Bill 07-R-17:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2007-2008 WITHIN THE CITYWIDE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT, PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972; AND FIXING A TIME AND PLACE FOR THE PUBLIC HEARING TO HEAR OBJECTIONS THERETO

RESOLUTION NO. 07-17

Fasana moved, Finlay seconded to adopt Resolution No. 07-17, and carried unanimously.

Council Bill 07-R-18
Oil Recycling Grant Application

Laymon read by title Council Bill 07-R-18:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF GRANT APPLICATIONS TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR ALL AVAILABLE GRANTS UNDER THE CALIFORNIA OIL RECYCLING ENHANCEMENT ACT AND ALL AVAILABLE HHW GRANTS UNDER THE CALIFORNIA INTEGRATED WASTE MANAGEMENT ACT

RESOLUTION NO. 07-18

Fasana moved, Finlay seconded to adopt Resolution No. 07-18, and carried unanimously.

BUSINESS ITEMS
Relocation – Chamber Office

Ed Cox, Director of Community Development, made a Power-Point presentation about the proposed relocation of the Duarte Chamber of Commerce Office to 1101 Oak Avenue, including the steps necessary for the move, the proposed improvements, and applicable costs.

Tina Heany, former Chamber President, requested that City Council approve the relocation.

Manoj Patel, Chamber member, stated this move would be a great opportunity for the community.

Jim Kirchner, past Chamber President, stated the City has been a strong partner of the Chamber, and this move would be good.

Jan Wight answered questions from City Council pertaining to the needs of the Chamber, and indicated the proposed relocation would include an office to hold confidential meetings, and would be a nicer place to work.

Fasana moved, Finlay seconded to approve the relocation of the Chamber of Commerce Office to 1101 Oak Avenue, with approval of the lease to be considered at a future meeting, and carried unanimously.

Consideration/Approval of
2007-08 City/Agency Budgets

It was noted that this item would be considered concurrently with Item 16 (Redevelopment Agency Business Item).

George provided brief introductory comments about the proposed 2007-08 City of Duarte/Redevelopment Agency Budgets.

Kristen Petersen, Interim Assistant City Manager, provided a detailed overview of the Fiscal Year 2007-08 City and Redevelopment Agency Budgets, including operating budget, capital improvement program, revenues, resources, expenditures, uses, reserves, and overall budget perspective.

City Council thanked and complimented staff for the budget document. Fasana moved, Paras-Caracci seconded to approve the Fiscal Year 2007-08 City of Duarte and Redevelopment Agency Budgets, and carried unanimously.

Notice of Completion
Concrete Repair Program 06-1
Martinez Concrete, Inc.

Fasana moved, Finlay seconded to accept the Concrete Repair Program 06-1 for annual concrete repairs project, per staff recommendation, and authorize the City Clerk to file the necessary Notice of Completion together with release of bonds, and carried unanimously.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

GEORGE: Stated the General Plan update documents have been provided to City Councilmembers for consideration at the workshop to be held prior to the next Council Meeting, and stated he and Councilmember Reyes had attended the recent ICSC Conference, and met with a number of perspective tenants, developers, and interested parties.

PARAS-CARACCI: Stated bears are visiting further south from Bradbury, and she would like to look at the ordinance about trash receptacles to include other neighborhoods; inquired if the diseased oleanders at Royal Oaks Park are a safety issue, and stated we might need to look at that; attended NLC meeting in Louisiana, as she is a member of the Council for Youth, Education, and Families, where childhood obesity and poverty was discussed; suggested scheduling at least three joint City Council/School Board meetings; and suggested looking at the possibility of creating a Youth Council and a Commission that deals with youth, education, and families.

FASANA: Thanked staff for the senior event, and congratulated seniors who were recognized for their contributions; attended Chamber installation and San Gabriel Valley Legislative Caucus Transportation Summit; distributed information from the COG Strategic Planning Workshop and discussed goals; and stated he appreciated the information received from Captain Shaw pertaining to extra patrols.

FINLAY: Attended the NLC Program Committee meeting in New Orleans in May; participated in a Board conference call regarding the League's eminent domain proposal, which may possibly be on the June 2008 ballot; announced City of Hope information meeting on June 20; provided an update on vector control statistics; suggested the possibility of participating in the All-America Cities competition; and with regard to the zip code issue, stated she would like to keep the Duarte zip code.

GASTON: Thanked staff and congratulated Nita Norgard for receiving the Older American Recognition award and for being named volunteer of the year; attended the senior center volunteer dinner; thanked the Fire Department for putting out the fire today; thanked Public Safety for repairing the Caltrans fence and for the email alert system; congratulated retiring school employees and all receiving recognition; provided comments from Valley View students to the City Manager; attended Veteran's Day Memorial in Arcadia, Live Oak Memorial Day event, and Sanitation District meetings and training; passed on residents concerns to the City Manager regarding lighting on the bike trail at Mt. Olive; stated Congresswoman Solis is concerned with excavation in the foothills; and announced 50th Anniversary Concert on June 27.

ADJOURNMENT

Finlay moved, Paras-Caracci seconded to adjourn the meeting at 10:50 p.m., in memory of Mary Louise Victor, to the Joint City Council/Planning Commission Workshop, June 26, 2007, at 4:30 p.m., and carried unanimously.

Mayor Lois Gaston

ATTEST:

City Clerk