

MINUTES

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE REGULAR MEETING – JULY 24, 2007

At 6:00 p.m., two Closed Sessions were held (as stated below). Mayor Gaston called the meeting to order at 6:03 p.m., with three members present (Fasana arrived during the Closed Sessions).

ADOPTION OF AGENDA

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

CLOSED SESSION Anticipated Litigation

Slater stated the first Closed Session is pursuant to Government Code Sections 54956(b)(1) and 54957.6(a) – Public Employee Performance Evaluation – Title of position: City Manager; Designated representative: Dan Slater, City Attorney. Slater stated the second Closed Session is pursuant to Government Code Section 54956.9(b)(1): Conference with Legal Counsel; Anticipated litigation – Significant exposure to litigation; Number of potential cases: 1. The Closed Sessions concluded at 6:43 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 7:10 p.m.

RECORDATION OF ATTENDANCE

The following were in attendance:

PRESENT: Fasana, Paras-Caracci, Reyes, Gaston

ABSENT: Finlay

ADMINISTRATIVE STAFF PRESENT: City Manager
George, City Attorney Slater

PLEDGE TO THE FLAG

Mayor Gaston led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION

A moment of reflection was observed.

FITNESS WARM-UP

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

PUBLIC REPORT OF CLOSED SESSION

Slater stated during the first Closed Session, the City Council discussed evaluation issues with respect to the City Manager, and voted unanimously (with Finlay absent) to continue this item to the second meeting in August; and during the second Closed Session, the City Council/Agency Board discussed potential litigation issues, and unanimously (with Finlay absent) directed staff to continue discussions with potential litigants about an agreement that would resolve that potential litigation.

ANNOUNCEMENTS

K. C. Caracci, Route 66 Parade, invited all to attend the Parade on September 22, and displayed the 2007 Parade T-shirts.

Donna Georgino, Director of Parks and Recreation, asked that residents who have lived in Duarte for 50 years or more call the Parks and Recreation Department so they can be recognized and receive a special T-shirt at the August 8th Concert in the Park.

Mayor Gaston announced Foothill Unity Center Public Forum for Community Needs Assessment on July 31, 7:00 p.m., and stated registration is now open for the back-to-school program.

SPECIAL ITEMS Recognition – 100th Birthday Marshall Welles, M. D.

Donna Georgino introduced Dr. Marshall Welles, and presented him with a cake in recognition of his 100th Birthday. Mayor Gaston presented Dr. Welles with a certificate, and congratulations were extended.

Proclamation National Night Out

Mayor Gaston read and presented the Proclamation for National Night Out to Public Safety Coordinator Aida Torres, who described the program and events that will take place on August 7, 2007, during Duarte's National Night Out.

CONSENT CALENDAR

Reyes moved, Paras-Caracci seconded to approve the Consent Calendar as follows, and carried unanimously.
Approve Items B, C, D, E, F.
Remove Item A.

Item Removed (A)
Minutes of 7/10/07

Reyes moved, Fasana seconded to approve the Minutes of July 10, 2007, as amended to reflect that Councilmember Fasana also attended the Rivers and Mountains Conservancy Meeting, and carried unanimously.

PUBLIC HEARING
Council Bill 07-R-20
Orders Assessments for 2007-08
Landscape/Lighting District

Mayor Gaston announced this was the time and place set for a Public Hearing to consider the levy and collection of assessments for fiscal year 2007-08 within the Citywide Landscape and Lighting Maintenance District.

City Attorney Slater asked City Clerk Akana is notice of the hearing had been given. Akana stated the notice had been given and the affidavit was on file. Mayor Gaston if any written communications had been filed in the matter. Akana stated there were none.

Slater read by title Council Bill 07-R-20:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2007-2008 WITHIN THE CITYWIDE LANDSCAPE AND LIGHTING DISTRICT PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972

George provided a staff report about the proposed assessments to be levied, and noted they reflect certain CPI increases, all of which are allowed for in the formation of the zones.

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

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

RESOLUTION NO. 07-20

Paras-Caracci moved, Fasana seconded to adopt Resolution No. 07-20, and carried unanimously.

RESOLUTIONS
Council Bill 07-R-21
Route 66 Parade – Liability and maintenance – Mt. Olive off-ramp

Slater read by title Council Bill 07-R-21:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, SUPPORTING THE DUARTE ROUTE 66 PARADE AND AGREEING TO ACCEPT LIABILITY AND MAINTENANCE FOR DETOURED TRAFFIC FROM THE MOUNT OLIVE OFF-RAMP

RESOLUTION NO. 07-21

Paras-Caracci moved, Fasana seconded to adopt Resolution No. 07-21, and carried unanimously.

BUSINESS ITEMS
Voting Delegate/Alternate
League Conference – Sacramento

Reyes moved, Paras-Caracci seconded to designate Councilmember Finlay as the Voting Delegate, and Mayor Gaston as the Voting Alternate for the League of California Cities Annual Conference, September 5-8, 2007, in Sacramento, and carried unanimously.

Discussion/Direction
L.A. County Grading Program

Kristen Petersen, Interim Assistant City Manager, presented a staff report about the Los Angeles County Retail Food Establishment Inspection/Grading Program, noted implementation of the program would require the adoption of an Ordinance, and stated Assistant Planner Rebecca Ramirez assisted in the report and is in attendance to answer additional questions.

Fasana moved, Paras-Caracci seconded to direct staff to bring back an ordinance that would amend the Duarte Municipal

Code in order to implement food handling grade posting in the City, and carried unanimously.

REDEVELOPMENT AGENCY
Lease Amendment – Mountain
Vista Plaza Partnership – Public
Safety Office

George provided a staff report about the proposed amendment to the Lease Agreement with Mountain Vista Plaza Partnership for additional office space for the Public Safety Office. Brian Villalobos, Director of Public Safety Services, provided further information and answered questions from Councilmembers.

Fasana moved, Paras-Caracci seconded to approve the Lease Amendment with Mountain Vista Plaza Partnership (Landlord) and the Redevelopment Agency of the City of Duarte (Tenant) for an additional 700 square feet of office space and tenant improvements at 1042 Huntington Drive (Public Safety Office), commencing August 1, 2007, and carried unanimously.

Amendment No. 1 – ENA with
Fountainhead Development, LLC
1263 Huntington Drive

George provided a staff report about the proposed amendment to the Exclusive Negotiation Agreement with Fountainhead Development, LLC.

Fasana moved, Paras-Caracci seconded to approve Amendment No. 1 to the Exclusive Negotiation Agreement with Fountainhead Development, LLC, to extend the exclusive negotiation period pertaining to potential development of the Agency-owned parcel at the northwest corner of Huntington Drive and Buena Vista Street (1263 Huntington Drive) through October 15, 2007, and carried unanimously.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda:
Harb Thind – Electrical outages.
Mark Montgomery – Farmer’s market.
Jan Wight – Farmer’s market possible locations.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

FASANA: Asked that the Council Meeting be adjourned in memory of John Rex; stated the nomination period for the upcoming election has begun, and he plans to seek re-election; attended the COG meeting where a presentation for the Alameda Corridor East was made concerning community outreach, suggested multi-language capability might be one strategy to use in door-to-door outreach, and he would try to get the information; and stated the Mountains and Rivers Conservancy will have a call for projects shortly, workshops will be held, and he would provide information to staff.

REYES: Asked that the boxing team and those involved in the program be recognized at the next City Council Meeting; stated there are three School Board and two City Council seats available in the election, and he appreciates the collective effort and success in working together; and stated John Rex served the City in many capacities and he will be missed.

PARAS-CARACCI: Stated it is important for residents to know there is an election in November, and that the work City Council does as a team is for the residents; stated she has received questions about building and home improvement fees, and suggested that information pertaining to fees and updated guidelines for upgrades could be publicized in the Duarte View and on the City’s website; stated on two occasions, a Foothill Transit mini-bus or truck has blocked the driveway at the shopping center on Huntington and Highland; and invited all to attend the Concerts in the Park.

GASTON: Stated the City’s invitation to the Governor about the Pavilion event is under consideration, and asked that groups

be polled as to their attendance, attended the City of Hope's Driving for Donors presentation for marrow donors; attended Contract Cities Planning Retreat in Long Beach; received a congratulatory message on our 50th anniversary from the City of Carson; announced Bridge Party on July 28 at 5:00 p.m., stated the Concert in the Park in two weeks will include a tribute to those who lived in the Davis Addition; provided information to the City Manager about letters needed to prevent elder abuse; attended a meeting with staff at the Tournament House to plan for the Pavilion site, and stated a planning meeting will be held at the Public Safety Office on August 13; welcomed William Fujioka as the new CEO of Los Angeles County, and noted he is our neighbor; provided information she received about the recent bear shooting incident, and inquired about the possibility of amending the City's code pertaining to the feeding of wild animals; and stated John Rex was a tutor for the SAT prep program and spent much of his time working with youth.

ADJOURNMENT

Paras-Caracci moved, Fasana seconded to adjourn the meeting at 8:50 p.m., in memory of John Rex, and carried unanimously.

Mayor Lois Gaston

ATTEST:

City Clerk