

## MINUTES

### JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE REGULAR MEETING – SEPTEMBER 11, 2007

At 5:00 p.m., two Closed Sessions were held (as stated below). Mayor Gaston called the meeting to order at 5:08 p.m., with three members present (Fasana and Finlay arrived at 5:10 p.m.).

#### ADOPTION OF AGENDA

Paras-Caracci moved, Reyes seconded to adopt the Agenda, and to adjourn the meeting in memory of Alan Talt and Ella Touhey, and carried unanimously.

#### CLOSED SESSION Performance Evaluation Anticipated Litigation

Slater stated the first Closed Session is pursuant to Government Code Section Sections 54957(b)(1) and 54957.6(a); Public Employee Performance Evaluation; Title of position: City Manager; Designated representative: Dan Slater, City Attorney. The second Closed Session is pursuant to Government Code Section 54956.9(b) Conference with Legal Counsel; Anticipated litigation/significant exposure to litigation; Number of potential cases: 1. The Closed Sessions concluded at 6:55 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 7:08 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 Slater

#### PLEDGE TO THE FLAG

Pastor John Johnson 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 SESSIONS

Slater stated during the first Closed Session, the City Council continued its discussion concerning the City Manager's performance evaluation, and unanimously voted to direct the City Attorney to prepare an amendment to the City Manager's contract for an extension of one year and a 10% salary increase, and stated the contract would be brought back at a future meeting for formal ratification. During the second Closed Session, the City Council/Agency Board discussed issues regarding potential litigation and unanimously directed the City Attorney as to how to proceed in the matter, with no further reportable action taken.

#### ANNOUNCEMENTS

Jan Wight, Duarte Chamber of Commerce, stated the Chamber has provided welcome bags for three years, and announced Good Morning Duarte on September 18, Brown Bag University event, and Chamber grand opening on October 3.

Tara Sellers, Duarte Hawks, announced opening game on September 16, displayed the team's T-shirt, and stated the Hawks homecoming will be on October 14.

Pui-Ching Ho, Duarte Library, announced Spanish Heritage Month Program on September 15 at 12:00 noon.

Miguel Mejia, DYAC, announced Route 66 Parade and registration season kickoff on September 22, and introduced Mustang Division team members and High School team members, who displayed their teams' trophies for their recent tournament victories.

Karen Herrera announced Duarte's Promise will participate in the Parade and Picnic, and announced College Fair on October 2, College Prep Seminar on October 18, and Household Hazardous Waste Round-Up on October 13 at Buena Vista Pavilion, and thanked all who supported the 9/11 Ceremony at Valley View School.

Nita Norgard, Friends of the Duarte Library, announced Festival of Authors on October 6, and stated there will be five guest speakers and local Duarte authors in attendance.

Robert Cuite, Duarte Ed Foundation, announced Wild West Fundraising Dinner on October 13 at 6:00 p.m.

Cathe Wilson, Temple Station Support Group, announced 8<sup>th</sup> Annual Golf Tournament at San Dimas Golf course on October 1.

Coach Merjil, DYAC, thanked parents and players who worked hard, and thanked Mr. Reyes' group for its donation of equipment.

#### SPECIAL ITEMS

Recognition – Julie Davey  
Writing for Wellness book

Mayor Gaston introduced Julie Davey, who described her writing class, students' writings, and book compilation process, and introduced writers Ellen Lozar, Edna Teller, and Joy Steward, whose writings are featured in the book along with 60 other students. Mayor Gaston presented Julie Davey with a certificate in appreciation of her inspiration and insightful writing program and book "Writing for Wellness: A Prescription for Healing."

Recognition – Sgt. Dave Bly

Brian Villalobos, Director of Public Safety Services, introduced and thanked Sergeant Dave Bly, who has been transferred out of the City. Mayor Gaston presented Sergeant Bly with a City plaque in recognition of his dedication and service to the City of Duarte from June 1994 – September 2007. Villalobos introduced Sergeant Bobby Wyche who will be joining the City.

#### ORAL COMMUNICATIONS

The following spoke about items not on the Agenda:  
Dino Herrera – Flatbed truck parking ordinance.  
Harb Thind – Electrical blackouts, underground conduits.

#### ITEMS ADDED TO CONSENT

Finlay moved, Fasana seconded to add Expense Request for Contract Cities Fall Seminar, September 28-30, 2007, Riverside (Reyes), and Duarte Kiwanis Club Installation luncheon on September 25 for all Councilmembers. Mayor Gaston asked that the Minutes reflect that at the August 28, 2007, City Council Meeting, Lily Lee Jefferson was in attendance, Becky Evans coordinated the 50<sup>th</sup> Anniversary events, and that she thanked Mary Barrow for her role in planning the events. The motion carried unanimously.

#### CONSENT CALENDAR

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

#### PUBLIC HEARING

Council Bill 07-O-06  
Zone Change 07-1  
1414 Mountain Avenue  
(Second Reading)

Mayor Gaston announced this was the time and place set for a Public Hearing to consider Zone Change 07-1, changing the zoning of 1414 Mountain Avenue from R-3 to C-2.

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 Bill 07-O-06:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, REVISING THE DUARTE

MUNICIPAL CODE BY CHANGING THE ZONING OF ONE PARCEL OF LAND FROM R-3, MULTIPLE RESIDENTIAL (MEDIUM DENSITY) TO C-2, GENERAL COMMERCIAL (1414 Mountain Avenue, APN 8530-012-005) (Zone Change 07-1) (Second Reading)

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

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

ORDINANCE NO. 793

Fasana moved, Reyes seconded to adopt Ordinance No. 793, and carried unanimously.

ORDINANCE  
Council Bill 07-O-05  
Restaurant Letter Grading  
(Second Reading)

Slater read by title Council Bill 07-O-05:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE AMENDING TITLE 6, "HEALTH AND SANITATION," OF THE DUARTE MUNICIPAL CODE TO ADD CHAPTER 6.22, "RESTAURANT AND FOOD ESTABLISHMENTS," TO INCORPORATE BY REFERENCE COUNTY OF LOS ANGELES ORDINANCE NO. 97-0071 AND ADDITIONAL PROVISIONS OF THE COUNTY OF LOS ANGELES CODE, AND TO PROVIDE FOR ADDITIONAL REMEDIES FOR VIOLATIONS THEREOF (Second Reading)

ORDINANCE NO. 792

Fasana moved, Finlay seconded to adopt Ordinance No. 792, and carried unanimously.

ITEMS FROM CITY COUNCIL/  
CITY MANAGER

GEORGE: Announced Southern California Edison will be conducting a scoping meeting regarding the Tehachapi Renewable Transmission Project on September 12, 6:30 p.m., at the Community Center.

FINLAY: Attended League Annual Conference and Board Meeting in Sacramento, discussed ACA 8 concerning eminent domain bill and inquired about its status, and provided information to the City Manager about Sacramento's public art program. Slater provided a brief update about ACA 8.

PARAS-CARACCI: Thanked all who participated in the Honor Among Ashes event; announced Route 66 Parade on September 22 with Larry Wilson as the Grand Marshal; stated the Picnic has a kid zone this year; and announced raffle prizes to be awarded include \$1,000 and a Wii console.

REYES: Stated it was nice to see the Hawks at the meeting, and thanked Tara Sellers for announcing the opening game on September 16; asked that the Edison Company provide an update at a future Council Meeting about the City's infrastructure and explain the recent outages; and stated we may need to look at our ordinances about residents parking their trucks on the street, and also parking large motor homes, RVs, and boats on the street, since extremely large and intruding vehicles could be a public safety hazard.

FASANA: Stated codes and ordinances need to have active review; stated the budget bill was amended at the State level that would increase roads and street maintenance monies from \$350 million to \$950 million; and regarding ACA 8, stated we need to have the ability to accommodate growth, and the League bill may not adequately protect the planning needed for the region.

GASTON: Provided statistics from the Sanitation District about the recent e-waste collections, and announced Household

Hazardous Waste Roundup at Buena Vista Pavilion on October 13; provided correspondence to the City Manager from Barbara Boxer, SEIU, and a photograph of a bottles and cans container with a City logo; inquired about recent approval for Gold Line; asked that Council refer to email from Becky Evans about VIP booth at the Picnic; asked that the Council Meeting be adjourned in memory of Alan Talt and Ella Touhey, and thanked staff for the tree-planting ceremony at Valley View School, and stated Mrs. Nelson will be presented a Certificate of Appreciation at the Board of Education Meeting on Thursday.

In response to the inquiry about the Gold Line, George stated the City was notified that we would receive close to \$100,000 in grant funding to continue studying efforts associated with the Gold Line Transit Oriented Development.

ADJOURNMENT

Finlay moved, Paras-Caracci seconded to adjourn the meeting at 8:42 p.m., in memory of Alan Talt and Ella Touhey, and carried unanimously.

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Mayor Lois Gaston

ATTEST:

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City Clerk