

## MINUTES

### JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE REGULAR MEETING – NOVEMBER 27, 2007

At 6:00 p.m., a Closed Session was held (as stated below). Mayor Gaston called the meeting to order at 6:03 p.m., with three members present (Reyes was absent, and Fasana arrived during the Closed Session).

**ADOPTION OF AGENDA** Finlay moved, Paras-Caracci seconded to adopt the Agenda, and carried unanimously.

**CLOSED SESSION**  
Real Property Negotiations George stated the Closed Session is pursuant to Government Code Section 54956.8; Real Property Negotiations; Property: 1400 Mountain Avenue (APN 8530-12-01); Negotiating Parties: Redevelopment Agency of the City of Duarte and F. E. Saumur and M. A. Saumur, Trustees of the Francis E. Saumur Trust; Agency Negotiators: Darrell George and Ed Cox; Under Negotiation: Price and terms of payment. The Closed Session concluded at 6:30 p.m.

**PRESENTATION – Emergency Preparedness – Elected Officials** At 6:30 p.m., a presentation was made by Public Safety Director Brian Villalobos concerning emergency preparedness for elected officials, which covered NIMS, SEMS, and ICS.

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, Gaston  
ABSENT: Reyes  
ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Slater

**PLEDGE TO THE FLAG** Sgt. Bobby Wyche led the Pledge of Allegiance to the Flag.

**MOMENT OF REFLECTION** A moment of reflection was observed.

**FITNESS WARM-UP** Slater led the group in a series of warm-up exercises.

**PUBLIC REPORT OF CLOSED SESSION** Slater stated during the Closed Session, the Agency Negotiators presented an update to the Agency Board, a discussion ensued, and no action was taken.

**ANNOUNCEMENTS** Pui-Ching Ho, Duarte Library, announced Gingerbread House event on December 8 at 2:00 p.m.

Jan Wight, Duarte Chamber of Commerce, thanked all who participated in Hats Off, thanked City staff, and announced Holiday Mixer on December 12 at 4:30 p.m.

Karen Herrera announced Duarte's Promise Holiday of Promise is underway, Assemblymember Portantino's HIV/AIDS Action Summit on December 5, Household Hazardous Waste event on January 12 at El Monte airport, and encouraged families in need of support to contact the Duarte Community Service Council and the Foothill Unity Center.

Lino Paras announced Duarte Elks Club Hoop Shoot on December 15 in the afternoon.

**SPECIAL ITEMS**  
Introduction – Promise Fellows Karen Herrera introduced 2007/08 Promise Fellows Erjel Manalastas, Mitchell Michaelis, Mary Ann Crews, Fernando Ravega, Angela Rincon, Airika Narcisse, Steven Venegas, and Ashley Faran, and presented an overview of Duarte's Promise projects.

Recognition – Steven Chavez	Mayor Gaston presented Steven Chavez a Certificate in recognition of his achieving the rank of Eagle Scout, and congratulations were extended.
CONSENT CALENDAR	<p>Lino Paras inquired about two warrants for annual awards dinner, and warrant for Rutan and Tucker regarding golf course litigation. Slater and Mayor Gaston responded.</p> <p>Paras-Caracci moved, Fasana seconded to approve the Consent Calendar as follows, and carried with Finlay abstaining from the Minutes. Approve Items A, B, C, D.</p>
JOINT PUBLIC HEARING Agency Bill RA-368 Council Bill 07-R-15 DDA – Fountainhead Shrugged	<p>Mayor Gaston announced this was the time and place set for a Joint Public Hearing to consider a Disposition and Development Agreement with Fountainhead Shrugged, LLC, regarding 1263 Huntington Drive. Notice of the hearing had been given, the affidavit is on file, and no written correspondence was received.</p> <p>Slater read by title Agency Bill RA-368:  <b>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</b></p> <p>Slater read by title Council Bill 07-R-15:  <b>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</b></p> <p>George provided a brief staff report, and stated staff recommends approval of the DDA. Herrera made a presentation about the proposed DDA, including the site plan, elevations, tenant overview, economic profile, project timeline, and Fountainhead projects in other communities, and noted the team from Fountainhead is available to answer questions.</p> <p>Mayor Gaston asked if there was anyone in the audience who wished to speak on this matter.</p> <p>Lino Paras stated he is glad to see this project.</p> <p>Fasana moved, Finlay seconded to close the Public Hearing, and carried unanimously.</p> <p>There was discussion about guaranteeing that the site will be occupied only by restaurants, possibility of adding that as a term of the DDA, financial compensation back to the Agency or a disincentive if the developer is unable to find tenant restaurants, sales tax, expectation and valuation to bring restaurants in, and possibly including language to protect the City for at least ten years.</p> <p>George suggested he and the Fountainhead team could possibly work something out before the end of the meeting.</p>
Continued to later in the Agenda	Finlay moved, Paras-Caracci seconded to continue this item to later in the Agenda, and carried unanimously.
RESOLUTION Council Bill 07-R-30 Tom Bradley postal stamp	<p>Slater read by title Council Bill 07-R-30:  <b>A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, SUPPORTING THE ISSUANCE OF A POSTAL STAMP IN HONOR OF LOS ANGELES MAYOR TOM BRADLEY</b></p>
RESOLUTION NO. 07-30	Fasana moved, Finlay seconded to adopt Resolution No. 07-30, and carried unanimously.
CITY COUNCIL/AGENCY Amendment – Satellite Parks Agreement	Fasana moved, Finlay seconded to approve Amendment No. 4 to the Satellite Parks Lease Agreement between the City of Duarte and the Duarte Unified School District, and carried unanimously.

Goat brush clearance report	<p>Herrera provided an update report about the goat brush clearance program, and stated George Gonzalez of Ranchito Tivo Boer Goats was available to answer questions.</p> <p>There was discussion about the next program phase, cost, grant, and funding source.</p> <p>Fasana moved, Paras-Caracci seconded to move forward with the second phase of the goat brush clearance program, and to authorize the City Manager to execute an amendment to the contract with Ranchito Tivo Boer Goats, and carried unanimously.</p>
Continued Joint Public Hearing	<p>Item 15 (Joint Public Hearing) that had been continued from earlier in the Agenda was resumed.</p> <p>George stated that he and the Fountainhead team discussed a number of possibilities concerning the DDA, and suggested that the item be brought back to the December 11, 2007, meeting.</p>
Joint Public Hearing re-opened and continued to 12/11/07	<p>Fasana moved, Finlay seconded to re-open the Joint Public Hearing pertaining to the proposed DDA with Fountainhead Shrugged, LLC, and continue the item to December 11, 2007, and carried unanimously.</p>
Recommendation – Human Resources Manager position	<p>George provided a staff report about the recommendation for City Council and Agency approval of a budget amendment for a Human Resources Manager position.</p> <p>Lino Paras stated he did not understand the \$10,000 amount, training can be done by seminars, taxes will be affected, since there is a \$500,000 shortfall per year, asked why the City is spending the money, and asked if the position would be a union member.</p> <p>Steve Hernandez stated there should have been a Human Resources person years ago, he is glad this is being addressed, and stated he assumed the City would be hiring someone internally.</p> <p>Finlay moved, Paras-Caracci seconded to approve the budget amendment for a Human Resources Manager position, per staff recommendation, and carried unanimously.</p>
Recommendation – Economic Development/Redevelopment Manager position	<p>George provided a staff report about the recommendation for City Council and Agency approval of a budget amendment for an Economic Development/Redevelopment Manager position.</p> <p>Lino Paras stated consultants were previously hired for redevelopment projects, inquired if the Redevelopment Manager will be fired in three years when there is no more redevelopment space, and stated he agrees with this as long as the general fund is not affected.</p> <p>Steve Hernandez stated since the last City Manager left, there has been a void that should be filled, we have only about three more years for redevelopment, and we need to stop the State from taking the City's funds.</p> <p>Fasana moved, Paras-Caracci seconded to approve the budget amendment for an Economic Development/Redevelopment Manager position, per staff recommendation, and carried unanimously.</p>
ORAL COMMUNICATIONS (Continued)	<p>The following spoke on items not on the Agenda:</p> <p>Jan Wight – Businesses, economic development.</p> <p>Steve Hernandez – Human Resources position.</p> <p>Lino Paras – New positions, budget</p> <p>Mark Montgomery – Mountain Avenue/Duarte Road.</p> <p>Harb Thind – Hedges, tree limbs, bus ridership.</p>

ITEMS FROM CITY COUNCIL/  
CITY MANAGER

PARAS-CARACCI: Stated she would like to see a total evaluation of the transit ridership in various parts of the community and its routes; attended the Mayor's Prayer Breakfast; attended NLC Conference in New Orleans where she serves on the Youth, Education, and Families Council and Democratic Governance Panel; and suggested there be a way to inform, advise, and educate businesses and residents about water conservation.

FINLAY: Attended the NLC Conference in New Orleans, congratulated Councilmember Paras-Caracci for being elected to the NLC Board, stated there was discussion about funding for cities, some worked on a Habitat for Humanity house, and she worked on a playground; congratulated the City of Hope on its Walk for Hope; and stated it is West Nile Virus season, and we need to make sure mosquitoes are not breeding in pools and fountains.

FASANA: Stated the streets need to be realigned at Mountain Avenue and Duarte Road, and City Council will have to get active and meet with Congressman Solis about that project as well as the post office; regarding transit ridership, stated our system performs reasonably well, and service cuts are painful; announced Gold Line Construction Authority Meeting on December 4 at 10:30 a.m., and encouraged all to attend the City's TOD Workshop at 5:00 p.m.; announced Tree Lighting Ceremony on December 6; announced COG Strategic Planning Workshop on December 8; and congratulated the Chamber and the Kiwanis Club on the Mayor's Prayer Breakfast.

GASTON: Congratulated all who were honored at the Mayor's Prayer Breakfast and thanked all participants; received correspondence from Supervisor Antonovich for honoring him; congratulated Evelyn de Jesus as the incoming Kiwanis President; stated the City of Hope Walk for Hope was wonderful; thanked City of Hope and Contract Cities for placing an ad in the L.A. Watts Times congratulating her on her award; announced tree recycling program from December 26-January 9; requested an Agenda item about a water conservation program for the City; participated in food distribution with the Foothill Unity Center; thanked Sgt. Wyche for his service to the City; attended the employee recognition celebration and thanked all employees; announced she will be at the Senior Center one day a month to address questions and concerns of our seniors; and asked that the meeting be adjourned in memory of Paul Stuart.

GEORGE: Announced we just received notice that on our most recent bond issue, the City has been upgraded to an "A" rating.

ADJOURNMENT

Finlay moved, Fasana seconded to adjourn the meeting at 9:43 p.m., in memory of Paul Stuart and Verla Maroste, to the Transit Oriented Development Workshop, December 4, 2007, 5:00 p.m., Duarte Senior Center, and carried unanimously.

---

Mayor Lois Gaston

ATTEST:

---

City Clerk