

MINUTES

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

At 6:30 p.m., a Closed Session was held (as stated below). Mayor Gaston called the meeting to order at 6:32 p.m., with four members present (Finlay arrived during the Closed Session).

ADOPTION OF AGENDA

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

CLOSED SESSION

Conference with Real Property Negotiators

Slater stated the Closed Session is pursuant to Government Code Section 54956.8; Conference with real property negotiators; Agency negotiators: Darrell George, Karen Herrera; Negotiating parties: Redevelopment Agency of the City of Duarte and Fountainhead Shrugged, LLC; Under negotiation: Price and terms of payment; Property address: 1263 Huntington Drive, Duarte (vacant lot at northwest corner of Huntington Drive and Buena Vista Street). The Closed Session concluded at 6:50 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

Mark Montgomery 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

Slater stated during the Closed Session, the Agency Board discussed price and terms of payment, and directed staff to continue negotiations with Fountainhead Shrugged, LLC, to finalize a Disposition and Development Agreement, with no further action taken.

ANNOUNCEMENTS

Pui-Ching Ho, Duarte Library, announced Teen Video Game Program on December 20 at 3:30 p.m.

Karen Herrera announced Hazardous Waste Roundup on January 12 in El Monte and February 16 in Baldwin Park, Buena Vista events from December 28-31, thanked all for participating in the Holiday of Promise, and announced Duarte's Promise Martin Luther King, Jr., Day event on January 19.

Sheree Curry announced Love Our Children event at Moore Park on December 15 at 10:00 a.m.

Jan Wight, Duarte Chamber of Commerce, announced Holiday Mixer on December 12, and stated the new President and CEO is Jim Kirchner.

Jim Kirchner stated he is looking forward to continuing to make the City proud, and continuing the excellent work with the City and School District.

SPECIAL ITEMS

Oath of Office – Re-elected City Councilmembers

Lino Paras congratulated Councilmembers Fasana and Gaston on their re-appointment, and stated he would like Council to consider Councilmember Reyes as the next Mayor, and Councilmember Fasana as Mayor Pro Tem.

The Oath of Office was administered to re-elected City Councilmembers John Fasana and Lois Gaston, and congratulations were extended.

Election of Mayor/Chairperson City Manager George assumed the chair and announced that nominations were open for Mayor/Chairperson.

Fasana moved, Paras-Caracci seconded to nominate Phillip Reyes for Mayor/Chairperson. Finlay moved, Fasana seconded to close nominations.

Mayor Phillip Reyes The motion to elect Phillip Reyes as Mayor/Chairperson carried by the following Roll Call vote:
 AYES: Fasana, Finlay, Paras-Caracci, Reyes, Gaston
 NOES: None

Election of Mayor Pro Tem/Vice Chairperson Mayor Reyes assumed the chair and announced that nominations were open for Mayor Pro Tem/Vice Chairperson.

Finlay moved, Paras-Caracci seconded to nominate John Fasana for Mayor Pro Tem/Vice Chairperson. Paras-Caracci moved, Gaston seconded to close nominations.

Mayor Pro Tem John Fasana The motion to elect John Fasana as Mayor Pro Tem/Vice Chairperson carried by the following Roll Call vote:
 AYES: Gaston, Paras-Caracci, Finlay, Fasana, Reyes
 NOES: None

Presentation – Blue Star Banner Karen Herrera described the Blue Star Banner program. Mayor Reyes presented a Blue Star Banner to the parents of Christopher John Curtiss, and expressed appreciation for his military service.

RECESS Mayor Reyes introduced and thanked his family, thanked City Council and staff, stated he is honored to serve as Mayor, outlined a number of his goals for the coming year, and called a Recess at 7:55 p.m. City Council reconvened at 8:15 p.m., with all members present.

CONSENT CALENDAR Fasana moved, Finlay seconded to approve the Consent Calendar as follows, and carried with Reyes abstaining from the Minutes.
 Approve Items A, B, C, D, F.
 Receive and File Item E.

JOINT PUBLIC HEARING
 DDA – Fountainhead Shrugged
 (Continued from 11/27/07)
 (Continued to 1/8/08) Gaston moved, Finlay seconded to continue the Joint Public Hearing to consider a Disposition and Development Agreement between the Agency and Fountainhead Shrugged, LLC, pertaining to 1263 Huntington Drive (northwest corner of Huntington Drive and Buena Vista Street) to January 8, 2008, and carried unanimously.

PUBLIC HEARING
 Agency Bill RA-370
 Mid-Term Review of 2005-2010
 Five-Year Implementation Plan Mayor Reyes announced this was the time and place set for a Public Hearing to consider adopting the Agency’s mid-term review of its 2005-2010 five-year implementation plan.

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 Reyes asked if any written communications had been filed in the matter. Akana stated there were none.

Agency Bill RA-370 Slater read by title Agency Bill RA-370:
 A RESOLUTION OF THE REDEVELOPMENT AGENCY
 OF THE CITY OF DUARTE APPROVING AND ADOPTING
 THE AGENCY’S MID-TERM REVIEW OF ITS 2005-2010
 FIVE-YEAR IMPLEMENTATION PLAN

Mayor Reyes asked if there was anyone in the audience who wished to be heard on this item. There were none.

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

RESOLUTION NO. RA-370

Finlay moved, Gaston seconded to adopt Agency Resolution No. RA-370, and carried unanimously.

ORDINANCE

Council Bill 07-O-10

Urgency – Adopts County Codes

Slater read by title Council Bill 07-O-10:

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE ADOPTING BY REFERENCE, PURSUANT TO GOVERNMENT CODE SECTION 50022.2, THE CALIFORNIA BUILDING CODE (TITLE 26 BUILDING CODE OF THE LOS ANGELES COUNTY CODE), THE CALIFORNIA ELECTRICAL CODE (TITLE 27 ELECTRICAL CODE OF THE LOS ANGELES COUNTY CODE), THE CALIFORNIA PLUMBING CODE (TITLE 28 PLUMBING CODE OF THE LOS ANGELES COUNTY CODE), THE CALIFORNIA MECHANICAL CODE (TITLE 29 MECHANICAL CODE OF THE LOS ANGELES COUNTY CODE), AND ADOPTING LOCAL AMENDMENTS THERETO

Slater noted the following three minor clerical changes to the proposed urgency ordinance: 1) Section 8: Change “Section 34” to “Chapter 34;” 2) Section 8: Change “Chapter 1509” to “Section 1509;” 3) Section 10: Delete “of Chapter 32.”

Manoj Patel stated he thinks adoption of these codes will benefit the City, and he hopes City Council will consider accepting the PEX plastic plumbing system rather than copper.

Cox provided a staff report about the proposed ordinance, and noted the reason for its urgency is because the County Board of Supervisors approved the codes on November 27, and the City needs to adopt them by January 1, 2008.

There was discussion about PEX, contradictions in the County and City codes, and the possibility of including a matrix on the City’s website that shows the major differences in the codes, as well as fees.

Lino Paras stated staff and the website should be pro-active.

ORDINANCE NO. 797

Finlay moved, Fasana seconded to adopt Ordinance No. 797, with the corrections as stated above, and carried unanimously.

CITY COUNCIL/AGENCY
Appointments to intergovernmental organizations

Slater stated that a Councilmember nominated to any intergovernmental organization that provides compensation cannot vote on that appointment. The compensated positions are Foothill Transit Zone, Gold Line Phase II JPA, San Gabriel Valley Council of Governments, San Gabriel Valley Vector Control District, and Sanitation Districts. It was noted that the City Selection Committee and the Sanitation Districts’ designation of Delegate is automatically assigned to the current Mayor.

Gaston moved, Paras-Caracci seconded to concur with the following appointments to intergovernmental organizations, and carried with Fasana and Paras-Caracci abstaining from voting on Foothill Transit Zone, Fasana and Gaston abstaining from voting on Gold Line Phase II JPA and San Gabriel Valley Council of Governments, Finlay abstaining from voting on San Gabriel Valley Vector Control District, and Reyes and Finlay abstaining from voting on Sanitation Districts.

Area “D” Emergency Services
City Manager – Representative
Full Council – Alternates

California Contract Cities
Lois Gaston – Delegate
Margaret Finlay – Alternate

City Selection Committee (County)

Phillip Reyes – Delegate

Lois Gaston – Alternate

Community Education Council

Tzeitel Paras-Caracci – Representative

Phillip Reyes – Alternate

Duarte Community Service Council

Phillip Reyes – Representative

Margaret Finlay – Alternate

Duarte Education Foundation

Margaret Finlay – Representative

Lois Gaston – Alternate

Foothill Employment and Training Consortium

Phillip Reyes – Delegate

Tzeitel Paras-Caracci – Alternate

Foothill Transit Zone

John Fasana – Delegate

Tzeitel Paras-Caracci – Alternate

Gold Line Phase II JPA

John Fasana – Member

Lois Gaston – Alternate

Joint Powers Insurance Authority

Margaret Finlay – Director

City Manager/Full Council – Alternates

League of California Cities

Margaret Finlay – Delegate

Full Council – Alternates

San Gabriel Valley Council of Governments

John Fasana – Governing Board Representative

Lois Gaston – Alternate Governing Board Representative

San Gabriel Valley Economic Partnership

Tzeitel Paras-Caracci – Representative

Full Council – Alternates

San Gabriel Valley Vector Control District

Margaret Finlay – Representative

Sanitation Districts #15 and #22

Phillip Reyes – Delegate

Margaret Finlay – Alternate

Southern California Association of Governments

Phillip Reyes – Representative

Full Council – Alternates

ITEMS FROM CITY COUNCIL/
CITY MANAGER

FASANA: Thanked the public who attended the TOD Workshop and felt great input was received; attended Neighborhood Watch meeting on Lewiston, tree lighting ceremony, and COG Strategic Planning Workshop; provided City Manager the RFP from COG regarding homelessness; announced City of Hope's Michael Amini Center groundbreaking on December 15; and congratulated Mayor Gaston for a great year and Mayor Reyes on his upcoming year as Mayor.

FINLAY: Congratulated Councilmembers Gaston and Fasana on their reappointments; congratulated Mayor Reyes and Mayor Pro Tem Fasana; announced Household Hazardous and E-Waste event on December 15 at Brackett Field; inquired about the cuts in the street on Huntington Drive; and wished Happy Holidays to everyone.

GASTON: Attended Sanitation District meeting and TOD meeting in Pasadena, and thanked all who attended TOD meeting in Duarte; attended Contract Cities Executive Board meeting and announced upcoming General Membership meeting and legislative tour to Sacramento; attended tree lighting ceremony; welcomed Joe's Place to the City; stated she will sit on the committee to select Citrus College CEO; asked City Manager to get information about the facilitator used at the COG meeting; stated she met with seniors at the Senior Center on December 10; and encouraged all to attend the Chamber Mixer.

PARAS-CARACCI: Thanked all who attended the TOD meeting; stated there are large cracks in several areas of Huntington Drive that need to be checked; attended the League Board Meeting in San Jose, noted there is no conference fee nor compensation for Board members, the travel cost is paid by the City, and there were discussions about eminent domain, environment, and affordable housing; congratulated Councilmembers Fasana and Gaston on their reappointments; and wished all Happy Holidays.

GEORGE: Stated staff would like to thank Mayor Gaston for a thrilling year, and we are looking forward to next year with Mayor Reyes; and noted the next Council/Agency meeting will be on January 8, 2008.

REYES: Wished all a great holiday; thanked City Council for its support and confidence; stated he looks forward to working with staff; congratulated Jim Kirchner on his Chamber appointment; congratulated Councilmembers Paras-Caracci and Finlay for serving on the NLC Board of Directors; and asked that the meeting be adjourned in memory of Steve Richards.

ADJOURNMENT

Fasana moved, Gaston seconded to adjourn the meeting at 9:25 p.m., in memory of Steve Richards, and carried unanimously.

Mayor Phillip Reyes

ATTEST:

City Clerk