

MINUTES

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE REGULAR MEETING – JANUARY 8, 2008

At 6:30 p.m., a Closed Session was held (as stated below). Mayor Reyes called the meeting to order at 6:34 p.m., with four members present, and Fasana absent.

ADOPTION OF AGENDA

Gaston moved, Paras-Caracci seconded to adopt the Agenda, and to adjourn the meeting in memory of Jennifer Zamora, 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 Reyes called the meeting to order at 7:02 p.m.

RECORDATION OF ATTENDANCE

The following were in attendance:

PRESENT: Fasana (arrived at 7:15 p.m.), Finlay, Gaston, Paras-Caracci, Reyes

ABSENT: None

ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Slater

PLEDGE TO THE FLAG

Harb Thind led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION

A moment of reflection was observed.

FITNESS WARM-UP

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

PUBLIC REPORT OF CLOSED SESSION

Slater stated during the Closed Session, the Agency Board (with Fasana absent) discussed updated terms of payment, with no further action taken.

ANNOUNCEMENTS

Pui-Ching Ho, Duarte Library, announced Journal Decorating Activity on January 24 at 3:30 p.m.

Karen Herrera announced Duarte's Promise Martin Luther King Beautification Event on January 19 at 8:30 a.m., and noted the 2008/09 calendar is available on the City's website.

SPECIAL ITEM

Recognition – Tim Estes and Fiesta Parade Floats

Mayor Reyes presented a plaque to Tim Estes and Fiesta Parade Floats in appreciation of their award winning achievements at the Buena Vista Pavilion from 1996-2008, and congratulations were extended.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda:

Robert Cuite – Outgoing/new Mayor, Azusa Council Meeting.

Jim Kirchner – Upcoming Chamber events.

Sheree Curry – Black History Month events.

CONSENT CALENDAR

Finlay moved, Gaston seconded to approve the Consent Calendar as follows, and carried with Reyes abstaining from the Minutes of December 4, 2007.

Approve Items A, B, C, D, E, F, L.

Receive and File Items G, H, I, J, K.

JOINT PUBLIC HEARING
DDA – Fountainhead Shrugged
(Continued from 12/11/07)
Agency Bill RA-368
Council Bill 07-R-15

Mayor Reyes announced this was the time and place set for a Continued Joint Public Hearing to consider a Disposition and Development Agreement between the Agency and Fountainhead Shrugged, LLC, for the disposition of the Agency-owned vacant lot at 1263 Huntington Drive and development thereon of a commercial retail project. City Attorney Slater stated notice of the hearing had been given, and asked City Clerk Akana if any written communications had been filed in the matter. Akana stated there were none.

Slater read by title Agency Bill RA-368:

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

Slater read by title Council Bill 07-R-15:

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 and described the proposed project, which will include a 4,600-square foot building with three commercial storefronts.

Mayor Reyes asked if there was anyone in the audience who wished to be heard on this item.

Steve Hernandez asked what will occupy the third place if there are only two restaurants, inquired if the \$25,000 annual sales tax is based on three or two restaurants, and stated we are giving them \$400,000 of what we paid for the property.

Mark Montgomery asked who chose the tenants and if they were official yet, and suggested Charo Chicken or food court restaurants found in the mall.

George stated the developer is obligated to try to acquire a third restaurant, the \$25,000 amount is for three tenants, regardless of who the third tenant is, noted there is a preferred list of tenants, and all will need to be approved by the Executive Director.

Harb Thind stated the renderings look impressive, and this will be good for the City.

There was discussion about details, restrictions, what the Council wants to achieve, and time performance.

Craig Smith and Rob Dodman, Fountainhead Shrugged, stated there are a number of hurdles to complete before they can break ground, titlements must be secured, construction drawings must be completed, and permits will need to be pulled.

Fasana moved, Paras-Caracci seconded to close the Public Hearing, and carried unanimously.

RESOLUTION RA-368
RESOLUTION 07-15

Fasana moved, Finlay seconded to adopt Agency Resolution RA-368 and City Resolution 07-15, and carried unanimously.

TRAFFIC/SAFETY
COMMISSION – Fernley Drive

Steve Esbenshade, Engineering Division Manager, provided a staff report about the Traffic and Safety Commission recommendation pertaining to the installation of traffic calming devices on Fernley Drive, and presented an overview of the Traffic Engineer's report including speed humps/bumps/tables, existing speed and traffic volume conditions, and suggested alternatives.

Sgt. Bobby Wyche stated the Sheriff's Department has concerns with speed humps, bumps, and tables, and noted a motorbike officer could lose control of the bike when traveling over them.

Brian Villalobos, Director of Public Safety Services, distributed copies of correspondence received from the Fire Department outlining its speed bump/hump policy and its suggestion for the use of radar, as bumps/humps cause a delay to emergency vehicles and possible injury to patients being transported.

Steve Hernandez stated other cities use humps, he has seen emergency vehicles go over them, two tables are not going to do much, and felt stop signs would be more effective.

Anita Malavé-Arevalo stated the speed of cars concerns her, inquired if speed humps are effective, asked that whatever Council decides be effective, and stated the problem exists on Fernley Drive.

There was discussion about installing speed tables for a six-month trial period, other areas that might want to look at this, impact on neighborhood, appropriate signage, number of cars, solar sign, configuration of street, possible increase of traffic on streets other than Fernley, and possibility of stop signs.

Mary Taylor stated she lives on the curve of Fernley, her house and cars have been hit twice, and she is concerned with the speed of traffic.

Anita Malavé-Arevalo stated two speed humps are not going to work, and we need to look at effective devices.

There was further discussion about the location of the proposed speed tables, the traffic engineer's determination that stop signs could not be warranted for Fernley, and the ability to re-use or return the speed tables.

Gaston moved, Fasana seconded to approve the purchase and installation of two 22' wide speed tables on Fernley Drive for a trial period of not longer than six months, per the Traffic and Safety Commission recommendation, and carried unanimously.

CITY COUNCIL/AGENCY
Plaza Duarte – Update and
fundraising discussion

Ed Cox, Community Development Director, provided an update on the status of the Plaza Duarte project, noted since the Council's approval of the plaza design and cost estimate on June 26, 2007, it has come to staff's attention that there is an interest to use this project for possible fundraising opportunities, and stated staff is requesting City Council direction pertaining to the fundraising component of the plaza.

Slater stated if the City Council wants to pursue a fundraising opportunity, there are procedures and requirements that must be followed once the type of fundraising is determined.

Jim Kirchner, Duarte Historical Society, stated the Society is not in favor of using this as a fundraising opportunity, and it has envisioned a mosaic wall mural depicting the history of Duarte.

There was discussion about a recognition/memorial wall, brick pavers, maintenance costs, where the mural money would come from, possibility of sponsors, guidelines for messages, vertical surfaces to affix tiles, structure of the current wall, landscaping, irrigation, and graffiti.

Gaston moved, Finlay seconded to move forward with the plans for Plaza Duarte as previously conceived with all irrigation and the wall included, and ask that the non-profit organizations present a plan to incorporate fundraising and bricks that could be in the ground, and carried unanimously.

CDBG Advisory Board
recommendation

Irma Hernandez, Senior Planner, provided a staff report about the CDBG (Community Development Block Grant) program, proposed 2008-2009 CDBG projects and allocation of funds as

recommended by the CDBG Citizen Advisory Committee, and project descriptions.

Larry Ortega, Community Union, stated the program got a late start, and discussed students served at Mt. Olive, upcoming sessions, and challenges that have been resolved.

Kevin Morris, Principal, Mt. Olive, discussed accomplishments of students at Mt. Olive, and stated the Community Union program gives youth a life skill, it is scheduled during the school day, and he believes strongly in the program.

There was discussion about funds carried over, and the opportunity to make amendments to the contract after the start of the fiscal year.

Fasana moved, Paras-Caracci seconded to approve the proposed fiscal year 2008-2009 Community Development Block Grant (CDBG) projects and allocation of funds as recommended by the CDBG Advisory Committee, which includes a provision to allow staff to make adjustments as necessary due to final budget increases or decreases, with the added provision that any remaining funds up to \$10,000 carried over at the end of the fiscal year be applied to the Community Union program, and carried unanimously.

Agency annual report and audited financial statements
Fiscal Year 2006-07

Fasana moved, Finlay seconded to receive and file the Redevelopment Agency's annual report and audited financial statements for fiscal year 2006-07, and carried unanimously.

Agreement – Hogle-Ireland, Inc.
Zoning/subdivision code

Finlay moved, Gaston seconded to award the services agreement to Hogle-Ireland, Inc., for the preparation of a revised City zoning code and subdivision code, to increase the current budget allocation by \$50,000, to authorize the City Manager and City Attorney to finalize the agreement, and to authorize the City Manager to execute the agreement on behalf of the City, and carried unanimously.

ORAL COMMUNICATIONS
(Continuation)

The following spoke on items not on the Agenda:
Steve Hernandez – SWAT vehicles, graffiti.
Mark Montgomery – Graffiti paint.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

FASANA: Stated there is graffiti on the bike bridge and rocks in the riverbed; asked that AB 1221 (Ma) pertaining to transit village developments be discussed at a future Council meeting; and regarding the Gold Line, stated local funding matches will likely be required of Federal dollars received, and that will be discussed at the JPA meeting on January 10.

FINLAY: Congratulated Councilmember Gaston as the new Secretary/Treasurer of Contract Cities; stated it is National Mentor month, and thanked mentors in our City; asked if we can look at a new library in our City; and asked if there is any chance the City may go for the All America Cities Award this year.

PARAS-CARACCI: Wished all a happy new year; stated the City is eco-friendly and has purchased a hybrid City vehicle; invited anyone interested in mentoring to participate in the City program; and encouraged the City to be pro-active with leaves in gutters caused by winds and rain.

GASTON: Thanked all who participated in the Buena Vista Pavilion event; read a letter of congratulations from Governor Schwarzenegger on the City's 50th anniversary; stated she meets with the seniors monthly, and they have requested the City con-

sider automated door openers for the restrooms in the Senior Center; thanked all who voted for her at Contract Cities; attended the League L.A. Division meeting with the Mayor, and the San Gabriel Valley Economic Partnership event; and asked that the meeting be adjourned in memory of Jennifer Zamora.

GEORGE: Stated Karen Herrera attended the Azusa City Council meeting, information from that meeting will be provided to City Council, and stated the meeting with Azusa will be held on January 29. Fasana stated he would like a tape of the Azusa City Council Meeting held on January 7, 2008.

REYES: Received notes of thanks from the Duarte Library staff and from Mr. Curtiss; attended the City Selection Committee meeting where Mr. Lujan from La Puente won the seat as the San Gabriel Valley representative; asked that Chris Harris be recognized for being selected on the All-Area Team, and that the entire Falcon Football team be recognized; and thanked all involved with the Buena Vista Pavilion event, and Councilmember Gaston for managing the venue for 12 years.

ADJOURNMENT

Finlay moved, Paras-Caracci seconded to adjourn the meeting at 10:21 p.m., in memory of Jennifer Zamora, and carried unanimously.

Mayor Phillip R. Reyes

ATTEST:

City Clerk