

MINUTES

**JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE
REGULAR MEETING – MAY 27, 2008**

At 5:00 p.m., three Closed Sessions were held (as stated below). Mayor Reyes called the meeting to order at 5:04 p.m., with three members present (Fasana and Finlay arrived during the Closed Sessions).

ADOPTION OF AGENDA

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

CLOSED SESSIONS

- 1) Conference with Labor Negotiators
- 2) Conference with Legal Counsel–Initiation of litigation
- 3) Conference with Legal Counsel–Anticipated Litigation

Lino Paras stated he knows the City will use due diligence, he has a problem with department heads as part of the union, and with the projected deficit, hopes the City is fiscally responsible in negotiating with the union; he would like the name of the parties, case number, and court location announced. Slater stated litigation is not yet filed.

Slater stated the first Closed Session is pursuant to Government Code Section 54957.6; Conference with Labor Negotiators; Designated City Representatives: Darrell George, Steve Filarsky, Dan Slater; Employee Organization: Service Employees International Union (SEIU) Local 721. The second Closed Session is pursuant to Government Code Section 54956.9(c); Conference with legal counsel; Initiation of litigation; Number of potential cases: 1. The third Closed Session is pursuant to Government Code Section 54956.9(b)(1); Conference with legal counsel; Anticipated litigation/Threatened litigation; Number of potential cases: 1. The Closed Sessions concluded at 6:57 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 7:08 p.m.

RECORDATION OF ATTENDANCE

The following were in attendance:
PRESENT: Fasana, Finlay, Gaston, Paras-Caracci, Reyes
ABSENT: None
ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Slater

PLEDGE TO THE FLAG

Samantha Martinez led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION

A moment of reflection was observed.

FITNESS WARM-UP

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

PUBLIC REPORT OF CLOSED SESSION

Slater stated during the first Closed Session, City Council discussed with the City representatives the City's position, and unanimously directed the City representatives to meet with and make a presentation to the employee organization to advance those discussions leading to an agreement. During the second Closed Session, the City Council discussed the issue, and unanimously directed Legal Counsel and the City Manager to follow up, with no further reportable action. During the third Closed Session, Legal Counsel provided an update to City Council on three separate potential cases, and City Council unanimously directed Legal Counsel to monitor and report back on the status, with no further action taken.

ANNOUNCEMENTS

Pastor Neil Earle distributed to the City Council copies of interviews he conducted with two of the students who were members of the Duarte High School Academic Decathlon Team that won the State and National division event.

Pui-Ching Ho, Duarte Library, announced interactive dance program on May 31 at 2:00 p.m.

Karen Herrera announced applications for City Commissions and the Mayor's Youth Council will be accepted through June 10, Job Fair and Youth Activities Fair hosted by Congressman Solis on June 21 at Duarte Park/Teen Center, and Household Hazardous Waste event on July 26 at Citrus College.

Cesar Monsalve stated the new playground equipment at Encanto Park will be dedicated on June 4, and announced Duarte Boxing Club golf tournament sponsored by LULAC on June 5.

Bill Baca announced Flag Day events on June 14 hosted by Senator Romero, and senior citizen scam stopper event on June 13.

SPECIAL ITEMS

Recognition – Gina Orozco

Donna Georgino, Director of Parks and Recreation, introduced Gina Orozco, recipient of the California Parks and Recreation Society District XIII Community Service Award. Mayor Reyes presented her a Certificate of Recognition, and congratulations were extended.

Recognition – Natasha Martinez

Donna Georgino introduced Natasha Martinez, who placed second in the Los Angeles County Inter-Agency Council on Child Abuse and Neglect Art Contest. Natasha displayed her winning artwork, and Mayor Reyes presented her with a Certificate of Recognition, and congratulated her on her achievement.

Recognition – Beautification Award winners

Cesar Monsalve, Recreation Superintendent, described the City of Duarte's Beautification Awards program and judging process. In addition to receiving a plant and yard sign, Mayor Reyes presented Certificates of Recognition and Target gift cards to the 2008 Home Beautification Award winners, and plaques to the 2008 Business Beautification Award winners.

Recognition – Ed Cox

Mayor Reyes and City Councilmembers expressed their congratulations to retiring Director of Community Services Ed Cox, and presented him with a plaque in recognition and appreciation of his outstanding vision, dedication, and commitment for the past 27 years with the City of Duarte. Bill Baca presented Mr. Cox a congratulatory certificate from Senator Gloria Romero, and wished him a happy retirement.

RECESS

Mayor Reyes called a Recess at 8:25 p.m. Council reconvened at 8:38 p.m., with all members present.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda:
James Hunley – Neighbor's fence height, code enforcement.
John Hardin – Neighbor's harassment, compliance with code.
Juan Hernandez – Mr. Hardin helped him.
John McKiernan – Restraining order in effect, video.

RECESS

Mayor Reyes called a Recess at 8:48 p.m. Council reconvened at 9:16 p.m., with all members present.

CONSENT CALENDAR

Paras-Caracci moved, Finlay seconded to approve the Consent Calendar, with Fasana abstaining from the Minutes of May 13, 2008, and Reyes abstaining from the Minutes of May 6, 2008, and May 13, 2008, as follows, and carried unanimously.
Approve Items A, B, C, M, N, O.
Receive and File Items D, E, F, G, H, I, J, K, L.

(RESOLUTION NO. 08-09)
Appropriations Limit 2008/09

(Item M–Council Bill 08-R-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE ESTABLISHING AN APPROPRIATIONS LIMIT PURSUANT TO THE PROVISIONS OF ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION)

(RESOLUTION NO. 08-10)
Holiday Schedule 2008/09

(Item N–Council Bill 08-R-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AUTHORIZING A HOLIDAY SCHEDULE FOR CITY EMPLOYEES FOR FISCAL YEAR 2008/2009)

(RESOLUTION NO. 08-11)
Grant Funds – Santa Fe Basin
Gateway and Encanto Fish
Canyon Trail Projects

(Item O–Council Bill 08-R-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOODS, AND COASTAL PROTECTION BOND ACT OF 2002, THE WATER SECURITY, CLEAN DRINKING WATER, COASTAL AND BEACH PROTECTION ACT OF 2002, AND THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROP 84) FOR SANTA FE BASIN GATEWAY PROJECT AND THE ENCANTO FISH CANYON TRAIL PROJECT

ORDINANCES

Council Bill 08-O-03
Appeals to Planning Commission
Decisions (Second Reading)

Council Bill 08-O-03:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE AMENDING SECTIONS 19.70.150, 19.70.160, AND 19.70.170, OF THE DUARTE MUNICIPAL CODE PERTAINING TO APPEALS TO THE CITY COUNCIL OF PLANNING COMMISSION DECISIONS ON CONDITIONAL USE PERMIT APPLICATIONS (MCA 08-1) (Second Reading)

ORDINANCE NO. 800

Paras-Caracci moved, Finlay seconded to adopt Ordinance No. 800, and carried unanimously.

Council Bill 08-O-04
Architectural Review Board
(Second Reading)

Council Bill 08-O-04:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE AMENDING SECTIONS 19.70.230 AND 19.70.240, AND ADDING SECTION 19.70.235, OF THE DUARTE MUNICIPAL CODE PERTAINING TO THE ARCHITECTURAL REVIEW BOARD (MCA 08-2) (Second Reading)

ORDINANCE NO. 801

Paras-Caracci moved, Finlay seconded to adopt Ordinance No. 801, and carried unanimously.

RESOLUTION

Council Bill 08-R-12
Intent to levy assessments
2008/09 Landscape/Lighting
Public Hearing Set – 7/22/08

Council Bill 08-R-12:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2008/09 WITHIN THE CITYWIDE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT, PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972; AND FIXING A TIME AND PLACE FOR THE PUBLIC HEARING TO HEAR OBJECTIONS THERETO

RESOLUTION NO. 08-12

Paras-Caracci moved, Finlay seconded to adopt Resolution No. 08-12, and carried unanimously.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

Item 17 (Items from City Council/Agency Members and City Manager/Executive Director) was not considered.

ADJOURNMENT

Paras-Caracci moved, Finlay seconded to adjourn the meeting at 9:18 p.m., and carried unanimously.

Mayor Phillip R. Reyes

ATTEST:

City Clerk