

MINUTES

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE ADJOURNED REGULAR MEETING – OCTOBER 14, 2008

At 5:30 p.m., a Closed Session was held (as stated below). Mayor Reyes called the meeting to order at 5:34 p.m., with three members present (Fasana and Finlay arrived during the Closed Session).

ADOPTION OF AGENDA

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

CLOSED SESSION

Public Employee Evaluation

Slater stated the Closed Session is pursuant to Government Code Sections 54957(b)(1) and 54957.6(a); Public Employee Performance Evaluation; Title of Position: City Manager; Designated Representative: Dan Slater, City Attorney. The Closed Session 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 7:12 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

Robert Cuite led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION

A moment of reflection was observed.

FITNESS WARM-UP

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

PUBLIC REPORT OF CLOSED SESSION

Slater stated during the Closed Session, the City Council performed the annual evaluation of the City Manager, and unanimously authorized the City Attorney to prepare an amendment to the City Manager's contract to increase from nine months to twelve months the severance compensation period in the event of termination without cause, with no other action taken.

ANNOUNCEMENTS

Robert Cuite announced Duarte Education Foundation Dinner on October 25 where the Wishing Well Grant recipients will be announced.

Karen Herrera announced CDBG applications are available from the Community Development Department, County voter registration forms are available and must be postmarked by October 20, Volunteer Center of San Gabriel Valley community shred event on October 25 in Monrovia, Hat's Off on November 5, Rebuilding Together/Duarte's Promise Make a Difference Day event on October 25, Farmer's Market on October 25, and Veteran's Day event on November 11.

Gary Sens announced Los Angeles County Fire Expo on October 25 in Claremont.

Mark Montgomery announced Temple City Historical Society event to designate an historic landmark on November 1.

SPECIAL ITEMS

Introduction – Sgt. Herman

Brian Villalobos introduced Sergeant Debra Herman, the City's newly assigned Liaison Sergeant. City Council welcomed Sgt. Herman to the City.

Recognition – John Fasana

Mayor Reyes presented a plaque to Councilmember Fasana in recognition of his being honored with the San Gabriel Valley Economic Partnership Community Service Award for making a

	significant contribution to the quality of life and economic vitality of the region.
Proclamation–Red Ribbon Week	Mayor Reyes read and presented the proclamation for Red Ribbon Week to Brian Villalobos, who provided information about the events scheduled during the week.
Proclamation–Fire Prevention Month	Mayor Reyes read and presented the proclamation for Fire Prevention Month to Battalion Chief Mark Bennett and Captain Gary Sens.
Presentation by Foothill Family Services	Helen Morran-Wolf, Foothill Family Services, introduced staff members, described services offered to the community, and announced the grand opening of Duarte Family Center on October 23.
ITEMS ADDED TO CONSENT	Paras-Caracci moved, Gaston seconded to add Mayor Reyes' attendance at the Duarte Education Foundation's Wishing Well Dinner and Hat's Off Fiesta, and carried unanimously.
CONSENT CALENDAR	Fasana moved, Finlay seconded to approve the Consent Calendar, as amended as follows, and carried unanimously. Approve Items A, B, C, D, E, F, G.
RESOLUTION NO. 08-28	D. Council Bill 08-R-28 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ESTABLISHING A SALARY SCHEDULE AND COMPENSATION PLAN FOR UNREPRESENTED REGULAR EMPLOYEES (SUPERSEDES RESOLUTION NO. 08-21)
RESOLUTION NO. 08-30	E. Council Bill 08-R-30 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, APPROVING AND ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE ENCANTO NATURE WALK PROJECT
RESOLUTION NO. 08-31	F. Council Bill 08-R-31 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE AFFIRMING THE INTENTION OF THE CITY COUNCIL THAT CERTAIN PROPERTIES ACQUIRED BY THE REDEVELOPMENT AGENCY OF THE CITY OF DUARTE WITH LOW AND MODERATE INCOME HOUSING FUNDS BE USED FOR THE DEVELOPMENT OF LOW AND MODERATE INCOME HOUSING
PUBLIC HEARING Council Bill 08-R-29 GPA 08-1 – Mountain-Central Specific Plan	Mayor Reyes announced this was the time and place set for a Public Hearing to consider General Plan Amendment 08-1 and Zone Change 08-1 (Mountain-Central Specific Plan). Slater read by title Council Bill 08-R-29:
Council Bill 08-O-14 ZC 08-1 – Mountain-Central Shopping Center Specific Plan (First Reading)	A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING THE LAND USE POLICY MAP OF THE CITY'S GENERAL PLAN FOR SIXTEEN (16) PARCELS OF LAND FROM GENERAL COMMERCIAL TO MOUNTAIN-CENTRAL SHOPPING CENTER SPECIFIC PLAN, AND APPROVING THE MOUNTAIN-CENTRAL SPECIFIC PLAN (NEC Mountain and Central Avenues, APN's 8530-012-005, 072-074, 079-084, 089-094) (General Plan Amendment 08-1) (Mountain-Central Specific Plan) Slater read by title Council Bill 08-O-14: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA REVISING THE DUARTE MUNICIPAL CODE BY CHANGING THE ZONING OF SIXTEEN (16) PARCELS OF LAND FROM C-2, GENERAL COMMERCIAL, TO MOUNTAIN-CENTRAL SHOPPING CENTER SPECIFIC PLAN (NEC Mountain and Central Avenues, APN's 8530-012-005, 072-074, 079-084, 089-094) (Zone Change 08-1) (First Reading)

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.

Jason Golding, Interim City Planner, provided a staff report about proposed General Plan Amendment 08-1 (Mountain-Central Specific Plan), and Zone Change 08-1 (Mountain-Central Shopping Center Specific Plan).

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

Anthony Palazzola, Design Direction, introduced himself and stated he and Burke Farrar, Odyssey Development Services, are available to address any questions or concerns City Council may have about the project.

There was discussion about traffic flow, signage, freeway visibility, freeway turnoff, and traffic signals.

Mark Montgomery inquired about the possibility of an antique store as a permitted use.

Brad Talt provided information about possible tenants, and stated there would be mixed use and a fountain.

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

RESOLUTION NO. 08-29

Fasana moved, Finlay seconded to adopt Resolution No. 08-29, and carried unanimously.

Fasana moved, Finlay seconded to introduce Council Bill 08-O-14 for first reading, and carried unanimously.

ORDINANCE

Council Bill 08-O-13

Fireworks permits/deadline
(First Reading)

Slater read by title Council Bill 08-O-13:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE AMENDING SECTION 15.05.030, "LICENSES FOR SALE OF SAFE AND SANE FIREWORKS," OF CHAPTER 15.05, "FIREWORKS," OF THE DUARTE MUNICIPAL CODE TO INCREASE THE MAXIMUM NUMBER OF PERMITS THE CITY COUNCIL MAY ISSUE FROM FOUR TO FIVE AND TO CHANGE THE APPLICATION DEADLINE FROM MARCH 1 OF EACH YEAR TO THE THIRD THURSDAY OF JANUARY OF EACH YEAR (First Reading)

Gaston stated she discussed the matter with the Duarte Coordinating Council, stated the members feel the playing field is not level as long as City Council decides who is issued permits, they are not interested in a lottery system, there appears to be a conflict of interest, discussed purchasing from a sole vendor, and noted there is a disparity on how much each group pays for rental space.

Fasana moved, Finlay seconded to introduce Council Bill 08-O-13 for first reading, and carried unanimously.

BUSINESS ITEMS

HydroEarth – Agreement
Irrigation System

Silvia Hurtado, Interim Director of Community Development, provided a staff report about the proposed agreement with HydroEarth, and introduced Phil Regli, CEO of HydroEarth, who answered questions from City Councilmembers.

Finlay moved, Gaston seconded to authorize staff to enter into an agreement with HydroEarth, for an amount not to exceed \$2,500, for the installation and maintenance of the central irrigation system that will be provided by Metropolitan Water District through a rebate program, and carried unanimously.

County Sanitation Districts (Sienica Trail Manors)	Fasana moved, Finlay seconded to adopt the County Sanitation Districts of Los Angeles County Joint Resolution approving and accepting negotiated exchange of property tax revenues resulting from annexation to County Sanitation District No. 22 (Annexation No. 398) pertaining to Sienica Trail Manors, and carried unanimously.
CDBG Advisory Committee	Fasana moved, Finlay seconded to designate Mayor Reyes to serve on the Community Development Block Grant (CDBG) Advisory Committee, and carried unanimously.
Voting Delegate and Alternate NLC – Orlando, Florida	Finlay moved, Fasana seconded to designate Councilmember Paras-Caracci as Voting Delegate, and Councilmember Finlay as Voting Alternate for the National League of Cities Annual Business Meeting, November 15, 2008, in Orlando, Florida, and carried unanimously.
ORAL COMMUNICATIONS (Continued)	The following spoke on items not on the Agenda: Mark Montgomery – Farmer’s market.
ITEMS FROM CITY COUNCIL/ CITY MANAGER	<p>GASTON: Stated the Festival of Authors was a first-class event, asked that the meeting be adjourned in memory of Henry Sanchez and Penny Avila, noted October is Cancer Awareness Month, attended two events at the City of Hope campus regarding cancer research, the College Fair was outstanding and well-attended, stated when she was reading to the students at Royal Oaks School, the principal provided her with a schedule of school times, and suggested the information be placed on our website to alert residents of the timeframe to help with traffic flow, attended League meeting in Long Beach and provided resolutions to the City Manager, and stated the Census Bureau is hiring for employment.</p> <p>PARAS-CARACCI: Thanked Steve Esbenshade for being proactive and providing information about the slurry seal, attended the City Council Academy tactic training program, attended the League Board Meeting, stated the Route 66 committee members participated in the Azusa Days Parade, received an email from the Duarte Historical Society about protecting the bronze statue from possible theft, and reminded all to register to vote and to vote.</p> <p>FINLAY: Attended the City Council Academy in the past, and inquired if it is possible to bring back the Citizen’s Academy, attended Kiwanis installation luncheon and congratulated Diane Hernandez, attended the Youth Summit at Pamela Park, went to Seattle with Karen Herrera and Jason Golding regarding transit-oriented development, attended Vector Control meeting and provided updates on the West Nile Virus, stated representatives of Best Buy told her they enjoy working with City staff, and announced Education Foundation Dinner on October 25.</p> <p>FASANA: Stated the City of Hope events and the Festival of Authors were great, there was a good turnout for the hazardous waste event, attended Senator Margett’s retirement event, and requested that Senator Margett be recognized for the time he represented our City.</p> <p>REYES: Thanked all involved with the Mayor’s Teen Liaison luncheon and stated appointees will be introduced at a future meeting, attended the League meeting in Long Beach where community development, youth commissions, housing, and new legislation were discussed, attended the Pamela Park Youth Summit, thanked the City of Hope for the annual community meeting where he presented the State of the City, feels the State</p>

of the City should be presented not only at the Chamber event, but also in the community with residents, attended Amigos de los Rios Emerald Necklace dinner, the Festival of Authors, College Fair, College Prep seminar, and the City of Hope dedication of the family resource center, requested a discussion about senior's access to the Senior Center be brought back to the Council, received a letter from the Duarte Hawks thanking us for our support, received a letter from a young person inquiring about the shape of the trees on Huntington Drive, and discussed a number of events where history has been made in our City during the past year.

ADJOURNMENT

Finlay moved, Gaston seconded to adjourn the meeting at 9:50 p.m., in memory of Henry Sanchez, Penny Avila, and Michael Cruse, and carried unanimously.

Mayor Phillip R. Reyes

ATTEST:

City Clerk