

MINUTES

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE ADJOURNED REGULAR MEETING – NOVEMBER 18, 2008

At 6:00 p.m., two Closed Sessions were held (as stated below). Mayor Reyes called the meeting to order at 6:05 p.m., with three members present (Finlay arrived during the Closed Session; Fasana was absent).

ADOPTION OF AGENDA

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

CLOSED SESSIONS

- 1) Anticipated Litigation
- 2) Real Property Negotiations

Slater stated the first Closed Session is pursuant to Government Code Section 54956.9(b)(1); Anticipated/threatened litigation; Number of potential cases: One. The second Closed Session is pursuant to Government Code Section 54956.8; Conference with real property negotiators; Agency negotiators: Darrell George, Sandi Shannon; Negotiating parties: Redevelopment Agency of the City of Duarte and Pasadena Tournament of Roses Association, and CIBA Real Estate; Under negotiation: Price and terms of payment; Concerning property at 1727 Buena Vista, Duarte (APNs 8528-004-027, 019, 018, and 8528-005-024). The Closed Sessions concluded at 6:55 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 7:10 p.m.

RECORDATION OF ATTENDANCE

The following were in attendance:

PRESENT: Finlay, Gaston, Paras-Caracci, Reyes

ABSENT: Fasana

ADMINISTRATIVE STAFF PRESENT: City Manager
George, City Attorney Slater

PLEDGE TO THE FLAG

Andrew Palacios led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION

A moment of reflection was observed.

FITNESS/MENTAL WARM-UP

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

PUBLIC REPORT OF CLOSED SESSION

Slater stated during the first Closed Session, the City Council/Agency Board discussed the status of the potential litigation, and unanimously gave direction to legal counsel on the pursuit of resolving the potential case, with no further action taken. During the second Closed Session, the Agency Board discussed issues pertaining to structuring of payment, and unanimously directed the negotiators to continue the discussion with the listed parties on continuing to seek a potential agreement, with no further action taken. It was noted that Fasana was absent.

ANNOUNCEMENTS

Tara Sellars provided the Duarte High School Football Team calendar to Councilmembers, announced first playoff game on November 22, and stated items are needed for the pre-game breakfast.

Juan Salas announced carwash on November 22-23 to benefit the family of Jose Pacheco who was killed by a drunk driver.

Karen Herrera announced Mayor's Business Connection breakfast on November 19, Holiday of Promise collection sites, Tree Lighting Ceremony on December 4, HIV/Aids Action Summit at City of Hope on December 11, Mayor's Prayer Breakfast on November 26 at Cooper Auditorium, sign ordinance update workshop on December 18 at the Community Center, and household hazardous waste event on January 17 in El Monte.

	Nita Norgard introduced Eileen Penson, the new Teen Services Librarian at Duarte Library.
SPECIAL ITEMS	
Introduction – Craig Hensley	George introduced and welcomed Craig Hensley, the City’s new Community Development Director, stated Mr. Hensley will be joining the Duarte team on December 1, 2008, and acknowledged Silvia Hurtado and Jason Golding for the fine job they did in the interim.
Recognition – Nita Carey	Mayor Reyes introduced Frances “Nita” Carey, and presented her with a framed Certificate in appreciation of her serving as an Election Poll Worker 80 times, and for being recognized as the longest serving poll work in Los Angeles County.
Recognition – Red Ribbon Week contest winners	Aida Torres, Crime Prevention Specialist, introduced Red Ribbon Week essay, art, and poster contest winners Andrew Palacios, Samuel Magnusson, Cody Pomeroy, Adriana Tassielli, and Liliana Mota, and introduced Pascual Garrido who presented the winners with \$50 Student Savings Accounts provided by SCE Federal Credit Union. Mayor Reyes presented a Certificate to Pascual Garrido of SCE Federal Credit Union in appreciation of its commitment to youth by sponsoring the 2008 Red Ribbon Week contests.
Presentation – Target Stores	Brian Villalobos introduced Target Store representatives Lisa and Quentin, who presented the Public Safety Department with a \$2,000 public safety grant check for the purchase of bicycle helmets to continue the City’s bicycle safety education efforts.
Presentation – Duarte Senior Center	Peggy Diamond, Recreation Supervisor, provided a PowerPoint presentation about the Duarte Senior Center, including staffing, classes, programs, special events, partnerships, and volunteers.
ORAL COMMUNICATIONS	The following spoke on items not on the Agenda: Lisa Magno – Farmer’s market, funding for advertising. Tanya Castle – Scholastic Gardens, farmer’s market. Jack Ochoa – Neighborhood Watch concerns.
CONSENT CALENDAR	Gaston moved, Finlay seconded to approve the Consent Calendar, as follows, and carried unanimously. Approve Items A, B, C, D, E, F, I. Receive and File Items G, H.
PUBLIC HEARING	
Council Bill 08-O-15 MCA 08-4 Appeals of Planning Commission decisions (Variance applications) (First Reading)	Mayor Reyes announced this was the time and place set for a Public Hearing to consider Municipal Code Amendment 08-4 pertaining to appeals to the City Council of Planning Commission decisions on variance applications. Slater read by title Council Bill 08-O-15: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE AMENDING SECTIONS 19.86.130, 19.86.140, AND 19.86.150 OF THE DUARTE MUNICIPAL CODE PERTAINING TO APPEALS TO THE CITY COUNCIL OF PLANNING COMMISSION DECISIONS ON VARIANCE APPLICATIONS (MCA 08-4) (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. Silvia Hurtado presented a staff report about the proposed ordinance which would provide for an automatic appeal to the City Council of appeals for Planning Commission decisions on variance applications.

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

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

Finlay moved, Paras-Caracci seconded to introduce Council Bill 08-O-15 for first reading, and carried unanimously.

RESOLUTIONS

Council Bill 08-R-33

Easement – Encanto Nature Trail

Slater read by title Council Bill 08-R-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE APPROVING AN AGREEMENT GRANTING AN EASEMENT FOR PUBLIC TRAIL TO THE CITY OF DUARTE BY THE UNITED STATES SECRETARY OF THE ARMY FOR THE ENCANTO NATURE TRAIL PROJECT

Herrera provided a staff report concerning the proposed easement agreement for the use of Army Corp property for the Encanto Nature Trail project.

Jack Ochoa stated this might be a potentially good idea, his concern is with overnight parking and speed limits, and proposed that City Council postpone its decision so new Neighborhood Watch members can be informed.

Herrera discussed community outreach by Amigos de los Rios, stated they provided a full report on community outreach meetings, the project received a favorable report, construction can only occur from mid-September through mid-March, and stated Rivers and Mountains Conservancy agreements are in place, and a delay could jeopardize funding.

Villalobos provided information and answered questions from Councilmembers about security, parking, and speed concerns.

RESOLUTION NO. 08-33

Gaston moved, Paras-Caracci seconded to adopt Resolution No. 08-33, and carried unanimously.

Council Bill 08-R-32

Landfill Matching Grant

Slater read by title Council Bill 08-R-32:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE DESIGNATING THE GRANTEE'S AGENT FOR ALL MATTERS RELATING TO THE 2008/2009 ILLEGAL DISPOSAL SITE AND LANDFILL CLEANUP REMEDIATION MATCHING GRANT #SWC25-08-1

RESOLUTION NO. 08-32

Finlay moved, Paras-Caracci seconded to adopt Resolution No. 08-33, and carried unanimously.

BUSINESS ITEMS

Agreement – LaBelle-Marvin
Pavement Coring Report

Steve Esbenshade provided a staff report about the need for a materials report before starting the Huntington Drive overlay design process.

Gaston moved, Finlay seconded to authorize the City Manager to enter into the City's standard Professional Services Agreement, and to make necessary modifications to the Agreement with approval of the City Attorney, in an amount not to exceed \$23,360.00 with LaBelle-Marvin for Pavement Coring and Materials Analysis Report for Huntington Drive between Mountain Avenue and Encanto Parkway, and carried unanimously.

Gaston stated some of the seniors have raised the issue about crossing the street in front of the Senior Center, and requested a future Agenda include that item for discussion.

Award of Contract

Shook Building Systems, Inc.
Royal Oaks Park Building

Finlay moved, Gaston seconded to award the contract to Shook Building Systems, Inc., for Royal Oaks Park Building, per staff recommendation, and to authorize execution by the Mayor, and carried unanimously.

CalGRIP Grant

Villalobos provided a staff report about the CalGRIP grant application process, outlined the goals, and requested City Council approval to submit the grant application.

Finlay moved, Paras-Caracci seconded to approve the Public Safety Department’s request to submit a request for proposal to the State of California Governor’s Office of Emergency Services for the CalGRIP grant (California Reduction, Intervention, and Prevention Program), per staff recommendation, and carried unanimously.

Loan Agreement–Advance costs Grant – Golf Course

Slater provided a staff report about the proposed Loan Agreement between the Redevelopment Agency and the City of Duarte. George noted that half of the project will be funded by the State of California, up to \$750,000, and the project will take place in Spring through Summer of next year.

Gaston moved, Paras-Caracci seconded that the Redevelopment Agency and the City Council approve the Loan Agreement by and between the Agency and the City of Duarte to provide for a \$1,500,000 loan by the Agency to the City for advancement of costs pertaining to installation of drainage improvements on and adjacent to Rancho Road and the installation of a new Landfill Gas Collection, Control, and Monitoring System on the Rancho Duarte Golf Course, in connection with a 50% reimbursement up to \$750,000 from a matching grant from the California Integrated Waste Management Board, and carried unanimously.

ORAL COMMUNICATIONS (Continued)

The following spoke on items not on the agenda. Harb Thind – Government-owned properties.

ITEMS FROM CITY COUNCIL/ CITY MANAGER

FINLAY: Attended National League of Cities Conference in Orlando, where there were sessions about sustainability, greening of the country, and awareness about resources, requested an update at a future Council Meeting about what our City continues to do to leave the earth with less of a footprint, announced Farmer’s Market on November 22, Fantasia at Santa Teresita on November 23, Mayor’s Prayer Breakfast on November 26, and Rotary’s Breakfast with Santa on December 6, provided copies of ideas for solutions for small cities to Councilmembers, and thanked Mayor Reyes for the amazing job he did as Mayor this past year.

GEORGE: Stated the City Council will meet on November 25 for the reorganization.

GASTON: Congratulated Mayor Reyes for a job well done this past year, applauded all who took part in the recent election, stated Hats Off was outstanding, she and Councilmember Fasana attended the Black Chamber of Commerce Convention in Pasadena, celebrated Mexican Heritage Day at Andres Duarte School, she and Mayor Reyes attended the Monrovia-Duarte Black Alumni Association event, was impressed by Duarte’s presence at the Walk for Hope, thanked staff for the Veteran’s Day program, and asked that the meeting be adjourned in memory of Veronica Myers and Doug Lawrence.

PARAS-CARACCI: Attended JPIA Risk Management Training Conference in Indian Wells, stated the City of Hope Walk was an amazing event with about 10,000 participants, the Veteran’s Day event was wonderful, attended the National League of Cities Conference in Orlando and participated as a panelist in a workshop about engaging citizens, displayed a bag provided by the NLC that was made out of recycled Universal Studios billboards,

noted the new Mayor of Muskogee, Oklahoma, is 19 years old, a new City Councilmember of Placentia is also 19 years old, and asked that the meeting be adjourned in memory of Jose Pacheco.

REYES: Thanked staff, City Commissioners, and Dr. Perri for attending the Commission Orientation, thanked Supervisor Antonovich and his staff for meeting with City Council, attended the San Marino Chinese Association dinner fundraiser, stated Hats Off was outstanding, attended Monrovia-Duarte Alumni dinner, noted the November 4 election had the highest voter turnout in 100 years, the City of Hope Walk was an outstanding event, thanked staff and school officials who attended the tour of the labor training programs in Azusa and Commerce, thanked staff for the Veteran's Day event, stated the Andres Duarte Mexican Heritage Day was a great event, he met with the Mayor of Weihai, China, and his delegation last week, attended CDBG meeting and thanked staff for the presentation, attended San Gabriel Valley Economic Partnership breakfast where the state of the economy was discussed, and attended recent Falcons and Hawks games.

ADJOURNMENT

Paras-Caracci moved, Gaston seconded to adjourn the meeting at 9:58 p.m., in memory of Veronica Myers, Doug Lawrence, Carlos Enriquez, Reverend Arthur Fulson, Jose Pacheco, and Anne Curry, and carried unanimously.

Mayor

ATTEST:

City Clerk