

MINUTES

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE REGULAR MEETING – FEBRUARY 9, 2010

CALL TO ORDER 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 Finlay called the meeting to order at 6:50 p.m., with all members present.

ADOPTION OF AGENDA Reyes moved, Gaston seconded to adopt the Agenda, and carried unanimously.

CLOSED SESSION
Conference with Legal Counsel Slater stated the Closed Session was pursuant to Government Code Section 54956.9(c); Anticipated litigation/Initiation of litigation; Number of potential cases: 1. The Closed Session concluded at 7:25 p.m. The meeting was reconvened at 7:30 p.m.

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

PLEDGE TO THE FLAG Steve Baker led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION A moment of reflection was observed.

FITNESS/MENTAL WARM-UP Petersen and Finlay provided the warm-up.

PUBLIC REPORT OF CLOSED SESSION Slater stated during the Closed Session, City Council received an update from Legal Counsel regarding the potential case, and provided additional direction, with no further action taken.

ANNOUNCEMENTS Reed Strege, Duarte Library, announced Black History Month cinema classic on February 10, Valentine craft on February 13, and SAT/ACT practice test on February 27.
Karen Herrera announced a number of upcoming community events in the months of February and March.

SPECIAL ITEM
Recognition – Friends of the Duarte Library Board Members Mayor Finlay introduced Board Members of the Friends of the Duarte Library, and presented them with Certificates in recognition of their dedication to reading and education. Nita Norgard announced upcoming Book Sale and Festival of Authors, and thanked Councilmember Gaston for the book donations received at the California Contract Cities Conference.

ORAL COMMUNICATIONS The following spoke on items not on the Agenda.
Shauna Pierce – Bear and parking at Valley View, Vulcan.
Rosalie Camp – Vulcan, notification.
Steve Hernandez, EIR flaws, fenceline monitoring.
Mary Barrow – Azusa meetings on DCTV, comment letters.
Brenda Vanderloo – Resident notification, bond with Azusa.

ITEMS ADDED TO CONSENT Paras-Caracci moved, Gaston seconded to add City Council attendance at the SGV Economic Partnership Luncheon with Senator Feinstein, 2/17/10, in Baldwin Park, to Item I, and carried unanimously.

CONSENT CALENDAR Reyes moved, Paras-Caracci seconded to approve the Consent Calendar as amended, as follows, and carried unanimously.
Approve Items B, C, E, H, I.
Receive and File Items F, G.
Remove Items A, D.

RESOLUTION NO. 10-03

Item H – Council Bill 10-R-03 A RESOLUTION OF THE DUARTE CITY COUNCIL TO SUPPORT THE SUBMITTAL OF AN ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT FUNDING APPLICATION TO THE CALIFORNIA ENERGY COMMISSION TO FUND MODERNIZATION AND UPGRADES TO CITY FACILITIES TO ACHIEVE ENERGY EFFICIENCY AND COST SAVINGS

ITEMS REMOVED
Minutes – Approved

Item A (Minutes) – Fasana and Reyes stated since they were not in attendance at the Commissioner Workshop, they wished to abstain from voting on the minutes. Gaston moved, Paras-Caracci seconded to approve the minutes, and carried with Fasana and Reyes abstaining.

Reorganization – Approved

Item D (Commission reorganization) – Paras-Caracci congratulated the new Chairs and Vice Chairs of the Commissions, and noted many of the new Commissioners have attended recent local events. Gaston moved, Paras-Caracci seconded to receive and file the Notice of City Commission Reorganization, and carried unanimously.

BUSINESS ITEMS
2009/10 mid-year budget report

Kristen Petersen made a presentation about the 2009/10 mid-year budget projections, and discussed projected general fund revenues and expenditures, other City funds, Redevelopment funds, general fund reserves, and three potential new projects.

There was discussion about the possibility of submitting a grant with the Duarte Community Coordinating Council for community garden funding, using the grass area along the Bike Trail for a community garden, options for restrooms at Otis Gordon Sports Park, carpool and rideshare incentives, neighborhood outreach, and looking into grants.

Gaston moved, Paras-Caracci seconded to receive and file the 2009/10 mid-year budget report, and approve the budget amendments as outlined in Attachment 2 of the staff report, and directed staff to bring back to City Council the three potential new projects as outlined in Attachment 3 of the staff report for further discussion (expansion of parking lot to the east of the School District, community garden, Otis Gordon Sports Park restrooms), and carried unanimously.

APPEAL – Planning Commission
Resolution No. PC 10-1
(205 Westvale Road)

Jason Golding, Senior Planner, presented a staff report about the appeal of the adoption by the Planning Commission of Resolution No. PC 10-1 reversing the decision of the Architectural Review Board which approved the project submitted for a 1,324-square foot second floor addition and a 351-square foot deck at 205 Westvale Road, including background, neighborhood profile, project description, analysis, ARB and Planning Commission actions, and required findings.

Mike Geragos, representing the applicant, stated he agrees with the Planning Commission, the project meets all requirements, additional side yard setbacks have been added, it is within the architectural style of the area, there currently is not a view from the neighbor's windows, the neighbors added a deck, half the lot is set back, and there is very little impact on the neighbors.

Ramesham Rajeshuni, property owner, showed a slide presentation that included an overview of five ARB review processes, letters sent by his neighbor Mr. Ohanian, changes implemented, concerns from 201 Westvale, Planning Commission meetings, meetings with neighbors, and copies of letters signed by the neighbors, and stated the proposed project does not block any of the neighbors' views.

Raffi Ohanian stated the ARB's decision was spot on, they are not trying to be unreasonable, there was no objection to the den over the garage, the proposed construction is too much and will be too large, it will take away from the beauty of the other homes, the views will be obstructed, legally there is no right to a view, they can go elsewhere to build this mansion, provided a history of violations, and stated the home may one day be used as a multi-family residence.

Carlo Ohanian stated there are personal and community concerns, most who oppose Vulcan are for health concerns and destruction of their mountain views, what Vulcan is to Duarte is what 205 Westvale is to 201 Westvale, a home of this magnitude does not belong in this community, and asked that Council help protect their views.

Jill Brainard asked that City Council deny the proposed project, stated views and aesthetics will change, this is mass construction, she is concerned with timing, noise, dirt, and construction workers, her Jacuzzi is in her side yard and will be viewed by their balcony, and she never saw plans.

Michelle Arntzen stated she opposes the addition, the Ohanian's views will be obstructed, it will be too huge, she does not want a precedent to be set, it could turn into a multi-family unit, it is not zoned for that, and it cheapens the neighborhood.

Sonia Ohanian stated she worked hard to buy her house, the Planning Commission asked if it was in accordance with the building code, they were told yes, and then they approved it, her house will be dark, it is a mass construction, property values will go down, they have a large house with a great view and want more, and stated let them move to a larger area if they want a larger home.

Art Ohanian stated it is not true that Mr. Rajeshuni made several corrections, it was because of poor drafting, it was not made by an architect, the building size was reduced but a new deck was added, the roof slope is not consistent with the roof pitch, this is already the largest existing living area in the tract, and it will negatively affect the neighborhood.

James Brainard stated the house will be bigger than any other house in the neighborhood, it looks like a three-story house, the balcony will look into his back yard, if his view was blocked, he would move, and stated he said the drawings looked fine but did not agree with it.

There was discussion about obstruction, mass, architectural style, aesthetics, encroachment on view, modifying the roof line, code requirements, size of new addition in proportion to size of lot, structure's height, depth, and width, homes in other areas of the City being larger than any other home on the street, modified plans, Planning Commission vote, new Planning Commissioners, setting a precedent, compatibility with neighborhood, effect on neighboring property, and the option to redesign the project and come up with something that is not massive and does not obstruct the view.

Fasana moved, Gaston seconded to uphold the appeal and overturn the Planning Commission decision, as the proposed addition is too massive and is not compatible with the surrounding neighborhood, and carried unanimously.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

GASTON: Thanked all who attended the Gold Line unveiling, stated a number of signs at the entrance to the trail are difficult to read and Cal-Am left a huge cement pipe open in that area, thanked all who attended the Azusa Planning Commission meeting, and displayed a photograph of Mary Sue Klumb.

PARAS-CARACCI: Suggested a monthly update about public safety programs, situations, or tips be added to the Agenda, noted more residents are watching DCTV, discussed communication and outreach regarding Vulcan mining, stated the City can only do so much, encouraged all to participate and share the information with others in the community, and asked that the meeting be adjourned in memory of Ted Tacusalme.

FASANA: Asked that the meeting also be adjourned in memory of Connie Beeton, thanked all residents who spoke on the Vulcan issue, momentum continues to build, appreciates DCTV filming the meetings, thanked staff for the community meeting held at Maxwell School, and stated the State of the City/School District presentation was outstanding.

REYES: Thanked all who attended the meetings about Vulcan, stated the decision makers are from Azusa, appreciated the Maxwell community meeting, requested a report about the good work the Sheriff's Department has done in the last few months be presented at the next meeting, stated there is a need to build trust and communication, attended an NLC meeting regarding the economic storm and provided information about the collapse and recovery estimates, stated the Mayor did a good job at the State of the City, and asked that the meeting also be adjourned in memory of Gene Medrano.

SLATER: Provided an update on the CRA lawsuit challenging the State taking Redevelopment Agency funds.

FINLAY: Appreciated all who attended the State of the City, stated Mary Sue Klumb never stopped helping with education and will be missed, and encouraged attendance at the Azusa Planning Commission meeting on February 10.

ADJOURNMENT

Gaston moved, Paras-Caracci seconded to adjourn the meeting at 10:57 p.m., in memory of Mary Sue Klumb, Ted Tacusalme, Connie Beeton, and Gene Medrano, and carried unanimously.

Mayor Margaret Finlay

ATTEST:

City Clerk