

MINUTES

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE REGULAR MEETING – JUNE 8, 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 Pro Tem Paras-Caracci called the meeting to order at 5:10 p.m., with three members present (Finlay arrived prior to the Interviews, and Reyes arrived during the Interviews).
- ADOPTION OF AGENDA** Gaston moved, Fasana seconded to adopt the Agenda, and carried unanimously.
- INTERVIEWS**
Mayor's Youth Council The City Council conducted interviews for the Mayor's Youth Council.
- CLOSED SESSION**
1) Conference – Legal Counsel
Anticipated Litigation
2) Conference – Legal Counsel
Existing Litigation Slater stated the first Closed Session is pursuant to Government Code Section 54956.9(c); Anticipated litigation/Initiation of litigation; Number of potential cases: 1 (Project in City of Azusa entitled "Azusa Rock Quarry: Modification to C-89-20, Development Agreement, and Revised Reclamation Plan, SCH No. 2009-051056" and associated Environmental Impact Report). The second Closed Session is pursuant to Government Code Section 54956.9(a); Existing litigation; KUA Industry, Inc., a California corporation; U.S. Kuil, Inc., a California corporation, Petitioners and Plaintiffs v. City of Duarte, a California municipality; City Council of the City of Duarte, specifically "John Fasana, Margaret Finlay, Tzeitel Paras-Caracci, Lois Gaston, and Phil Reyes;" City of Duarte Redevelopment Agency, an agency of a California municipality; and Does 1 – 500; inclusive, Respondents and Defendants; Los Angeles County Superior Court, Case No. BS123299. The Closed Sessions concluded at 7:00 p.m. The meeting was reconvened at 7:13 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** Ulises Gutierrez led the Pledge of Allegiance to the Flag.
- MOMENT OF REFLECTION** A moment of reflection was observed.
- FITNESS/MENTAL WARM-UP** Cesar Monsalve and Finlay provided the warm-up.
- PUBLIC REPORT OF CLOSED SESSION** Steve Hernandez stated he does not think the City should spend money to fight Vulcan, the AQMD stations will find enough analysis, and we represented ourselves well.

Slater stated during the first Closed Session, the City Council received an update from legal counsel regarding timelines that apply to the potential litigation, with no reportable action taken. On the second item, the City Council received a report from legal counsel on the status of the litigation, with no reportable action taken.
- ANNOUNCEMENTS** Lucille Coleman, Set for Life, announced fitness and exercise program event on June 19 at the Northview Gym.

Ulises Gutierrez, YMCA Youth Alliance, thanked the City for sponsoring their attendance at the Harlem Ambassador's event, and announced graduation banquet on June 19.

Kay Pearlman, Duarte Library, announced summer reading program for all ages from June 28 – August 28.

Lisa Magno, Route 66 Parade Committee, announced Parade on September 18, displayed the logo, and announced fundraiser on August 21.

Kristi Lopez introduced herself as the new Field Representative for Assemblymember Anthony Portantino.

Karen Herrera announced a number of upcoming community events and programs in the months of June, July, and August.

Craig Hensley introduced Kelly Koldus, Associate Planner, who began working for the City on June 7.

SPECIAL ITEMS

Recognition – Jr. Olympics Track Meet participants

Cesar Monsalve, Recreation Superintendent, described the Jr. Olympics track program. Mayor Finlay presented certificates to the participants who qualified for the Southern California Municipal Athletic Federation Track Meet, and congratulations were extended.

Recognition – Laura Pinones Outgoing Parks and Recreation Commissioner

Mayor Finlay displayed the plaque for Laura Pinones in recognition of her service as a Parks and Recreation Commissioner from January 2004 – May 2010, and stated since she was not able to attend the meeting, the plaque will be sent to her.

Recognition – Duarte Woman's Club

Mayor Finlay presented Certificates of Appreciation to the members of the Duarte Woman's Club for their service to the community and for hosting the Duarte Route 66 Parade's VIP Breakfast since 1996.

Recognition – Kevin Morris and David Karp – LARA Awards

Mayor Finlay presented Certificates to Kevin Morris and David Karp for receiving the Los Angeles Regional Agency (LARA) Environmental Awards and for their commitment to a greener Duarte.

Presentation – Youth/Family Master Plan

Vince Castro provided an update on the Youth and Family Master Plan, stated the work of the committee is almost complete, and the final version is expected to be available in August.

Presentation – Relay for Life

Lisa Magno and Evan Saito presented information about the Relay for Life Duarte 2010 event, thanked sponsors, and showed a PowerPoint presentation featuring highlights of the event.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda.
Harb Thind – Solicitation permits.

ITEM ADDED TO CONSENT

Gaston moved, Reyes seconded to add City Council attendance at the NLC Advisory Council Task Force Meeting in Boston, June 15-16, 2010, to Item 13.I, and carried unanimously.

CONSENT CALENDAR

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

RESOLUTION NO. 10-16
Rescinds Resolution No. 06-30
Health Benefit Vesting for
Retirees

Item D– Council Bill 10-R-16 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE RESCINDING RESOLUTION NO. 06-30, ADOPTED AUGUST 6, 2006, ELECTING TO ESTABLISH A HEALTH BENEFIT VESTING REQUIREMENT FOR FUTURE RETIREES UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT

RESOLUTION NO. 10-19
Route 66 Parade

Item F–Council Bill 10-R-19 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, SUPPORTING THE DUARTE ROUTE 66 PARADE AND AGREEING TO ACCEPT LIABILITY AND MAINTENANCE FOR DETOURED TRAFFIC FROM THE MOUNT OLIVE OFF-RAMP

ITEM REMOVED (Item E)
Council Bill 10-R-18
L. A. County Energy Program

Item E–Council Bill 10-R-18 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE INCORPORATED AREA OF THE CITY OF DUARTE IN THE LOS ANGELES COUNTY ENERGY PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES AND ENERGY AND WATER EFFICIENCY IMPROVEMENTS, APPROVING THE REPORT SETTING FORTH THE PARAMETERS OF THE REFERENCED PROGRAM AND CERTAIN MATTERS IN CONNECTION THEREWITH

Irma Hernandez provided a staff report about the program that would allow Duarte residents to finance energy improvements to their homes, and answered questions from Councilmembers.

Gaston suggested a presentation be made at an upcoming meeting, and also suggested the possibility of an energy fair.

Item E approved
RESOLUTION NO. 10-18

Gaston moved, Reyes seconded to adopt Resolution No. 10-18, and carried unanimously.

BUSINESS ITEMS
Consideration/Approval of
2010-11 City/Agency Budgets

Karl Uhlig, Altadena, urged the City Council to cut the Chamber out of the budget, stated the Chamber supports Vulcan, any other paper could publish the Duarte View for the City, and if they support the City, they can be put back in the budget.

Steve Hernandez stated the Chamber is not being ethical and practical, we need to send them a message, and we should not support anyone who does not have an interest in the City and its health.

George provided brief introductory comments about the proposed 2010-11 City of Duarte/Redevelopment Agency Budgets.

Kristen Petersen provided a detailed overview of the Fiscal Year 2010-11 City and Redevelopment Agency Budgets, including a review of last year's accomplishments, maintenance of primary ongoing operations, staffing changes, budget preparation philosophy, state and local economic situations, projected general fund revenues and expenditures, other City funds, Redevelopment Agency funds, summary, and future budget reports.

There was discussion about the Chamber, Redevelopment Agency resources, and team efforts.

Reyes requested a presentation about the subvention to the Chamber and what the business community is receiving, and stated he would like to look at a comprehensive economic development plan with elements such as education, job training, and new technologies.

Fasana moved, Paras-Caracci seconded to adopt the 2010-11 City of Duarte and Redevelopment Agency budgets, and determine that the planning and administrative expenses included in the Affordable Housing Fund are necessary for the production, improvement, or preservation of low- and moderate-income housing, per staff recommendation, and carried unanimously.

Burrtec Waste Services, LLC
Amendment No. 4 to Agreement

Kristen Petersen provided a staff report about the amendment to the Burrtec agreement.

Richard Niño, Burrtec, discussed the service enhancements that would be added by the amendment.

Fasana moved, Gaston seconded to approve Amendment No. 4 to the Municipal Solid Waste, Recyclables, and Green Waste Services Agreement between the City of Duarte and Burrtec Waste Services, LLC, to include street sweeping and to increase the City Impact Fee by 5%, and carried unanimously.

ORDINANCE
Council Bill 10-O-03
Registered Sex Offenders
(Second Reading)

Slater read by title Council Bill 10-O-03:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, ADDING CHAPTER 9.74, "REGISTERED SEX OFFENDERS," TO TITLE 9, "PUBLIC PEACE AND SAFETY," OF THE DUARTE MUNICIPAL CODE (Second Reading)

ORDINANCE NO. 820

Gaston moved, Reyes seconded to adopt Ordinance No. 820, and carried unanimously.

ORAL COMMUNICATIONS
(Continued)

The following spoke on items not on the Agenda.
Steve Hernandez – Burrtec, state budget, ballot.
Harb Thind – AQMD, air pollution, political pressure.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

GEORGE: Presented a birthday cake to Mayor Finlay.

REYES: Stated placement of Edison vents are impacting some homes and the landscaping is not high enough to cover the vents, and stated the panhandling near Mike's Foods has gotten aggressive.

FASANA: Stated the Allied Veterans event on Memorial Day was wonderful.

SLATER: Provided information about the FPPC ticket policy and non-profits tickets to events.

GASTON: Congratulated Mayor Finlay on the marriage of her son, noted the Monrovia Quarterly includes some coupons for Duarte businesses, thanked the City and School District for being sponsors of the Foothill Unity Center's 30th anniversary celebration, she has concerns with the Attalla Ranch property as it looks horrible and is a haven for youth, thanked staff for helping with the cleanup of Bradbourne and Huntington Drive, thanked all who worked on the Youth and Family Master Plan, and thanked Laura Pinones for her service to the City.

PARAS-CARACCI: Attended the Allied Veterans Memorial Day event, the Youth and Family Master Plan workshop, community movie night, and Foothill Unity Center's Gold Plate Awards, and thanked the youth who were interviewed for the Mayor's Youth Council.

FINLAY: Stated the Azusa City Council will reconsider the Vulcan mining permit on June 21, appreciates the good wishes for her birthday, thanked staff for the budget, and stated we will work with Azusa to make sure we have the best place in the San Gabriel Valley to live.

ADJOURNMENT

Fasana moved, Gaston seconded to adjourn the meeting at 9:55 p.m., in memory of Charles Gomez and John Wooden, and carried unanimously.

Mayor Margaret Finlay

ATTEST:

City Clerk