

**JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE
ADJOURNED REGULAR MEETING – JANUARY 25, 2011**

M I N U T E S

CALL TO ORDER

The City Council/Redevelopment Agency of the City of Duarte met in an adjourned regular meeting in the Council Chambers, 1600 Huntington Drive, Duarte, California. Mayor Paras-Caracci called the meeting to order at 5:11 p.m.

**RECORDATION OF
ATTENDANCE**

The following were in attendance:

PRESENT: Fasana, Finlay, Gaston, Paras-Caracci, Reyes

ABSENT: Reyes

ADMINISTRATIVE STAFF PRESENT: City Manager

George, City Attorney Slater

ADOPTION OF AGENDA

Gaston moved, Finlay seconded to add Item 18.D to Business Items (Discussion/action regarding potential closure of the City of Industry postal processing and distribution center), and carried unanimously. Finlay moved, Gaston seconded to adopt the Agenda, as amended, and carried unanimously.

CLOSED SESSION

- 1) Conference – Real Property
1263 Huntington Drive
- 2) Conference–Labor negotiators

Lino Paras stated he supports Sacramento’s efforts regarding redevelopment agencies, and inquired about the expiration of the current labor contract. Staff responded.

Slater stated the first Closed Session is pursuant to Government Code Section 54956.8; Conference with Real Property Negotiators; Agency negotiators: Darrell George, Craig Hensley; Negotiating parties: Redevelopment Agency of the City of Duarte and Sam Librizzi representing Western Real Estate Investments and Tradecor Partners; Under negotiation: Price and terms of payment; Concerning Agency-owned property at 1263 Huntington Drive, Duarte (Vacant lot at northwest corner of Huntington Drive and Buena Vista Street). The second Closed Session is pursuant to Government Code Section 54957.6; Conference with Labor Negotiators, pursuant to Government Code Section 54957.6; Negotiators: Darrell George, Kristen Petersen; Regarding SEIU Local 721 Management and Professional Employees and General Employee Units. The Closed Sessions concluded at 6:10 p.m.

WORKSHOP

Pensions

A workshop was presented by Eric Rose from Englander, Knabe and Allen titled “Media and Incident Management, Pensions after Bell,” followed by a presentation from staff about Duarte’s pension and healthcare expenses. The workshop concluded at 7:05 p.m. The meeting was reconvened at 7:15 p.m.

PLEDGE TO THE FLAG

Tom Bagwell led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION

A moment of reflection was observed.

FITNESS/MENTAL WARM-UP

Hensley and Finlay provided the warm-up.

**PUBLIC REPORT OF
CLOSED SESSION**

Slater stated during the first Closed Session, the Agency Board received a report from the negotiators, and unanimously directed staff to continue negotiations in an effort toward a Disposition and Development Agreement. During the second Closed Session, the City Council and negotiators discussed issues, and the City Council unanimously directed the negotiators on the conduct of future negotiations, with no reportable action taken.

ANNOUNCEMENTS

Eileen Penson, Duarte Library, announced the winner of the bookmark contest has been selected, and provided information about upcoming events in February and the digital library.

Jorge Marquez introduced himself as the representative for State Senator Ed Hernandez, and provided his contact information.

Karen Herrera announced a number of upcoming community events and programs in the months of January, February, and March.

SPECIAL ITEMS

Oath of Office to Commissioners
The Oath of Office was administered to Traffic Safety Commissioner Robert Portier and Economic Development Commissioner Michael Goldsmith.

Recognition – City of Hope

Mayor Paras-Caracci presented a Certificate of Appreciation to Jody Reyes, City of Hope, for reaching a historic treatment milestone by performing its 10,000th bone marrow transplant on January 13, 2011.

Presentation – Foothill Workforce Investment Board

Phillip Dunn, Executive Director, Foothill Workforce Investment Board, provided an overview of the programs and services that were accomplished during 2010, as well as the outlook for workforce development in 2011.

Presentation – Strategic Plan

George provided an update of the City's Strategic Plan including goals, objectives, and completed items.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda.

Rodney Jefferson – Red curb in front of First Baptist Church.

CONSENT CALENDAR

Lino Paras inquired about legal costs for Vulcan and benefit fund, stated it is not proper for Edison to pass cost to rate payers for loss of pension fund, and suggested Council discuss Item 13.H. Staff responded.

Fasana moved, Reyes seconded to approve the Consent Calendar, as follows, and carried unanimously.

Approve Items A, B, C, D, E, F, G, H, J.
Receive and File Item I.

RESOLUTION NO. 11-02
MOU – SGVCOG – Edison

(Item G) Council Bill 11-R-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, TO EXECUTE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS AND THE CITY OF DUARTE FOR WORK ASSOCIATED WITH THE SOUTHERN CALIFORNIA EDISON CALIFORNIA LONG-TERM ENERGY EFFICIENCY STRATEGIC PLAN

RESOLUTION NO. 11-03
CalPers – Member contributions

(Item H) Council Bill 11-R-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS WITH THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM

BUSINESS ITEM
Report – Edison towers

It was determined that Item 18.B would be considered next. Due to a declared conflict of interest, Fasana left the building.

George presented a brief report about Edison's application with the CPUC (California Public Utilities Commission) for the TRTP (Tehachapi Renewable Transmission Project), stated the CPUC holds exclusive jurisdiction for the sites, City staff is attempting to assist in the communication efforts, and the project will be undertaken on January 31.

Elisa Clifford, Southern California Edison Company Region Manager, stated the TRTP is a State-mandated project, the CPUC has exclusive jurisdiction over the project, it traverses over 170 miles of Edison right-of-way, two of those miles are in Duarte, the easement dates to 1949, plans have been made to move the tower 145 feet north of the original location, and stated questions should be directed to Edison and the CPUC, not to the City.

J. R. Greenfield stated he is not trying to stop the project, he is asking that the towers be placed higher up the mountain, 62 years ago they were on the mountain and then brought down, Edison did not show them what was going to be placed in their back yards, inquired if Edison has considered the effect of the 100-year flood, and provided photos.

William Murphy stated the job was stopped in October, Ms. Clifford did not know a tower was going in, no information was provided, presented photos of the proposed site, and stated it looks like a money issue.

Del Hayes stated there have been two meetings held with residents, alternate locations were discussed, the neighbors want the towers up on the mountain, construction is 20 feet from his backyard, he was not contacted, and stated no resident agreed to move the tower 145 feet.

Harry Herflin stated he received a brochure about the project, this is an upgrade of an existing line to bring clean power over the mountains to Southern California, he wishes there was an alternative such as underground, and stated he reluctantly supports the project, as we need clean power.

Lino Paras stated there should be technical people from Edison here, the City should help the residents delay the construction, Edison may not be giving everything to the residents, why can't Edison compromise with the residents, and the City should give residents some support.

Slater clarified that no City permit is involved in this case.

Harb Thind stated Edison should have submitted information to the residents about acquiring the right-of-way, he thinks it goes with the property rights, and it should be done properly and with complete knowledge.

There was discussion about Edison being a major corporation, doing the right thing for Duarte and the region, similar complaints from other cities, timeline, outages planned, and protecting residents.

Jim Thompson stated the documents he received 18 months ago do not mention towers, it is a deliberate attempt to mislead the public, and discussed the possibility of an injunction.

There was further discussion. It was determined that staff would contact senior executives at Southern California Edison Company about the impact of the location of the transmission towers to our residents.

Mayor Paras-Caracci called a Recess at 9:25 p.m. City Council reconvened at 9:35 p.m. with all members present. (Fasana returned to the building and resumed his chair).

RECESS
PUBLIC HEARING
Council Bill 11-R-04
Services Fees/Charges

Mayor Paras-Caracci announced this was the time and place set for a Public Hearing to consider service fees and charges.

Slater read by title Council Bill 11-R-04:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, APPROVING A SCHEDULE OF SERVICE FEES AND CHARGES

(Continued to 2/8/11)

Finlay moved, Gaston seconded to open the Public Hearing, and continue it to February 8, 2011, and carried unanimously.

ORDINANCE
Council Bill 11-O-01
Keeping/Feeding of Animals
(First Reading)

Slater read by title Council Bill 11-O-01:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING AND ADDING VARIOUS SECTIONS OF CHAPTER 8.04 OF THE DUARTE

MUNICIPAL CODE PERTAINING TO THE KEEPING AND FEEDING OF ANIMALS (First Reading)

Brian Villalobos provided a staff report about the proposed ordinance.

Lino Paras inquired about running water, dwarf goats, definition of slaughter, and distinguishing feral cats.

There was discussion. Slater stated if changes are made to the proposed ordinance, it would have to be re-introduced later.

(Re-introduce on 2/8/11)
Finlay moved, Fasana seconded to adjust wording pertaining to running water, and re-introduce Council Bill 11-O-01 for first reading on February 8, 2011, and carried unanimously.

COMMISSION ITEM
Public Safety Commission
Recommendation – Vehicle
Abatement Program

Larry Breceda, Code Compliance Officer, presented an overview of the Los Angeles County Abandoned Vehicle Abatement Service Authority Program, which allows reimbursement for abatement of abandoned vehicles, and discussed roles of the State, Board of Supervisors, and participating cities, stated there would be no fiscal impact on the City's budget, and stated the Public Safety Commission and staff's recommendation is that the City become a member of the Abandoned Vehicle Abatement Service Authority.

Fasana moved, Finlay seconded to approve the recommendation from the Public Safety Commission, and directed staff to proceed with becoming a member of the Abandoned Vehicle Service Authority, to draft a letter on behalf of the City Council to the Los Angeles Board of Supervisors in support of forming the Service Authority, and to send a letter to the San Gabriel Valley Council of Governments and the Contract Cities Association asking them to agendize this item to get support throughout the San Gabriel Valley, and carried unanimously.

BUSINESS ITEMS (Continued)
Intergovernmental Organizations

It was noted that a Councilmember nominated to any intergovernmental organization that provides compensation cannot vote on that appointment. The compensated positions are Foothill Transit Zone, Gold Line Phase II JPA, San Gabriel Valley Council of Governments, San Gabriel Valley Vector Control District, and Sanitation Districts. Appointments were made to the City Selection Committee and Sanitation Districts at the January 4, 2011, City Council meeting.

Gaston moved, Fasana seconded to concur with the following appointments to intergovernmental organizations, and carried with Fasana and Paras-Caracci abstaining from voting on Foothill Transit Zone, Gaston and Paras-Caracci abstaining from voting on Gold Line Phase II JPA, Fasana and Gaston abstaining from voting on San Gabriel Valley Council of Governments, and Finlay abstaining from voting on San Gabriel Valley Vector Control District.

Area "D" Emergency Services

City Manager – Representative
Full Council – Alternates

California Contract Cities

Lois Gaston – Delegate
Margaret Finlay – Alternate

Community Education Council

Tzeitel Paras-Caracci – Representative
Phil Reyes – Alternate

Duarte Community Service Council

Tzeitel Paras-Caracci – Representative
Phil Reyes – Alternate

Duarte Education Foundation
Margaret Finlay – Representative
Lois Gaston – Alternate

Foothill Employment and Training Consortium
Tzeitel Paras-Caracci – Delegate
Phil Reyes – Alternate

Foothill Transit Zone
John Fasana – Delegate
Tzeitel Paras-Caracci – Alternate

Gold Line Phase II JPA
Lois Gaston – Member
Tzeitel Paras-Caracci – Alternate

Joint Powers Insurance Authority
Margaret Finlay – Director
City Manager/Full Council – Alternates

League of California Cities
Margaret Finlay – Delegate
Full Council – Alternates

San Gabriel Valley Council of Governments
John Fasana – Governing Board Representative
Lois Gaston – Alternate Governing Board Representative

San Gabriel Valley Economic Partnership
Margaret Finlay – Representative
Full Council – Alternates

San Gabriel Valley Vector Control District
Margaret Finlay – Representative

Southern California Association of Governments
Margaret Finlay – Representative
Full Council – Alternates

Agency Bill RA-388
Council Bill 11-R-05
Agency's payment for portion
of Huntington Drive Street
Rehabilitation Project

Slater read by title Agency Bill RA-388:
A RESOLUTION OF THE REDEVELOPMENT AGENCY
OF THE CITY OF DUARTE APPROVING THE AGENCY'S
PAYMENT FOR A PORTION OF THE CITY OF DUARTE'S
COST FOR CONSTRUCTION OF THE 2010 HUNTINGTON
DRIVE STREET REHABILITATION PROJECT

Slater read by title Council Bill 11-R-05:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
DUARTE CONSENTING TO THE PAYMENT TO THE CITY
BY THE REDEVELOPMENT AGENCY OF THE CITY OF
DUARTE FOR REIMBURSEMENT OF A PORTION OF THE
CITY'S COST FOR CONSTRUCTION OF THE 2010 HUNTINGTON
DRIVE STREET REHABILITATION PROJECT

RESOLUTION NO. RA-388
RESOLUTION NO. 11-05

Finlay moved, Gaston seconded to adopt Agency Resolution
No. RA-388 and City Resolution No. 11-05, and carried unani-
mously.

Industry Postal Center
(Item added)

Fasana provided information about the potential closure of the
City of Industry's postal processing and distribution center, and
stated a meeting on the matter is scheduled for January 26, 2011.
Fasana moved, Gaston seconded that a letter from the Mayor be
sent to the appropriate postal authorities opposing the closure of
the City of Industry processing and distribution center, and car-
ried unanimously.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

REYES: Thanked all involved with the Martin Luther King, Jr.,
celebration and Snow Day, attended a workshop about gang and

drug prevention, attended Contract Cities Conference in Sacramento where the State budget was discussed, noted the importance of redevelopment resources and need for housing, hopes the obesity resolution item comes back to the Council soon, and inquired about the construction of restrooms at Otis Gordon Park. Staff responded.

FASANA: Stated redevelopment has provided much housing for our City, there will be sacrifices on all sides, the Vulcan election passed substantially in Azusa, asked about the possibility of having "The Last Mountain" movie premiere in this area, and stated the Gold Line supplemental EIR was approved with minor changes made.

FINLAY: Congratulated Councilmember Fasana for being retained as MTA Boardmember, attended legislative tour in Sacramento, stated redevelopment has made our City what it is today, and stated it is about jobs.

GASTON: Asked that Christopher Baker be recognized for becoming an Eagle Scout, a new Gold Line video is available that gives an overview of different elements of the project, congratulated Marcella Marlowe and Dean Conklin as they are moving on, welcomed Terry Nichols, stated Pastors William and Tamala Kelly have launched a new church in the County area, the Black History program was awesome, attended the Monrovia Chamber awards dinner and asked that Ulises Gutierrez and Julie Gentile be recognized for receiving awards and to thank them for their efforts, announced Elks Lodge Charity Ball on February 12, visited the Senior Center, stated the Teen Center has a new Actso competition program for our youth, thanked staff and all who attended the meeting regarding the Edison project, and asked that the meeting be adjourned in memory of Sargent Shriver.

PARAS-CARACCI: Attended the Martin Luther King, Jr. event and the Monrovia Chamber dinner, asked that Ulises Gutierrez and Julie Gentile be recognized for their accomplishments, and asked that the meeting be adjourned in memory of the victims of the Arizona shootings on January 8, with good wishes to Congressmember Giffords for a full recovery.

ADJOURNMENT

Fasana moved, Reyes seconded to adjourn the meeting at 10:50 p.m., in memory of Christina-Taylor Green, Gabriel Zimmerman, John Roll, Dorwan Stoddard, Phyllis Schneek, Dorothy Morris, and Sargent Shriver, and to extend wishes to Congressmember Gabrielle Giffords for a full recovery, and carried unanimously.

Mayor Tzeitel Paras-Caracci

ATTEST:

City Clerk