

**JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE
REGULAR MEETING – MARCH 22, 2011**

M I N U T E S

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 Paras-Caracci called the meeting to order at 5:10 p.m.

**RECORDATION OF
ATTENDANCE**

The following were in attendance:
PRESENT: Fasana, Finlay (5:15 p.m.), Gaston, Reyes,
Paras-Caracci

ABSENT: None

ADMINISTRATIVE STAFF PRESENT: City Manager
George, City Attorney Slater

ADOPTION OF AGENDA

Gaston moved, Fasana seconded to adopt the Agenda, and carried unanimously.

CLOSED SESSION

- 1) Conference--Labor Negotiators
 - 2) Conference – Legal Counsel
- Initiation of Litigation

There was no public input. Slater stated the first Closed Session is pursuant to Government Code Section 54957.6; Conference with Labor Negotiators; Negotiators: Darrell George, Kristen Petersen; Regarding SEIU Local 721 Management and Professional Employees and General Employee Units. The second Closed Session is pursuant to Government Code Section 54956.9; Conference with Legal Counsel; Initiation of Litigation; Number of potential cases: 1 (pertaining to participation by the City and Redevelopment Agency in the California Redevelopment Association and League of California Cities potential lawsuit challenging adoption, if it is adopted, of Governor Brown's bill to abolish redevelopment agencies). The Closed Sessions concluded at 7:00 p.m. The meeting was reconvened at 7:15 p.m.

PLEDGE TO THE FLAG

Bryan Urias led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION

A moment of reflection was observed.

FITNESS/MENTAL WARM-UP

George and Finlay provided the warm-up.

**PUBLIC REPORT OF
CLOSED SESSION**

Slater stated during the first Closed Session, the City Council discussed the upcoming negotiations, and gave direction to the negotiators, with no reportable action taken. During the second Closed Session, an update was provided to the City Council, with no reportable action taken.

ANNOUNCEMENTS

It was determined that Special Item 9.E (TECS Environmental) would be heard prior to Special Item 9.D (Planned Parenthood).

Reed Strege, Duarte Library, stated the library will be closed for refurbishing for two months, April 9 will be the last day it is open, and provided information about alternatives for library services.

Kristi Lopez, Assemblymember Portantino's office, announced free tax preparation on April 9 in Pasadena, and Women in Business Awards Luncheon on July 15.

Eduardo Cordero, L.A. County Gang and Reduction Initiative Site Coordinator, announced Job Fair on May 19 at Pamela Park.

Sister Mary Patrice, Hayden Childcare Center, thanked all for supporting the 5K event.

Pam Kawasaki, Duarte Board of Education, presented an update on the bond process and project list.

Rose Brooks-Mitchell highlighted School District programs, activities, and events.

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

SPECIAL ITEMS

Recognition – Duarte's Biggest Loser

Donna Georgino described the contest and introduced winner Lisseth Duenas who lost 13.08% of her weight. The Duarte Employee's Union presented her with a \$100 check, and Mayor Paras-Caracci presented her with a congratulatory certificate.

Recognition – Monrovia-Duarte Black Alumni Association

Mayor Paras-Caracci presented Certificates of Appreciation to members of the Monrovia-Duarte Black Alumni Association, and thanked them for the Black History Month Celebration and Art Show recently held at the Monrovia Historical Museum.

Recognition – Outgoing Mayor's Youth Council Member

Mayor Paras-Caracci thanked Mayor's Youth Council member Christian Reed for his service, and stated he was not able to attend the meeting.

Presentation – TECS Environmental – Storm Water Issues

Ray Tahir, TECS Environmental, presented an update on regional storm water issues, including NPDES permit information, TMDL standards for metals, bacteria, and trash, and estimated cost of compliance for Duarte.

Presentation – Planned Parenthood

Sara Howard and Sheri Bonner, Pasadena and San Gabriel Valley Planned Parenthood, presented an overview of services, including number of persons served, location of health centers, and health education programs.

Pastor Richard Stokes read a Bible passage and felt the presentation was deceptive.

Frank Kerwin discussed long-term regrets and scars, stated he does not support abortion, and there is a pregnancy counseling service already in the City.

Judy Greenberg stated the biggest opponents of Planned Parenthood are people who have worked for them, there is a need to find out what children are being counseled about, killing is murder, and everyone shares in the consequences.

Henry Baltazar stated abortion is wrong, read a Bible passage, stated do not compromise, tell Planned Parenthood to go somewhere else, and do not allow them in our City.

Glen Gibson stated the presentation did not mention abortion, that was misleading, when he had a consultation with Planned Parenthood, they offered to terminate the pregnancy, we need institutions of life and hope, and the Foothills Pregnancy Resource Center offers a better viable alternative.

Julia Boles stated Planned Parenthood does not serve teenagers, they are told to lie, she does not want them in her backyard, and children's rights are violated.

Ann Hodgden stated Planned Parenthood attempted to open a clinic in Monrovia, she volunteers at the Foothills Pregnancy Resource Center, abortions at Planned Parenthood doubled from 1998-2009, the director left after witnessing what happened at the clinic, we do not need this in our community, and read a statement from the founder.

Linda Thompson read Duarte's mission statement, she is concerned with compromising the City's moral standard, she does not want to bring this institution into the City, the original intent of Planned Parenthood was sinister, and encouraged Council to consider the compromise and not have them here.

Steve Huffey stated there is a lack of requirement from Planned Parenthood for parental notification, the Foothills Pregnancy Resource Center reaches out to those needing help, and life has potential.

Lori Berg read a statement about the Foothills Pregnancy Resource Center being a safe place, stated it provides options, described services offered, and thanked all for their commitment to the Foothills Pregnancy Resource Center.

Brenda Smith stated services offered by Planned Parenthood are already provided in our City, discussed choices offered, number of abortions, and informational material distributed by Planned Parenthood to Girl Scouts, and stated although there has been no proposal, there will be.

Dr. Michael Ross stated he represents Pro-life California, he offers to help those seeking abortions, Planned Parenthood does not tell young women there are people who can help them, it is not a philosophical argument, when and if a proposal is made, he is convinced this City Council is honorable, and there will be an outcry in the community if steps are taken to propose Planned Parenthood in this community.

Denise Riggio stated she works to educate all people to respect life, she worked 10 years ago to prevent Planned Parenthood from establishing in Momrovia, they use plays to entice young girls into their clinics, it is a well-funded organization, and invited Planned Parenthood representatives to change sides.

Norma Sanchez stated she teaches thousands of children, spoke about prophets, and related the story of Moses.

Krista Marrero stated Planned Parenthood will propose something to the City, she believes the City Council will make the right decision, Planned Parenthood does not talk about abortion, that is what they offer, she would be all for them if they agreed not to perform abortions in the City, and she does not want them here.

Steven Marrero stated there are Planned Parenthood services offered 6-15 miles away, he wants to know what services they will provide if they come here, when he went to Planned Parenthood, they only offered abortion, and it leaves a scar that is real.

Richard Deem stated do not let Planned Parenthood into the East San Gabriel Valley, they target inner city, this is not just a Duarte issue, his main concern is a world view espoused by Planned Parenthood, attitude affects youth, discussed birth control data, and stated their agenda is abortion.

Beverly Wolterbeck related her story of a friend who had an abortion at Planned Parenthood, stated Planned Parenthood is not for our kind of town, and urged City Council to reject the facility.

Susan Arnall stated Planned Parenthood performs one-quarter of all abortions, they have no ultrasound machine, profits from a Duarte site would go to their national coffers, their next step will be to have a site here, they break laws, urged City Council to look into the matter, and stated there are other women's organizations.

Slater stated there has been no proposal submitted by Planned Parenthood to come into the City, there is nothing in front of the City Council or staff at this moment, and if a proposal is submitted, the City will deal with it at that time.

Reyna Diaz stated she is proud to live in this community, it is where the City of Hope is, doctors fight for life, she does not want to see a Planned Parenthood clinic here, they are not the best choice for us, and we have what we need in this community.

Rosemary Harrahill stated Planned Parenthood is serious about finding a middle point between Pasadena and Pomona, they

make most of their money doing abortions, there are no permits governing abortions in a clinic setting, it is a most lucrative business that they do, the City and schools are blossoming, and do not let them into the City.

Monique (no last name provided) stated she comes from women who choose life, she is sad to hear stories about women who suffered at Planned Parenthood offices, she will not tolerate such a facility, discussed books by former Planned Parenthood members, and asked City Council to look at the human side.

Sheila Fleming, representing the Foothills Pregnancy Resource Center, stated they offer ultrasounds, it is exciting to see babies, they educate about life, and Planned Parenthood does not talk about babies.

Susan Johnson stated 3% of the activities of Planned Parenthood is killing unborn babies.

Nora Urrea stated we need to prepare youth, her concern is that Planned Parenthood does an effective job in targeting Hispanic women, urged City Council not to entertain the soon to be made proposal to come into our community, they will not make our community better, it goes against moral values, and she is confident City Council will make the right decision.

There was discussion about due process and rights of applicants conducting legal businesses.

In answer to an inquiry made by Council, Ms. Bonner stated Planned Parenthood is looking to put a health center in this part of the Valley, and they are looking at Duarte.

RECESS Mayor Paras-Caracci called a Recess at 9:40 p.m. City Council reconvened at 9:58 p.m., with all members present.

CONSENT CALENDAR Finlay moved, Fasana seconded to approve the Consent Calendar, as follows, and carried unanimously.

Approve Items A, B, C, F.
Receive and File Item D.
Remove Item E.

ITEM REMOVED
Item E – Abode Communities
Craig Hensley provided a staff report about the item, described the proposed project, and answered questions from City Councilmembers pertaining to number of units, housing fund, and timeline. Representatives from Abode Communities provided information about affordable housing and average rent.

Allen Field inquired about relocation fees. Hensley responded.

Item E Approved
Gaston moved, Fasana seconded to approve the First Amendment to the Loan Agreement and Exclusive Negotiating Agreement between the Redevelopment Agency of the City of Duarte and Abode Communities, and a budget amendment to the Affordable Housing Fund, and carried by the following Roll Call vote:
AYES: Fasana, Finlay, Gaston, Paras-Caracci
NOES: Reyes

JOINT PUBLIC HEARING
Purchase/Sale Agreements
Mayor Paras-Caracci announced this was the time and place set for a Joint Public Hearing.

Redevelopment Agency/City
1263 Huntington Drive
946, 952, 962 Huntington Drive
Slater stated the Joint Public Hearing is for two separate agreements between the Redevelopment Agency of the City of Duarte, as seller, and the City of Duarte, as buyer, to be paid through an offset of debt owed to the City by the Agency. The first item pertains to 1263 Huntington Drive (APNs 8530-003-930 and 931) in the amount of \$450,000, and the second item pertains to 946, 952, and 962 Huntington Drive (APNs 8530-013-902, 903, and 904) in the amount of \$1,195,521.60.

Slater asked City Clerk Akana if notice of the hearing had been given and if any written correspondence had been filed. Akana stated notice was given, the affidavit is on file, and no written correspondence was filed in the matter.

Mayor Paras-Caracci asked if there was anyone in the audience who wished to speak on the item. There were none.

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

Reyes moved, Fasana seconded to approve the Purchase and Sale Agreement between the Redevelopment Agency of the City of Duarte, as seller, and the City of Duarte, as buyer, of the real property consisting of approximately 24,000 square feet, at 1263 Huntington Drive, Duarte, California (northwest corner of Huntington Drive and Buena Vista Street), APNs 8530-003-930 and 931, in the amount of \$450,000, to be paid by the City by an offset of debt owed by the Agency to the City, and to approve the Purchase and Sale Agreement between the Redevelopment Agency of the City of Duarte, as seller, and the City of Duarte, as buyer, of the real properties consisting of approximately 43,792 square feet, at 946, 952, and 962 Huntington Drive, Duarte, California, APNs 8530-013-902, 903, and 904, in the amount of \$1,195,521.60, to be paid by the City by an offset of debt owed by the Agency to the City, and carried unanimously.

ORDINANCE

Council Bill 10-O-05
Type K Copper
(Second Reading)

Slater read by title Council Bill 10-O-05:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE AMENDING SECTION 16.04.095 OF THE DUARTE MUNICIPAL CODE PERTAINING TO SECTION 604.2 OF THE PLUMBING CODE – REQUIREMENT FOR TYPE “K” COPPER WATER PIPE MATERIALS (Second Reading)

Allen Field discussed the approval of Type K copper.

ORDINANCE NO. 828

Reyes moved, Gaston seconded to approve Ordinance No. 828, and carried unanimously.

RESOLUTIONS

Council Bill 11-R-08
Authorizes Housing Authority

Slater read by title Council Bill 11-R-08:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DECLARING A NEED FOR A HOUSING AUTHORITY, AND AUTHORIZING THE AUTHORITY TO FUNCTION WITHIN THE CITY LIMITS, IN ACCORDANCE WITH THE CALIFORNIA HOUSING AUTHORITY LAWS

Council Bill 11-R-09

Provide Administrative Services to the Duarte Housing Authority

Slater read by title Council Bill 11-R-09:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE AGREEING TO PROVIDE NECESSARY ADMINISTRATIVE SERVICES TO THE DUARTE HOUSING AUTHORITY

Agency Bill RA-390

Provide Administrative Services to the Duarte Housing Authority

Slater read by title Agency Bill RA-390:

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF DUARTE AGREEING TO PROVIDE NECESSARY ADMINISTRATIVE SERVICES TO THE DUARTE HOUSING AUTHORITY

Agency Bill RA-391

Granting Funds to the Duarte Housing Authority

Slater read by title Agency Bill RA-391:

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF DUARTE GRANTING FUNDS TO THE DUARTE HOUSING AUTHORITY FOR THE AUTHORITY'S OPERATIONS, PROGRAMS, AND PROJECTS

Slater presented a staff report about the proposed resolutions pertaining to the Duarte Housing Authority, stated the City Council can declare itself to be the Housing Authority Board, and the Duarte Housing Authority would be a separate public agency. Petersen provided information about housing funds.

RESOLUTION NO. 11-08
RESOLUTION NO. 11-09
RESOLUTION NO. RA-390
RESOLUTION NO. RA-391

Reyes moved, Fasana seconded to approve City Resolution No. 11-08, City Resolution No. 11-09, Agency Resolution No. RA-390, and Agency Resolution No. RA-391, and carried unanimously.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

REYES: Requested that the meeting be adjourned in memory of Gina Valenzuela, thanked the City Manager for providing the flexibility to use this facility for fellowship after the services, inquired about the restrooms at Andres Duarte (Hensley responded), thanked staff for certificates to be presented to the Chinese delegation, attended the opening day for DYAC and noted they plan to make improvements to the field, met with John Wilson of the Boys and Girls Club and requested that a copy of the Youth and Family Master Plan be provided to him, thanked all involved in the successful Hayden 5K run, asked that a resolution relating to the TMDL presentation be on the next meeting, and stated he hopes we are monitoring Edison's installation of towers, as he feels this is a blatant disregard for public safety.

FASANA: Stated the Hayden 5K event was excellent, there were some concerns from residents about impacts on Royal Oaks and other streets and we may need to look at that in the future, there is a concern about the rehab of the County bridge and one single eastbound lane in the evenings, and stated we may need a crisis plan if there is an incident on the freeway and traffic on Huntington Drive is impacted.

FINLAY: Stated she and the Mayor attended the NLC event in Washington, D.C., attended sessions with transportation representatives, attended public pensions and municipal bonds discussions, attended a dinner with Senator Feinstein, Mrs. Obama spoke about childhood obesity, attended SCAG Legislative Communications and Membership Committee meeting where alternatives to redevelopment agencies were discussed, provided information about bees and honey production, and announced the Talent Show on April 2 at the PAC.

GASTON: Stated March is National Women's History month, the Duarte High School girls basketball team has gone to CIF and she would like to recognize them at an upcoming meeting, Talent Show tickets are available at the school sites and district office, represented the City at an event honoring the pastor of Second Baptist Church for 75 years of service in Momrovia, attended Contract Cities general meeting at the water district office in Paramount, she hopes Bryan Urias and Luis Aguinaga would be able to see our bioswale project, attended the Joint Powers Authority Meeting on the Gold Line, met with the Secretary of Labor's representative and provided potential grant information to staff, stated closing Royal Oaks and other streets poses problems, a number of people show up at events, suggested this be looked at before the parade, received concerns that there could be a need for medical help and residents would not be able to get through, and suggested the Traffic Safety Commission could look at this, the Superintendent's reception was wonderful, and stated there was an issue about the fence we rent north of the Mesa, and we may want to look at things we are forced to continue to rent for our budget session.

SLATER: Stated Duarte Housing Authority Board Members and staff will need to file assuming office statements within 30 days.

PARAS-CARACCI: Attended the NLC conference in Washington, D.C. and the meeting for Youth, Education, and Families Council, met with Edison representative, a resident brought to her attention there is a camera on Oak Haven and she would like to request an update on what is being filmed there, attended City of Hope Diabetes Research Lab opening, stated the Otis Gordon Park Restroom will be open on April 28 for the senior softball game, she threw the first pitch at DYAC opening day, and asked that the meeting also be adjourned in memory of Cesar Mancilla.

ADJOURNMENT

Reyes moved, Fasana seconded to adjourn the meeting at 11:08 p.m., in memory of Gina Valenzuela and Cesar Mancilla, and carried unanimously.

Mayor Tzeitel Paras-Caracci

ATTEST:

City Clerk