

MINUTES

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY/HOUSING AUTHORITY OF THE CITY OF DUARTE REGULAR MEETING – JUNE 14, 2011

- CALL TO ORDER The City Council/Redevelopment Agency/Housing Authority 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 4:15 p.m.
- RECORDATION OF ATTENDANCE The following were in attendance:
PRESENT: Fasana (arrived at 6:08 p.m.), Finlay, Gaston, Reyes, Paras-Caracci
ABSENT: None
ADMINISTRATIVE STAFF PRESENT: City Manager George, Assistant City Attorney Jeff Melching
- ADOPTION OF AGENDA Finlay moved, Reyes seconded to adopt the Agenda, and carried unanimously.
- INTERVIEWS City Council conducted interviews with applicants interested in serving on the Mayor's Youth Council. The interviews concluded at 6:00 p.m. City Council reconvened at 6:04 p.m.
- CLOSED SESSIONS
1) Labor Negotiations
2) Existing Litigation
City Manager George 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(a); Existing Litigation; *City of Duarte, California, v. City of Azusa, California, et al; Azusa Rock, Inc., et al., Real Parties in Interest*; Los Angeles County Superior Court Case No. BS127709.
- The following spoke on Item 4.C (Existing Litigation):
Dave Gallavin – Stated there will be a 500% increase in noise, dust, and pollution, the judge stated alternative plans and legal levels could be heard in appellate court, those are reasons for appeal, and stated we care about our children.
Ken Bell – Represents the School Board, the Board supported the City's efforts, he participated in a program at Valley View and can see how the youth will be exposed in that area, and he hopes we continue to fight, as it will serve the community in a great way.
Shauna Pierce – Represents Valley View PTA as its President, everyone wants the City to appeal the lawsuit, and stated we must take every avenue possible to fight this.
Tommy Silverman – Stated he is a Valley View student, and please do not give up on us.
Sarah Torres – She is a Cub Scout mom and works at the City of Hope, silica dust will be released in the environment, it concerns her to have to wear a mask, and we should appeal this and fight Vulcan.
Sharman Warner – Stated after all the efforts to save Van Tassel ridge, she feels the City Council should file an appeal in the Vulcan case, we have to stay the course for the cause, the money was earmarked, Van Tassel ridge top is a protection against future blasting, and it is a matter of principle.
Brenda Vanderloo – She hopes it is not over until everything has been done, asked to keep fighting and not give up, we cannot afford to let this happen to our community, she heard the appeal costs \$40,000, \$500,000 has been spent, it needs to be solved politically, need to call on County, State, and Federal repre-

	<p>sentatives, and asked Council to vote yes on the appeal and explore all political options.</p> <p>George suggested Item 4.B (Closed Session – Labor Negotiations) be considered next, and that Item 4.C (Closed Session – Existing Litigation) be considered after Item 11 (Oral Communications). City Council concurred. The Closed Session concluded at 7:10 p.m. City Council reconvened at 7:17 p.m.</p>
PLEDGE TO THE FLAG	Mayor Paras-Caracci led the Pledge of Allegiance to the Flag.
MOMENT OF REFLECTION	A moment of reflection was observed.
FITNESS/MENTAL WARM-UP	Paras-Caracci and Finlay provided the warm-up.
PUBLIC REPORT OF CLOSED SESSION	Assistant City Attorney Melching stated City Council held a 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. No reportable action was taken.
ANNOUNCEMENTS	<p>Eileen Penson, Duarte Library, invited all to visit the newly renovated library.</p> <p>Kristi Lopez, Assemblymember Portantino’s office, announced HIV testing on June 26 at the Pasadena Rose Bowl.</p> <p>Lisa Magno announced Relay for Life Duarte on June 25-26, and Duarte Route 66 Parade on September 24.</p> <p>Pam Kawasaki, Duarte Board of Education, provided an update on schools, programs, and energy education committee.</p> <p>Frank Figueroa, Duarte Board of Education, provided an update on the bond, oversight committee, architects, and bond rating.</p> <p>Karen Herrera announced upcoming community events in June, July, and August.</p>
SPECIAL ITEMS	Donna Georgino described the Jr. Olympics track program and introduced Recreation Superintendent Cesar Monsalve. Mayor Paras-Caracci presented certificates to the participants, and congratulations were extended.
Recognition – Jr. Olympics	
Recognition – Artistic Discovery	Mayor Paras-Caracci presented certificates of recognition to the youth who participated in Congressmember Judy Chu’s Artistic Discovery Art Competition.
Recognition – Adina Mesa Sr. Center Volunteer of the Year	Donna Georgino introduced Recreation Supervisor Peggy Diamond, who presented Duarte Senior Center’s Volunteer of the Year Adina Mesa with a floral bouquet.
Presentation by Duarte Kiwanis \$500 scholarship	Tina Carey, Duarte Kiwanis Club, presented a \$500 scholarship to the City of Duarte’s Summer Adventure Club Program, to be used for children needing financial help to attend the camp.
Presentation by LA Works	Mario Rodriguez, LA Works, made a presentation about the Cal GRIP and STEP Programs, and introduced Alejandro Miranda who is enrolled in the LA Works program.
Report and Recognition – Gold Line Regional Transportation Ad Hoc Advisory Committee	Karen Herrera provided a summary about the Gold Line Regional Transportation Ad Hoc Advisory Committee, introduced members, and presented the Final Report, including the recommended plan of action to address concerns of the report. Mayor Paras-Caracci presented certificates to the Ad Hoc Committee members for their service from January 2010 – June 2011.
ORAL COMMUNICATIONS	<p>The following spoke on items not on the Agenda.</p> <p>Mark Handel – Attala project, Edison towers project.</p> <p>Shauna Pierce – Encanto greenbelt, water for helicopters.</p>

CLOSED SESSION
(Continued – Item 4.C)
Existing Litigation

Mayor Paras-Caracci stated Public Input was now re-opened for Item 4.C. The following spoke:

Jack Ochoa – He is committed to the City, if we do not go after this, we are doing ourselves an injustice, we need to do something as a community and City, it is not OK to let the 1974 standard for EPA rule, and we need to pursue this.

Karen Vance – This is our only hope, many in Duarte know nothing about Vulcan, there is not a lot of coverage in the LA Times, and she hopes we keep up the battle and not let it slide.

Marsha Johnson – She hopes City Council does not give up on the kids and the community, she knows it's a lot of money, it is worth it to her, and introduced her daughter and her friend.

Jana Johnson – She is nine years old and attends Valley View School, she does not want Vulcan blasting all over and making it hard to breathe, and she does not want her friend Alexander's asthma to get worse.

Allen Field – He has been saying no to the appeal, it is a waste of money, the judge rejected all points of the case and threw it out, and to appeal is a waste of time and money.

Deborah Evans-Vincent and son Etienne – She is in favor of an appeal, she lives very close to where the dust will fall, and is very concerned with the welfare of students at Valley View.

Steven Carter – Stated some City Councilmembers live at the top of the hill, and we should try a different direction than going with lawyers.

Beth Singer – She is a scientist at the City of Hope, impact from mining will increase cancer, it is a health risk, her children go to Valley View School, she may have to move, and many at the City of Hope feel the same way.

Rosalie Camp – Many citizens do not understand what is going on, she still cares, they have to rely on City Council, it is worth it, and please do not give up.

Gaston stated she received emails asking City Council to consider appealing the decision from Carol Ciminelli, David Szymanski, Ronald Vanderloo, Sharmin Warner, Brian Gardner, Gary, Jeanie, and Brianna Barta, Lizette Juarez, Marcy Roschitsch, Mike Ressler, Mike and Jackie Burckhard, Leslie Lopez, Cindy Dygert, Brenda Vanderloo, and Richard Deem.

The Closed Session began at 8:42 p.m., and concluded at 9:20 p.m. City Council reconvened at 9:20 p.m.

PUBLIC REPORT

Assistant City Attorney Melching stated the City Council held a conference with legal counsel pursuant to Government Code Section 54956.9(a); Existing Litigation; *City of Duarte, California, v. City of Azusa, California, et al; Azusa Rock, Inc., et al., Real Parties in Interest*; Los Angeles County Superior Court Case No. BS127709. City Council voted unanimously to appeal the decision of the Superior Court.

ITEMS ADDED TO CONSENT

(Later in the meeting, Fasana moved, Reyes seconded to add and approve City Council attendance at the Independent Cities Association Conference, July 7-10, 2011, in San Diego, to Item 13.G, and carried unanimously.)

CONSENT CALENDAR

Finlay moved, Reyes seconded to approve the Consent Calendar as follows, and carried with Gaston and Reyes abstaining from voting on Item A.1 (Minutes of May 24, 2011), and Fasana abstaining from voting on Item D (SCE/USPS Agreements).
Approve Items A, B, C, D, E, F, G.

RESOLUTION NO. 11-22
Exchange CDBG Funds with
City of La Mirada

Item E – Council Bill 11-R-22 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE AUTHORIZING THE EXCHANGE OF UNALLOCATED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR GENERAL FUNDS FROM THE CITY OF LA MIRADA FOR FISCAL YEAR 2011-12

PUBLIC HEARINGS
Rose Gardens at Santa Teresita
Council Bill 11-O-02
Rose Gardens at Santa Teresita
Specific Plan (First Reading)

Mayor Paras-Caracci announced this was the place and time set for a Public Hearing.

Melching read by title Council Bill 11-O-02:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, ADOPTING THE ROSE GARDENS AT SANTA TERESITA SPECIFIC PLAN (First Reading)

Council Bill 11-O-03
General Plan Amendment 11-2
Hospital to Specific Plan
(First Reading)

Melching read by title Council Bill 11-O-03:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING THE DUARTE GENERAL PLAN LAND USE POLICY MAP BY CHANGING THE LAND USE DESIGNATION OF FOUR PARCELS OF LAND FROM HOSPITAL TO THE ROSE GARDENS AT SANTA TERESITA SPECIFIC PLAN (APN 8530-001-018, 8530-001-053, 8530-001-058, AND 8530-001-064) (General Plan Amendment 11-2) (First Reading)

Council Bill 11-O-04
Zone Change 11-1
Hospital to Specific Plan
(First Reading)

Melching read by title Council Bill 11-O-04:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, REVISING THE DUARTE MUNICIPAL CODE BY CHANGING THE ZONING OF FOUR PARCELS OF LAND FROM HOSPITAL ZONE TO THE ROSE GARDENS AT SANTA TERESITA SPECIFIC PLAN ZONE (APN 8530-001-018, 8530-001-053, 8530-001-058, AND 8530-001-064) (Zone Change 11-1) (First Reading)

Council Bill 11-R-24
Certifies Final EIR
Rose Gardens at Santa Teresita

Melching read by title Council Bill 11-R-24:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE ROSE GARDENS AT SANTA TERESITA SPECIFIC PLAN AS ADEQUATE AND COMPLETE, APPROVING CERTAIN FINDINGS RELATED THERETO, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM

Notice of the hearing was given, the affidavit is on file, and no additional written correspondence was filed in the matter.

Irma Hernandez, Senior Planner, presented an overview of the proposed project located at the southwest corner of Royal Oaks and Buena Vista, including existing site layout, phasing plan, planned development permit process, and flexibility and modifications to development standards.

Collette Morris, RBF Consulting, presented an overview of the California Environmental Quality Act (CEQA) and the EIR process, including purpose, advantages, review process, and project objectives.

Paul Martin presented an overview of the traffic impact analysis, including study intersections, forecast years 2013 and 2020 traffic findings, and mitigation.

Sister Mary Claire, Santa Teresita, presented an overview of the project, including background, team experience, Santa Teresita data, 2008-current restoration projects, senior living and care, funding, and regulations, and stated she looks forward to City Council review and approval.

Erin Kennedy, Project Manager, presented an overview of The Rose Gardens, including independent living, assisted living, skilled nursing, new support services, campus master plan, sustainability, cottage plaza, garden, exterior materials, and site amenities.

Patrick Berry provided information about the entitlement timeline and process.

There was discussion about lane change, air quality impacts, greenhouse gas emissions, parking structure, access, elevation, moderate income housing, and clarification pertaining to the "Required Parking" section on Page 35 of the Specific Plan, with the request to make the documents consistent with the discussion.

Mayor Paras-Caracci asked if anyone in the audience wished to speak on the item.

Linda Tedlock stated she previously worked at Santa Teresita, it is the best place for care in this area, this vision is phenomenal, and it is a plus for the City of Duarte to be the first with this state-of-the-art facility.

Chris Roski stated she lives in Rancho Cucamonga, her aunt was at Santa Teresita, this project is exciting, it offers something beyond normal care, and she looks forward to this project.

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

Reyes moved, Gaston seconded to introduce Council Bill 11-O-02, Council Bill 11-O-03, and Council Bill 11-O-04 for first reading, and carried unanimously.

RESOLUTION NO. 11-24

Reyes moved, Gaston seconded to adopt Resolution No. 11-24, and carried unanimously.

Council Bill 11-R-23
Landscape/Lighting 2011/12
Orders Levy of Assessments

Mayor Paras-Caracci announced this was the time and place set for a Public Hearing.

Melching read by title Council Bill 11-R-23:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2011-2012 WITHIN THE LANDSCAPE AND LIGHTING DISTRICT PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972

Notice of the hearing was given, the affidavit is on file, and no written correspondence was filed in the matter.

Dominic Milano presented the staff report.

Mayor Paras-Caracci asked if anyone in the audience wished to speak on the item.

Allen Field stated the vote to increase taxes was lost in June 2010, inquired about Resolution No. 11-20, and suggested the Duarte View be used to inform citizens.

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

Hensley stated Resolution No. 11-20 set the public hearing for this meeting, and Resolution No. 11-23 orders the levy.

Milano provided additional information about the assessment built into the bond issue and assessed across all parcels in the City, Prop 218, and the vote in 2010 for individual zones.

RESOLUTION NO. 11-23

Reyes moved, Fasana seconded to adopt Resolution No. 11-23, and carried unanimously.

RECONSIDER CONSENT
CALENDAR – Item Added

George requested an item be added to the Consent Calendar. Fasana moved, Reyes seconded to reconsider the Consent Calendar, and carried unanimously. Fasana moved, Reyes seconded to add and approve City Council attendance at the Independent Cities Association Conference, July 7-10, 2011, in San Diego, to Item 13.G, and carried unanimously.

BUSINESS ITEM
2011/12 L.A. County Probation
Agreements – GAPP/SCSP

Brian Villalobos presented a staff report about the 2011/2012 agreements with Los Angeles County Probation Department, and \$17,000 budgetary expenditure.

Reyes moved, Gaston seconded to approve the 2011/2012 Gang Alternative Prevention Program (GAPP) Services Agreement (includes General Fund appropriation of \$17,000), and School Crime Suppression Program (SCSP) Agreement with Los Angeles County Probation Department, per staff recommendation, and carried unanimously.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

FASANA: Suggested all look at the reapportionment maps, we will be split on Congressional Districts, there are great things happening at Friends of the Library and Royal Oaks School, good objectives were laid out at the strategic planning workshop, stated he has received calls regarding a basement modification issue raised by Brian Lister, and asked that there be some recommendation for a resolution.

FINLAY: Congratulated graduates at Duarte High School, and looks forward to the senior breakfast tomorrow.

GASTON: Thanked the 30 students who interviewed for the Mayor's Youth Council, thanked all for the work done on the Youth Summit, attended baseball tournament at Otis Gordon Park, received an inquiry about the possibility of a soccer tournament, asked if the Parks and Recreation Commission could look into that, attended a meeting on June 8 about preparing for summer and what we are doing to keep gang activities down, and asked for a report at the next meeting.

PARAS-CARACCI: Presented a mini State of the City at Country Villa Center, attended dinner for Think Together and met the founder and CEO, and acknowledged 1952 Monrovia/Duarte High School graduate Robert Draper.

ADJOURNMENT

Reyes moved, Finlay seconded to adjourn the meeting at 11:17 p.m., and carried unanimously.

Mayor Tzeitel Paras-Caracci

ATTEST:

City Clerk