

July 27, 2010

**AGENDA**  
**REGULAR JOINT MEETING OF THE**  
**CITY COUNCIL OF THE CITY OF DUARTE AND THE**  
**REDEVELOPMENT AGENCY OF THE CITY OF DUARTE**

**TUESDAY, JULY 27, 2010**

6:00 p.m. – Closed Session  
7:00 p.m. – Regular Session

COUNCIL CHAMBERS, 1600 HUNTINGTON DRIVE, DUARTE, CA 91010

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***MISSION STATEMENT***

*With integrity and transparency, the City of Duarte provides exemplary public services in a caring and fiscally responsible manner with a commitment to our community's future*

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MAYOR/REDEVELOPMENT AGENCY CHAIR MARGARET FINLAY  
MAYOR PRO TEM/REDEVELOPMENT AGENCY VICE CHAIR TZEITEL PARAS-CARACCI  
COUNCILMEMBER JOHN FASANA  
COUNCILMEMBER LOIS GASTON  
COUNCILMEMBER PHIL REYES

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*City/Agency Staff:*

Darrell George, City Manager/Agency Executive Director  
Kristen Petersen, Assistant City Manager/Director of Administrative Services  
Craig Hensley, Community Development Director  
Donna Georgino, Director of Parks and Recreation  
Brian Villalobos, Director of Public Safety Services  
Dan Slater, City Attorney/Agency General Counsel  
Marla Akana, City Clerk

**ADDRESSING THE CITY COUNCIL AND REDEVELOPMENT AGENCY:**

If you wish to address the City Council or Redevelopment Agency on any item on the Agenda, you should fill out a Speaker Card indicating which item or items on the Agenda you wish to speak about, and hand the card to the City Clerk. You will be called to the Podium when that item is heard by the City Council/ Redevelopment Agency. If you wish to address the City Council or Redevelopment Agency on any item that is not on the Agenda, but that is within the subject matter jurisdiction of the City or Redevelopment Agency, you may do so under the "Oral Communications" portion of the Agenda. At the podium, before starting your remarks, please state your name and city of residence for the record.

**ADA ACCESSIBILITY NOTICE:**

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, you should contact the City Manager's office at (626) 357-7931. Notification no later than 1:00 p.m. on the day preceding the meeting will enable the City to make reasonable arrangements to assist your accessibility to this meeting.

Note: Any documents distributed by the City/Agency to a majority of the City Council/Agency Board less than 72 hours prior to the City Council/Agency meeting will be made available for public inspection at City Hall, 1600 Huntington Drive, Duarte, CA 91010, during normal business hours, except such documents that relate to closed session items or which are otherwise exempt from disclosure under applicable law.

**THE FOLLOWING ITEMS WILL BE HEARD AT 6:00 P.M.**

1. CALL TO ORDER OF CITY COUNCIL AND REDEVELOPMENT AGENCY, AND NOTATION OF ANY ABSENCES
2. ADOPTION OF THE AGENDA
3. CLOSED SESSION
  - A. Public Input – *Members of the public wishing to speak concerning the closed sessions listed below may do so at this time. Each person may speak once for no more than 3 minutes.*
  - B. Conference with Legal Counsel – Anticipated Litigation/Initiation of litigation; Pursuant to Government Code Section 54956.9(c); 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. 2009051057” and associated Environmental Impact Report)
  - C. Conference with Legal Counsel – Existing Litigation pursuant to Government Code Section 54956.9(a); *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*
  - D. Conference with Real Property Negotiators pursuant to Government Code Section 54956.8; Negotiating parties: Redevelopment Agency of the City of Duarte and Southern California Presbyterian Homes; Agency Negotiators: Darrell George and Craig Hensley; Concerning Agency-owned vacant lot at southeast corner of Huntington Drive and Pops Road (1700 Huntington Drive), APN 8530-023-912, 913, and 076; Under negotiation: Price and terms of payment

**THE FOLLOWING ITEMS WILL BE HEARD NOT EARLIER THAN 7:00 P.M.**

4. PLEDGE TO THE FLAG
5. MOMENT OF REFLECTION
6. FITNESS/MENTAL WARM-UP
7. PUBLIC REPORT OF CLOSED SESSION ITEMS
8. ANNOUNCEMENTS OF UPCOMING COMMUNITY EVENTS  
*Any person who wishes to make a brief announcement of a future community event that is open to the general public may do so at this time.*
9. SPECIAL ITEMS – Page 1
  - A. Proclamation – National Night Out
  - B. Presentation by Metro Gold Line Foothill Extension Construction Authority Executive Director Habib Balian – Gold Line Foothill Extension Project and Schedule
  - C. Presentation – Public Safety Department monthly update
10. ORAL COMMUNICATIONS—ITEMS NOT ON THE AGENDA (30 MINUTES)  
*Any person wishing to speak on any issue that is not on the Agenda, but that is within the subject matter jurisdiction of the City or Agency, may do so at this time. The opportunity to speak is on a first come, first serve basis. Each person may speak once for no more than 3 minutes and there is a maximum of 30 minutes for all Oral Communications at this time. A continuation of the Oral Communications period occurs later in the meeting, and persons who have not spoken during this initial 30-minute period may do so during the continuation period. Under the Brown Act, members of the City Council, Agency, and staff can respond only with a brief reply to issues raised in Oral Communications, and no action on such matters may take place at this meeting.*
11. ITEMS TO BE ADDED TO THE CONSENT CALENDAR
12. CONSENT CALENDAR – Page 2  
*All matters listed on the Consent Calendar are to be approved with one motion unless a member of the City Council/Agency removes an item for separate action. Any consent calendar item for which separate action is requested shall be heard as the next Agenda item.*

- A. City Council and Agency – Approval of Minutes – July 13, 2010
  - B. City Council and Agency – Approval of warrant register – July 27, 2010
  - C. City Council and Agency – Motion to introduce and/or adopt all ordinances and resolutions presented for consideration by title only and waive further reading
  - D. Approval of Declaration of Covenants and Restrictions and Maintenance Agreement with City of Hope for COH maintenance of existing City sidewalk/frontage easement at 2144 Buena Vista Street, and authorization for the City Manager to sign the Agreement on behalf of the City
  - E. Approval of an Agreement with City of Hope National Medical Center accepting COH’s commitment to participate in the federal 340B prescription drug discount program for low income individuals who are not entitled to Medicare or Medicaid, and authorization for the City Manager to sign the Agreement on behalf of the City
  - F. Notice of absence by Neil Bjornsen from Traffic Safety Commission Meeting of June 1, 2010 (Receive and file)
  - G. Council Bill 10-R-31 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE AUTHORIZING THE ACCEPTANCE OF DEEDS AND GRANTS CONVEYING AN INTEREST IN OR EASEMENT UPON REAL ESTATE TO THE CITY FOR PUBLIC PURPOSES IN ACCORDANCE WITH GOVERNMENT CODE SECTION 27281
  - H. Agency Bill RA-387 A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF DUARTE AUTHORIZING THE ACCEPTANCE OF DEEDS AND GRANTS CONVEYING AN INTEREST IN OR EASEMENT UPON REAL ESTATE TO THE AGENCY FOR PUBLIC PURPOSES IN ACCORDANCE WITH GOVERNMENT CODE SECTION 27281
  - I. City Council/City Manager Conference Attendance
13. ITEMS REMOVED FROM CONSENT CALENDAR
14. JOINT PUBLIC HEARING – Page 23
- RA-386 A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF DUARTE APPROVING AN OPTION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF DUARTE AND SOUTHERN CALIFORNIA PRESBYTERIAN HOMES
- 10-R-28 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE APPROVING AN OPTION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF DUARTE AND SOUTHERN CALIFORNIA PRESBYTERIAN HOMES
15. BUSINESS ITEMS – Page 62
- A. Designation of Voting Delegate and Voting Alternate(s) for League of California Cities Annual Conference, September 15-17, 2010 – San Diego
  - B. Discussion concerning Arizona Senate Bill 1070 regarding immigration
16. CONTINUATION OF ORAL COMMUNICATIONS
- Any person who did **not** speak during the initial 30 minute Oral Communications period earlier in the meeting, who wishes to speak on any issue that is **not** on the Agenda but that is within the subject matter jurisdiction of the City or Agency, may do so at this time. Each person may speak once for no more than 3 minutes. Under the Brown Act, the City Council, Agency, and staff can respond only with a brief reply to issues raised in Oral Communications and no action on such matters may take place at this meeting.*
17. ITEMS FROM CITY COUNCIL/AGENCY MEMBERS AND CITY MANAGER/ EXECUTIVE DIRECTOR (AB 1234 reports on trips, conference attendance, and meetings)
18. ADJOURNMENT