

MINUTES

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE REGULAR MEETING – FEBRUARY 24, 2009

At 6:00 p.m., two Closed Sessions were held (as stated below). Mayor Fasana called the meeting to order at 6:03 p.m., with four members present (Paras-Caracci arrived at 6:08 p.m.).

ADOPTION OF AGENDA

Finlay moved, Gaston seconded to adopt the Agenda, as amended to consider Item 12.H (Council Bill 09-R-05) after Item 9.B, and to add League Meeting on March 5 (all Council) and Washington, D.C. lobbying trip on March 9 (Fasana) to Item 12.I (Conference Attendance), and carried unanimously.

CLOSED SESSIONS

- 1) Anticipated Litigation
- 2) Real Property Negotiations
(Continued to later in meeting)

Mark Montgomery stated he does not want a housing project, many are against the proposed development, and the property should be left as commercial.

D. J. Anawalt stated he is a land owner and business owner, and has concerns with safety, security, street parking shortage, traffic, taxpayer dollars from Redevelopment Agency funds, and opportunity for public input before funds are spent.

Filippo Fanara stated he supports the project, it is in response to greater housing needs, there are challenges, neighbors' concerns will be considered, this is in the early stage, and within 60 days some concerns will be answered.

Pauline Montgomery stated traffic is bad enough without that apartment, there have been burglaries, and the apartments will bring more trouble to the neighborhood.

At 6:00 p.m., two Closed Sessions were announced. Slater stated the first Closed Session is pursuant to Government Code Section 54956.9(b)(1); Anticipated litigation/initiation of litigation; Number of potential cases: 1. It was determined that the second Closed Session would be heard later in the meeting. The Closed Session concluded at 7:00 p.m.

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 Fasana called the meeting to order at 7:05 p.m.

RECORDATION OF ATTENDANCE

The following were in attendance:
PRESENT: Finlay, Gaston, Paras-Caracci, Reyes, Fasana
ABSENT: None
ADMINISTRATIVE STAFF PRESENT: City Manager
George, City Attorney Slater

PLEDGE TO THE FLAG

Sergeant Tony Haynes led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION

A moment of reflection was observed.

FITNESS/MENTAL WARM-UP

Finlay and George provided the warm-up.

PUBLIC REPORT OF CLOSED SESSION

Slater stated during the first Closed Session, the City Council/Agency Board received an update on the status of the potential litigation, and unanimously directed Legal Counsel to monitor the situation and conduct further research. Slater stated discussion on the second item did not commence, and that item will be heard later in the meeting.

ANNOUNCEMENTS

Mark Montgomery announced San Dimas Historical Society Meeting on February 25.

Kay Perlman, Duarte Library, announced Google tools and education program on March 14, cartoon/caricature workshop on

March 21, and astronomy program on March 5.

Brian Villalobos announced tonight was Sergeant Herman's last meeting, and introduced Sergeant Tony Haynes.

Karen Herrera announced hazardous waste event on March 7, Farmer's Market every Saturday, block captain meeting on March 4, Midnight Basketball Program on March 28, and Spring Basketball Clinic from April 13-17.

Mayor Fasana announced Family Wilderness Day on April 18, and congratulated Councilmember Gaston for being selected as the 44th Assembly District's Woman of the Year.

Gaston announced Foothill Unity Center's volunteer appreciation luncheon on March 7.

Reyes announced Hilda Solis was confirmed as the new Labor Secretary, and suggested a reception be held in her honor sometime in the coming months.

SPECIAL ITEMS

Recognition – Samuel Kang

Mayor Fasana presented Samuel Kang with a framed certificate in appreciation of his service as the Business Representative to the Economic Development Commission, and congratulations were extended.

Presentation by Majestic Realty
Proposed NFL Stadium

John Semcken, Majestic Realty, made a presentation about the proposed Los Angeles Stadium in the city of Industry, and provided information about location, demographics, design, natural topography, sustainable building techniques, savings strategy, EIR, economic impacts, and the NFL's commitment to communities, and answered questions from City Councilmembers.

Council Bill 09-R-05
Supports NFL Stadium

Slater read by title Council Bill 09-R-05:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE DECLARING ITS SUPPORT FOR THE CONSTRUCTION OF A NATIONAL FOOTBALL LEAGUE STADIUM IN INDUSTRY, CALIFORNIA

RESOLUTION NO. 09-05

Finlay moved, Reyes seconded to adopt Resolution No. 09-05, and carried unanimously.

Presentation by Foothill Workforce Investment Board

Phillip Dunn, Foothill Workforce Investment Board, made a presentation about the Board's activities, funding for workforce development from stimulus package, and programs for summer youth, adult employment, green jobs, counseling, mentoring, and CalGRIP.

ORAL COMMUNICATIONS

Paras-Caracci introduced students from Azusa Pacific University, who provided information regarding their project about the City of Duarte.

ITEMS ADDED TO CONSENT

Gaston moved, Finlay seconded to add the following items to City Council Conference Attendance, and carried unanimously: League Meeting on March 5 (all Council) and Washington, D.C. lobbying trip on March 9 (Fasana).

CONSENT CALENDAR

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

Approve Items A, B, C, E, F.

Receive and File Items D, G, I.

Item H – (09-R-05) Considered earlier in the meeting.

RESOLUTION NO. 09-04

Item E–Council Bill 09-R-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE URGING THE METRO BOARD OF DIRECTORS TO REVISE THE DRAFT LONG-RANGE TRANSPORTATION PLAN

BUSINESS ITEMS

Presentation – Traffic Calming Evaluation Study

Steve Esbenshade, Engineering Division Manager, provided a staff report and introduced Scott Ma, Hartzog and Crabill, Inc., who presented the Traffic Calming Evaluation Study for Fernley Drive, and discussed traffic patterns, speed tables, comparison of traffic data before and after installation of speed tables, and the recommendation made to the Traffic Safety Commission to permanently install speed tables on Fernley Drive.

Traffic Safety Commission Recommendation

Reyes moved, Paras-Caracci seconded to approve the recommendation from the Traffic Safety Commission for permanent installation of speed tables on Fernley Drive, and carried unanimously.

Authorization to develop policy

Reyes moved, Paras-Caracci seconded to authorize staff to develop a policy for future speed table installation requests, with review and recommendations by the Traffic Safety Commission, and carried unanimously.

Mayor Fasana stated the Gold Line is looking at the area south of Fernley for a possible maintenance facility.

Report – Public Safety Dept. End-of Year Review

Brian Villalobos provided a PowerPoint presentation about the comparison of 2007/08 Part I Crimes, gang force statistics, community outreach, youth services, youth employment, youth education, youth outreach, DART, and Youth Works.

There was discussion about community outreach, possibility of going door-to-door, trust issues, youth programs, input from the community, opportunities to participate, and other solutions.

ORAL COMMUNICATIONS
(Continuation)

The following spoke on items not on the agenda.
Filippo Fanara – Affordable housing project.

**ITEMS FROM CITY COUNCIL/
CITY MANAGER**

GASTON: Attended benefits training session and the League's SB 375 briefing in Lakewood, thanked staff and community for attending the forum at Andres Duarte School, thanked all involved with the opening of Fresh & Easy and stated the parking lot has been full, attended the joint meeting with Contract Cities and Independent Cities Association where Judy Mitchell was honored, visited the city of Hercules, California, and stated the Black History event at the PAC was great.

PARAS-CARACCI: Attended the event where Judy Mitchell was honored, stated Fresh & Easy is a welcome addition to the community and appreciates that it is a neighborhood market, noticed that they advertise by bicycles, and attended the CPRS luncheon.

FINLAY: Stated much is happening in the City such as the Peace March and CPRS luncheon, thanked all involved with Fresh & Easy and stated it is a clean and friendly store, stated the NLC will webcast a program about the Federal Recovery Package on February 25, and announced she has a new granddaughter.

REYES: Appreciated all involved in the Peace March, stated Fresh & Easy is a major addition to the east end of town, thanked staff for hosting the CPRS luncheon, and thanked Kevin Morris for inviting him to speak to the students.

FASANA: Provided the City Manager with correspondence he received regarding the Sheriff's Deputies, and asked staff to respond, provided the City Manager with correspondence he received from Supervisor Antonovich requesting cities to adopt

an ordinance similar to the recently adopted County ordinance about additional restrictions on sex offenders for a future agenda, stated the Southern California Edison and Forest Service Tehachapi Renewable Transmission Project draft EIR is available, asked that copies of the letter from Charter about voluntarily entering Chapter 11 be provided to City Council, requested an agenda item about the proposed Irwindale MRF, stated Metro Gold Line Foothill Construction Authority intends to store rail cars on the tracks, congratulated all involved with the Peace March, announced COG meeting about the economic stimulus on March 2, stated Fresh & Easy is a tremendous addition to the City, Metro Call for Projects are being worked on by staff, and appreciated residents and staff attending the neighborhood meeting.

SLATER: Stated there are new FPPC regulations related to receiving tickets for events, and a report and formal policy will be on a future Agenda for adoption.

GEORGE: Thanked staff that worked with Fresh & Easy and the property owner, and stated the Tehachapi Project and Cal-Am presentations will be on the Agenda next month.

CLOSED SESSION
(Continued from earlier)
Real Property Negotiations

At 9:50 p.m., the Closed Session item that was continued from earlier in the meeting was held. Slater stated the Closed Session is pursuant to Government Code Section 54956.8; Conference with real property negotiators; Agency negotiators: Darrell George, Craig Hensley, Sandi Shannon; Negotiating parties: Redevelopment Agency of the City of Duarte, Pasadena Tournament of Roses Association, CIBA Real Estate, and The Acevedo Group; Under negotiation: Price and terms of payment; Concerning property at 1727 Buena Vista, Duarte (APNs 8528-004-027, 019, 018, and 8528-005-024). The Closed Session concluded at 10:59 p.m.

PUBLIC REPORT OF
CLOSED SESSION

Slater stated the City Council/Agency Board discussed the price proposed for the acquisition of the property and terms under which the Redevelopment Agency would fund the acquisition, and unanimously directed the negotiators to continue discussing the price and terms with the other negotiating parties, and report back, with no further action taken.

ADJOURNMENT

Paras-Caracci moved, Gaston seconded to adjourn the meeting at 11:04 p.m., in memory of Gladstone Yap, and carried unanimously.

Mayor John Fasana

ATTEST:

City Clerk