

MINUTES

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

At 6:00 p.m., three Closed Sessions were held (as stated below). Mayor Fasana called the meeting to order at 6:10 p.m., with four members present (Gaston arrived during the Closed Session).

ADOPTION OF AGENDA

Finlay moved, Reyes seconded to adopt the Agenda, as amended to adjourn the meeting to the Strategic Planning Workshop, April 8, 2009, 8:00 a.m., and to adjourn the meeting in memory of Terry Blackwood, Reverend Crocker, and the four Oakland police officers, and carried unanimously.

CLOSED SESSIONS

- 1) Real Property Negotiations
- 2) Real Property Negotiations
- 3) Anticipated litigation (1 case)

Slater stated the first Closed Session is pursuant to Government Code Section 54956.8; Conference with real property negotiators; Agency negotiator: Darrell George; Negotiating parties: Redevelopment Agency of the City of Duarte and Duarte-Jacobsen Family Holdings I, LLC, a California limited liability company; Under negotiation: Price and terms of payment; Property: 1470 Mountain, APN 8530-012-005, 073, 074, 079, 080, 081, 082, 083, 084, 089, 090, 091, 092, 093, and 094. The second 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 Lisa Magno; 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 third Closed Session is pursuant to Government Code Section 54956.9(c); Conference with legal counsel; Anticipated litigation; Number of potential cases: 1. The Closed Sessions concluded at 6:50 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

Nita Norgard led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION

A moment of reflection was observed.

FITNESS/MENTAL WARM-UP

Reyes and Finlay provided the warm-up.

PUBLIC REPORT OF CLOSED SESSION

Slater stated during the first Closed Session, the Agency Board discussed a request by the developer to increase the Agency's financial participation in the project, and voted 4-1, with Mayor Fasana dissenting, to increase financial assistance by \$50,000 to assist with the cost of a traffic signal, and stated an amendment to the DDA will be brought back for formal adoption. During the second Closed Session, the Agency Board discussed potential terms of an agreement, and unanimously voted to authorize the preparation of an Exclusive Negotiating Agreement with Lisa Magno, to be brought back for formal approval, and also authorized staff to expend funds not exceeding the City Manager's authority to develop architectural renderings for the potential project. During the third Closed Session, City Council discussed anticipated litigation, and unanimously authorized the City Man-

ager to execute a Tolling Agreement that will forestall litigation in this matter for now, and allow the parties to continue discussing a resolution to the issues.

ANNOUNCEMENTS

Kay Perlman, Duarte Library, announced story time and Easter egg hunt on April 9-10, National Library Week, reading to children program April 16-17, art workshop on April 15, and book sale on April 18.

Helen Lam announced first-time homebuyers' seminar on April 4 at the Community Center Lounge.

Donna Georgino announced that Royal Oaks Elementary School won the Jr. Olympics Track Meet.

Councilmember Gaston announced All Schools Talent Show on March 28, 7:00 pm., at the PAC Center.

Mayor Fasana announced midnight basketball program on March 28, Family Wilderness Day on April 18, and Community Clean-Up Day and Neighborhood Watch Service Project Day on April 25.

Brian Villalobos announced Community BBQ at Otis Gordon Park on April 4.

SPECIAL ITEMS

Boys 7th Grade Basketball

George Dang, Recreation Supervisor, introduced the Boys 7th Grade Duarte Recreation Youth Basketball Team Coaches Erick Atienzo and Gabriel Araujo and team members. Mayor Fasana presented congratulatory certificates to the team members for winning the middle school tournament championship.

Recognition – Lourdes Barba

Jasmine Klinton, Nutrition Program Coordinator, introduced Lourdes Barba, parent nutrition education volunteer. Mayor Fasana presented her with a framed certificate in appreciation of her active participation in the program.

Presentation by Richard Ledesma

Richard Ledesma described the BEAT Program he is initiating to decrease the potential risk of obesity in youth to be held at Duarte Park on Sundays, and answered questions from Councilmembers. Mayor Fasana suggested Mr. Ledesma meet with the City Manager regarding availability of facilities.

Presentation by L.A. County
Fire Department – Wildland Fire

Battalion Chief Chris Bundeson showed a PowerPoint presentation about the 2008 Wildland Fire Protection Initiative, and discussed limiting property loss, increasing wildland fire survivability, property and structure preparation, wildfire action plan, evacuation plan, and surviving the fire.

Presentation by Southern California Edison–Tehachapi Project

Mayor Fasana left the building due to a potential conflict.

Elisa Clifford, Southern California Edison Company, discussed the proposed Tehachapi Renewable Transmission Project, including the CPUC application and approval process, greening the grid, project overview, and EIR process.

Mayor Fasana returned to the dais.

ORAL COMMUNICATIONS

The following spoke on items not on the agenda:
Victor Lopez – Material on his property, working on his property.
Nate Lopez – 30-foot material to build his home.

Slater stated there is ongoing litigation on this item, the hearing was continued today, and it is currently pending.

CONSENT CALENDAR

Gaston asked that Items A and D be removed from Consent.

Finlay moved, Paras-Caracci seconded to approve the Consent Calendar, as follows, and carried unanimously.

Approve Items B, C, E.

ITEMS REMOVED

Item A (Minutes of March 10, 2009) – After discussion, Paras-

Caracci moved, Gaston seconded to approve the Minutes, and carried unanimously.

Item D (Notices of absence from Public Safety Commission Meetings) – Gaston inquired about the Commission absences. Villalobos responded. Gaston moved, Paras-Caracci seconded to receive and file the notices of absence, and carried unanimously.

BUSINESS ITEMS
FPPC Regulation 18946.4
(Tickets)

Slater presented a report about the new FPPC regulation regarding tickets pertaining to non-profit organizations and political fundraisers. Finlay moved, Reyes seconded to receive and file the report by the City Attorney to City Council/Agency Board concerning new FPPC Regulation 18946.4 on tickets provided to City Councilmembers/Agency Board members by non-profit organizations and political organizations for fundraising events, and carried unanimously.

RESOLUTIONS
Council Bill 09-R-07
Ticket Distribution Policy

Slater read by title Council Bill 09-R-07:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, ADOPTING A TICKET DISTRIBUTION POLICY IN FURTHERANCE OF THE CITY'S REASONABLY DEFINED PUBLIC PURPOSES

Agency Bill RA-380
Ticket Distribution Policy

Slater read by title Agency Bill RA-380:

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF DUARTE, CALIFORNIA, ADOPTING A TICKET DISTRIBUTION POLICY IN FURTHERANCE OF THE AGENCY'S REASONABLY DEFINED PUBLIC PURPOSES

RESOLUTION NO. 09-07
RESOLUTION NO. RA-380

Finlay moved, Reyes seconded to adopt Resolution No. 09-07 and Resolution No. RA-380, and carried unanimously.

ORAL COMMUNICATIONS
(Continued)

The following spoke on items not on the Agenda:
Harb Thind – Weeds on Mt. Olive, trees on Royal Oaks.

**ITEMS FROM CITY COUNCIL/
CITY MANAGER**

GASTON: Thanked staff and Councilmembers for the flowers and recognition at the last meeting, stated the sign on the northwest corner of Huntington and Buena Vista advertising the farmer's market should be mounted on plywood, announced foreclosure prevention seminar on March 26 in Los Angeles, noted sales tax will increase on April 1 and inquired if that information can be posted on our website, received an inquiry card from Metro Gold Line, and attended Contract Cities Board meetings in Long Beach and Paramount, Anita Oaks School fundraiser, site visit in Indian Wells, stimulus grants meeting at Laborer's Training site in Azusa, and memorial event for Francisco Martinez Flores.

PARAS-CARACCI: Stated recently there has been a rash of home burglaries and she looks forward to specific targeted information going out to our community, attended NLC Conference in Washington, D.C., requested a report in the next few months about the City's savings with the NLC prescription drug program, provided information to Mayor Fasana about the request for a statement of support from the NLC Mayors' Action Challenge for Children and Families, and attended the César Chávez event.

GEORGE: Announced Community BBQ at Otis Gordon Park on April 4, Best Buy Job Fair, and Best Buy grand opening on May 15.

FINLAY: Stated the NLC Conference was excellent, she sits on the Advisory Council, information discussed included TOD, jobs, job quality in the green economy, impact of economy in cities in Germany, and sister city group exchanges, stated the Sister Cities annual conference is in Belfast this year, the NLC prescription drug discount program is a benefit to residents, announced Green Cities Conference in Oregon on April 18-21, enjoyed the Santa Teresita run/walk event, and read portions of a letter regarding the mentor program and recreation activities.

REYES: Congratulated DYAC on its opening day program, attended services for Nell Soto, thanked all who participated in the L.A. County Youth Leadership Program, attended the open house of the Laborer's Training Center in Azusa, congratulated Lupe De La Cruz, public government affairs official with Pepsi, noted the recent passing of Sue Lawrence, stated he would eventually like to look at a memorial wall near the statue, thanked staff for the César Chávez event, requested Westminster Gardens be recognized for its volunteerism, stated the Santa Teresita 5K run was a great event and well attended, and stated the oleanders on Duarte Road expose buildings and graffiti, and a walkway from Mountain to Highland with landscaping would be nice.

FASANA: Congratulated Santa Teresita on the excellent 5K event, attended César Chávez event, requested a proclamation congratulating Sheila Fleming and the Foothills Pregnancy Resource Center on its fifth anniversary be agendized, stated the basis for green jobs came through the work of Hilda Solis, announced COG Energy Partnership meeting and AQMD stimulus funding workshop on March 25, thanked the Fire Department for the beneficial presentation, requested a breakfast meeting be scheduled with Station 44 Fire Crew to get a sense of what their needs are, and announced Strategic Planning Workshop on April 8 at 8:00 a.m.

ADJOURNMENT

Gaston moved, Finlay seconded to adjourn the meeting at 9:25 p.m., to the Strategic Planning Workshop, April 8, 2009, 8:00 a.m., at Westminster Gardens Fellowship Hall, 1420 Santo Domingo Avenue, Duarte, in memory of Terry Blackwood, Reverend Crocker, Sgt. Mark Dunakin, Officer John Hege, Sgt. Ervin Romans, and Sgt. Daniel Sakai, and carried unanimously.

Mayor John Fasana

ATTEST:

City Clerk