

MINUTES

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE ADJOURNED REGULAR MEETING – JULY 8, 2008

INTERVIEWS	At 5:30 p.m., the Duarte City Council conducted interviews for City Commissions and Mayor's Youth Council. Mayor Reyes called the meeting to order at 5:33 p.m., with three members present (Paras-Caracci and Fasana arrived prior to the first interview).
ADOPTION OF AGENDA	<p>Slater stated Closed Session Item 4.C. should be amended to read "Number of Potential Cases: 2" since one of the potential cases has become existing litigation under Government Code Section 54956.9, and requested adding that item to the Agenda (James Hunley vs. Darrell George and Does 1-10, L.A. Superior Court Case No. ES115743), and stated a clerical change was made to Consent Item 13.D (Council Bill 08-R-15), and copies were provided to City Council and made available to the public.</p> <p>Gaston moved, Finlay seconded to adopt the Agenda, as amended as stated above, and carried unanimously.</p>
CLOSED SESSIONS	At 6:00 p.m., four Closed Sessions were held. Slater stated the first Closed Session is pursuant to Government Code Section 54957.6; Conference with labor negotiators; Designated City representatives: Darrell George, Steve Filarsky, Dan Slater; Employee Organization: Service Employees International Union (SEIU) Local 721. The second Closed Session is pursuant to Government Code Section 54956.9(b); Conference with legal counsel; Anticipated litigation/Threatened litigation; Number of potential cases: 2. The third Closed Session is pursuant to Government Code Section 54956.9, Existing Litigation, James Hunley vs. Darrell George and Does 1-10, L.A. Superior Court Case No. ES115743). The fourth Closed Session is pursuant to Government Code Section 54956.8, Conference with Real Property Negotiators; Agency negotiators: Darrell George, Silvia Hurtado; Property: 952 Huntington Drive, Duarte, APN 8530-13-010; Under negotiation: Price and terms of payment; Negotiating parties: Redevelopment Agency of the City of Duarte and Resch Trust. It was noted that the Closed Session for Real Property Negotiations pertaining to the Northeast corner of Buena Vista and Huntington Drive was continued to July 22, 2008. The Closed Sessions concluded at 7:25 p.m.
1) Conference with Labor Negotiators	
2) Conference with Legal Counsel-Threatened Litigation	
3) Conference with Legal Counsel – Existing Litigation	
4) Conference with Real Property Negotiators	
	<p>The City Council/Redevelopment Agency of the City of Duarte met in an adjourned regular meeting in the Council Chambers, 1600 Huntington Drive, Duarte, California. Mayor Reyes called the meeting to order at 7:29 p.m.</p>
RECORDATION OF ATTENDANCE	<p>The following were in attendance: PRESENT: Fasana, Finlay, Gaston, Paras-Caracci, Reyes ABSENT: None ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Slater</p>
PLEDGE TO THE FLAG	Khalil Pontikes led the Pledge of Allegiance to the Flag.
MOMENT OF REFLECTION	A moment of reflection was observed.
FITNESS WARM-UP	Karen Herrera led the group in a series of warm-up exercises.
PUBLIC REPORT OF CLOSED SESSION	Slater stated during the first Closed Session, City Council received an update on the ongoing discussions with the Union regarding a new contract, and unanimously directed staff to continue discussions, with no further reportable action. During the second Closed Session, the City Council conferred with legal counsel on the status of two potential cases, and received a

report, with no action taken. During the third Closed Session, City Council received a report from legal counsel pertaining to L.A. Superior Court Case No. ES115743 filed on July 8, 2008, by plaintiff James Hunley, defendant Darrell George, City Manager, and stated the City will respond to the complaint in the appropriate manner, with no further action taken. Slater stated the item pertaining to real property at the Northeast corner of Buena Vista and Huntington Drive was not discussed, and was continued to July 22, 2008. During the fourth Closed Session, the Agency Board discussed the potential acquisition of the property located at 952 Huntington Drive, and unanimously directed staff to continue discussions with the property owner to acquire the property for \$633,000 and to effect a purchase/sale agreement and authorize the City Manager/Executive Director to sign that agreement.

ANNOUNCEMENTS

Pui-Ching Ho, Duarte Library, announced Summer Reading Program on Tuesdays and Fridays at 3:00 p.m., and carnival in the Library's parking lot on August 2.

Ed Houlemarde, DYAC, announced the T-ball Tournament has wrapped up, thanked Parks and Recreation Department staff for their help, four scholarships were awarded to graduating students, and stated DYAC would like to be added to the Youth Resource Guide website.

Harb Thind invited all to participate on July 14, 6:00 p.m., at Northview Middle School for an inspection of school facilities and to provide input.

Karen Herrera encouraged all to visit the City's Youth Resource Guide website, announced Concert in the Park on July 9, City of Hope blood drive on July 23, hazardous waste collection events on July 26 and August 16, A Game Fundamentals Basketball Clinic August 4-8, Duarte's Promise back-to-school event on August 21, College Prep Seminar in the Fall, and stated City Commission applications are available on the City's website.

Mary Houlemarde announced fundraiser for Extreme Dance FX on July 18 in El Monte, and stated the team will be competing in Las Vegas on the television show America's Got Talent.

Jim Kirchner, Chamber of Commerce, announced business luncheon on July 10 at Villa Italia, and Good Morning Duarte on July 15 at Cuisine on the Green.

SPECIAL ITEMS

Oaths of Office – Parks and Recreation Commissioners

The Oath of Office was administered to the newly appointed Parks and Recreation Commissioners in attendance, Elizabeth Thaller, Lorraine Perez, and Sagar Desai. Mayor Reyes presented them with Certificates of Appointment and congratulations were extended. It was noted those Commissioners not in attendance would take the Oath of Office prior to their Commission meeting.

Recognition–Demetrius Pontikes

Mayor Reyes introduced Demetrius Pontikes, and presented him with a Certificate in recognition of his competing at the National Finals of the 2008 Aquafina Pitch Hit & Run at Yankee Stadium, and wished him success.

Introduction – Student Interns

Donna Georgino, Director of Parks and Recreation, described the Student Intern Program, and introduced Angelie Naron (Facility Maintenance), Kristina Pichardo (Community Development), Mario Mendez (Finance), and Gonzalo Lozano (Public Safety). Jessica Joanou (Recreation) was not in attendance.

Recognition – Pui-Ching Ho

Mayor Reyes presented a plaque to outgoing Duarte Librarian Pui-Ching Ho in appreciation of her professionalism and creativity in providing information, education, entertainment, culture, and community to Duarte Library patrons for the past five years.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda:
James Hunley – Neighbor’s fence, lawsuit, constitutional rights.
Sandy Paterson – Letter of support for Sirius Gearheads.
Lino Paras – Mr. George’s integrity, moral character.

CONSENT CALENDAR

Lino Paras stated \$21,000 was paid for legal services in May, stated if money is spent regarding the Gomez CUP application, it would be contrary to what the majority of the City Council decided, and stated it should be discussed in public.

Gaston moved, Finlay seconded to approve the Consent Calendar, as follows, and carried unanimously.
Approve Items A, B, C, D.
Remove Item E.

(RESOLUTION NO. 08-15)
Grant funds for Solid Waste
Cleanup at Golf Course

(Item D–Council Bill 08-R-15 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE SOLID WASTE CLEANUP PROGRAM FOR THE INSTALLATION OF A NEW LANDFILL GAS COLLECTION, CONTROL AND MONITORING SYSTEM AT THE RANCHO DUARTE GOLF COURSE AND RELATED DRAINAGE WORK AND FACILITIES)

ITEM REMOVED

Item E. – City Council/City Manager Conference Attendance. Paras-Caracci stated the Board Meeting she will attend July 25-26 in Santa Cruz is for the League of California Cities (not NLC), and requested the words “Leadership role” be added after “Education” for the Reason/Benefit of the event on the Advance Expense Request. Finlay moved, Gaston seconded to approve Item E with the above amendments, and carried unanimously.

TRAFFIC SAFETY COMMISSION–Hearthstone Tract Parking
(Continued from 6/24/08)

Steve Esbenshade, Engineering Division Manager, provided a staff report about the recommendation from the Traffic Safety Commission concerning overnight parking restrictions in the Hearthstone Tract, and noted the items that were added to the report since the last meeting.

Paras-Caracci excused herself from the discussion and left the building on the recommendation of the City Attorney, since she lives in close proximity to the area being discussed.

Mark Miller stated he has enforced a similar rule in South Pasadena and does not feel it helped, it applies to a small portion of the City and seems arbitrary, urged Council to level the playing field for all residents, and stated it should be extended to all or it should be removed.

Allen Field stated this was set up 29 years ago for a reason, he believes it should continue, one house had six cars in the driveway, those complaining do not want to buy a sticker, and stated the ordinance is good and should not be changed.

Anil Gunaratne suggested keeping the restriction on parking between 3-6 a.m., and stated he wants the opportunity for one or two interchangeable tags.

Lino Paras suggested allowing two stickers per house registered to the homeowner, if they have guests, the guest can park inside, each street could vote on it, and it should be kept simple.

Roger Rittenhouse stated when he purchased his home 29 years ago, he understood the parking restriction, he is against parking on the street between 3-6 a.m., he thinks it is a good ordinance, presented a list of neighbors’ signatures that want to maintain the 3-6 a.m. no parking restriction, he altered his property so he can park cars on it, suggested some can clean out their garages and side yards, and thinks it is fair the way it is set up.

There was discussion about number of permits, test period, consistency throughout the City, and street cleaning.

Fasana moved, Gaston seconded to direct staff to bring back to City Council the necessary resolutions to approve a one-year pilot program in the Hearthstone Tract to allow two interchangeable parking permits for each house, to eliminate the special circumstances requirement, to retain the no parking restriction between 3:00 a.m. and 6:00 a.m., to add a no parking restriction on street sweeping days, and as clarified by a friendly amendment, to include recommendations on proposed fees.

There was additional discussion about cost for signage, need for budget amendment, and the possibility of having the service pay for itself during the pilot period.

The motion to approve a one-year pilot program in the Hearthstone Tract to allow two interchangeable parking permits for each house, to eliminate the special circumstances requirement, to retain the no parking restriction between 3:00 a.m. and 6:00 a.m., to add a no parking restriction on street sweeping days, and to include recommendations on proposed fees carried unanimously. Slater stated a resolution to implement the pilot program would be prepared, as well as a resolution pertaining to the proposed fee to be considered at a public hearing. Paras-Caracci resumed her seat.

BUSINESS ITEMS

Mayor's Youth Council and
City Commission appointments
(Continued from 6/24/08)

Paras-Caracci moved, Gaston seconded to nominate Erica Christianson, Chrystiana Howard, Christian Hung, Elgin King, Derek Michaelis, Fonter Loera, Kyle Garza, Telesforo Barreto, and Joseph Martinez to the Mayor's Youth Council for terms ending June 30, 2009. Fasana moved, Paras-Caracci seconded to close nominations. Paras-Caracci moved, Gaston seconded to appoint the nominees as stated above, and carried unanimously.

Parks/Recreation Commissioner
School District Representative

Fasana moved, Paras-Caracci seconded to appoint Rose Brooks-Mitchell as the School District Representative to the Parks and Recreation Commission for a term ending December 31, 2009, as nominated by the Duarte Unified School District, and carried unanimously.

Public Safety Commissioner
School District Representative

Fasana moved, Gaston seconded to appoint Ken Bell as the School District Representative to the Public Safety Commission for a term ending December 31, 2009, as nominated by the Duarte Unified School District, and carried unanimously.

Economic Development
Commissioners

Gaston moved, Finlay seconded to nominate Abhishek Tiwari and Manoj Patel as Business Owner/Operator Representatives to the Economic Development Commission for terms ending December 31, 2009, and to nominate Tony Molina, Bruce Staller, JoAnn Brooks-Washington, and Shahan Causey to the Economic Development Commission for terms ending December 31, 2011. Fasana moved, Paras-Caracci seconded to close nominations. Fasana moved, Finlay seconded to appoint the nominees as stated above, and carried unanimously.

Public Services Commissioners

Gaston moved, Fasana seconded to nominate Frank Haynes and Pattie Dalessandro to the Public Services Commission for terms ending December 31, 2009, and to nominate James Arcaro, James Causey, and Melinda Branch to the Public Services Commission for terms ending December 31, 2011. Fasana moved, Gaston seconded to close nominations. Fasana moved, Gaston seconded to appoint the nominees as stated above, and carried unanimously.

Traffic Safety Commissioners

Fasana moved, Gaston seconded to nominate Patricia Starratt-Thrope and Mark Romejko to the Traffic Safety Commission for terms ending December 31, 2011, and to nominate William

Riordan, Neil Bjornsen, and Jim Kirchner to the Traffic Safety Commission for terms ending December 31, 2009.

There was discussion about potential Traffic Safety Commission Agenda items when Mr. Kirchner may need to recuse himself. Slater clarified Mr. Kirchner's permissible involvement and scope of participation.

Paras-Caracci moved, Finlay seconded to nominate William Riordan and Neil Bjornsen to the Traffic Safety Commission for terms ending December 31, 2009, and to nominate Patricia Starratt-Thorpe and Mark Romejko to the Traffic Safety Commission for terms ending December 31, 2011. Gaston moved, Paras-Caracci seconded to close nominations.

The motion to appoint the slate of nominees to the Traffic Safety Commission consisting of Patricia Starratt-Thorpe and Mark Romejko for terms ending December 31, 2011, and William Riordan, Neil Bjornsen, and Jim Kirchner for terms ending December 31, 2009, carried by the following Roll Call vote:

AYES: Gaston, Fasana, Reyes

NOES: Paras-Caracci, Finlay

Planning Commissioners

Fasana moved, Finlay seconded to nominate Robert Cuite and Rick Forintos to the Planning Commission for terms ending December 31, 2011. Gaston moved, Paras-Caracci seconded to close nominations for terms ending December 31, 2011. Gaston moved, Fasana seconded to appoint the nominees as stated above, and carried unanimously.

Paras-Caracci moved, Finlay seconded to appoint William Lawrence to the Planning Commission for a term ending December 31, 2009. Gaston moved, Paras-Caracci seconded to appoint Tonette Reyes to the Planning Commission for a term ending December 31, 2009. Gaston moved, Paras-Caracci seconded to close nominations.

The motion to appoint William Lawrence to the Planning Commission for a term ending December 31, 2009, carried by the following Roll Call vote:

AYES: Gaston, Paras-Caracci, Finlay

NOES: Fasana, Reyes

The motion to appoint Tonette Reyes to the Planning Commission for a term ending December 31, 2009, carried by the following Roll Call vote:

AYES: Fasana, Paras-Caracci, Gaston

NOES: Finlay, Reyes

(Some appointments continued)

There was discussion about the importance of Commissioners' commitment, participation, and active involvement. It was suggested a workshop for City Council and all Commissioners be conducted. It was noted there was one seat available on the Planning Commission, one business owner/operator seat on the Economic Development Commission, and one business owner/operator seat on the Public Safety Commission, and interviews would be conducted on July 22, 2008, beginning at 5:30 p.m.

Encanto Park Nature Walk
Reject all bids

Gaston moved, Paras-Caracci seconded to reject all bids for the Encanto Park Nature Walk project, per staff recommendation, and carried unanimously.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

GASTON: Attended Contract Cities retreat with Councilmember Finlay, congratulated Mr. George for being named Vice Chair of the City Manager's Committee, thanked Councilmember Fasana and others who attended the MTA meeting about Goldline, thanked our law enforcement team for the safe fireworks season, stated the city of South El Monte is celebrating its 50th anniversary.

sary on August 2 and hopes we can send them a congratulatory letter or certificate, announced San Gabriel Valley COG event on July 31 about alternative fuels and joint purchasing opportunities, thanked Mr. Kirchner for the Duarte View, invited all to her son's concert on July 27 at Leavitt Pavilion, and asked that the meeting be adjourned in memory of Francis Brooks.

PARAS-CARACCI: Stated the City's website and Youth Resource Guide website have been slower to load recently, asked that it be looked into, asked that we look into including licenses and permits on the City's website, and stated she participated in Irwindale's 50th anniversary parade.

FASANA: Announced workshops will be held on July 21 and July 28 by Cal Am Water regarding its tiering rate structure, attended Metro Board Meeting in Sacramento and met with the caucus about the Goldline not being included in the long-range plan, discussed the proposed half-cent sales tax that will be on the November ballot and congestion pricing proposal, and stated he hopes all the fireworks booths were successful.

FINLAY: Encouraged all to tour the school sites on July 14 at 6:00 p.m. at Northview School to make recommendations to the School Board, provided a Vector Control update on black flies and mosquitoes, attended Executive Committee Workshop for Contract Cities in San Pedro with Councilmember Gaston where they defined the direction for the upcoming year, and asked that the meeting be adjourned in memory of Ernie Reed.

REYES: Requested a letter of support for Sirius Gearheads be on the next Agenda, stated he would like to look at having community meetings at three or four school sites in the next few months to talk about what we have been doing as it relates to youth, stated the Concerts in the Park are great, gave a presentation at the Arcadia Association of Realtors, stated the City is part of the Foothill Workforce Investment Board and he wants to be sure we are getting our fair share, attended a meeting with Santa Teresita Hospital with Mr. George, and they will meet with the City of Hope also, stated he would like to recognize Tino Dominguez for winning a silver medal in the super heavyweight boxing division at the National Junior Olympics in Michigan, received a thank you letter from the Mayor of Rolling Hills Estates for our attendance at Contract Cities, and asked that the meeting be adjourned in memory of Harry Arndt and Dick Wells.

ADJOURNMENT

Fasana moved, Finlay seconded to adjourn the meeting at 10:36 p.m., in memory of Francis Brooks, Ernie Reed, Harry Arndt, and Dick Wells, to July 22, 2008, 5:30 p.m. (City Commission interviews), and carried unanimously.

Mayor Phillip R. Reyes

ATTEST:

City Clerk