

Duarte submits evidence to DA to refute claims council misused public funds in mining fight

Daniel Tedford, Los Angeles Newspaper Group, 12-11-10

DUARTE - City Manager Darrell George called allegations the City Council misused public funds in a fight against a Vulcan Materials Co. mining project in Azusa a public relations ploy designed to smear Duarte.

In a response hundreds of pages long, Duarte this week refuted claims by former Azusa Mayor Diane Chagnon that it had hired a public relations firm to help with a referendum campaign in Azusa and illegally discussed certain items in closed session.

Duarte officials said the evidence they provided to the Los Angeles County District Attorney's Office - which is investigating the claims - will exonerate them.

"It's unfortunate that Vulcan, through its supporters, has chosen to smear Duarte as a public relations ploy when the volumes of public records released to them and provided to the District Attorney confirm that Duarte has not spent public funds on the referendum," Duarte City Manager Darrell George said.

"Vulcan's supporters know full well what the truth is and yet filed the complaint with the District Attorney anyway. We are fully confident the District Attorney will find Ms. Chagnon's complaint to have absolutely no merit."

George and other city officials said the documents will prove the public relations firm Englander, Knabe and Allen only worked for Duarte to inform Azusa residents about their beliefs regarding Vulcan's mining project prior to an Azusa council vote.

Englander, Knabe and Allen has previously said it played no role in the referendum effort.

Chagnon disputes that.

"It is kind of like the city of Bell. You can deny wrongdoing for so long but the District Attorney is reviewing everything and I think it will clearly show they paid their consultants and they coordinated the referendum under the name of Azusans Against Mining Expansion," Chagnon said.

"For them to deny they played a role in the referendum is pretty absurd. They gathered names and addresses and they didn't do that for educational purposes, they did it to qualify the referendum."

The Azusa City Council in July approved an amended mining permit allowing Vulcan to move mining operations at its 270-acre Azusa Rock Quarry.

Vulcan has a permit from Azusa to mine 190 acres of its property near Fish Canyon. With the council's approval, Vulcan will be able to mine 80 acres on the western part of its property instead of 80 acres on the east.

The referendum regarding Vulcan's Azusa Rock Quarry mining plan - known as Measure A on the ballot - will go to a vote in Azusa on Jan. 25.

"We are confident that the Los Angeles County District Attorney's Office will carefully and thoroughly review the documents ... which has clearly raised concern in the community," Vulcan spokeswoman Peg Casey said.

Two statutes governing the misuse of public funds could apply to the case, District Attorney's Office officials said. A criminal law applies to top public officials and carries a maximum sentence of four years in prison. A civil law applies to more people and carries the penalty of a fine.

Chagnon claims work done by Duarte's public relations firm laid the foundation for a referendum that was then used by the Azusans Against Mining Expansion group.

"Without the financial support of Duarte City Hall, we would not be having a referendum election," she said.

Chagnon is a member of the pro-Azusa Rock Quarry plan group Canyon City Alliance, which also boasts Vulcan as a member and as its main financial supporter.