

City Managers in Azusa and Duarte spar via public letters over mining proposal

Daniel Tedford, Los Angeles Newspaper Group, 3-27-10

AZUSA - City officials from Azusa and Duarte exchanged pointed letters this week over proposed settlements regarding a mining proposal for the Azusa Rock Quarry.

Vulcan Materials Co. has proposed mining 80 acres in Azusa near the Duarte border. Duarte opposes the plan. Azusa wants to know if Duarte has any secret settlement discussions going on with Vulcan.

In a letter Wednesday to Duarte City Manager Darrell George, Azusa City Manager Fran Delach said he was concerned that Duarte cited "attorney-client privilege" in response to all of Azusa's questions regarding a settlement agreements.

On Thursday Duarte City Manager Darrell George fired a letter back to Azusa, writing that Duarte was following the law and

Letters between the city managers of Azusa and Duarte.

would produce city documents in the time frame provided by law. He also said that some things would be kept from Azusa due to attorney-client privilege.

The letter also threatened litigation and criticized Azusa's handling of the proposal. George went on to accuse Azusa of refusing to negotiate a settlement between the two cities.

In interviews Thursday and Friday, the city managers expressed frustration regarding the letters and the animosity between the two cities.

"We have just been waiting for that information for quite a while and we figured that answer is easy: `Yes, here it is,' or `No, there isn't,'" Delach said Friday. "Why can't we get a straight answer? We have been open and honest and forthright with everything and we are just asking for the same."

George claimed Azusa officials had attempted to portray Duarte in a negative light.

"He was characterizing us as not being open and honest," George said. "We couldn't be more open and honest and that is really the crux of it."

Vulcan has a permit to mine 190 acres near Fish Canyon. The company wants to exchange 80 acres of land on its eastern property line for the ability to mine 80 untouched acres near its western property line.

The 270-acre Vulcan property is in Azusa but rests near Duarte. For Vulcan to move forward, Azusa officials would have to approve Vulcan's plan to mine the undisturbed western 80 acres. The matter is scheduled to go before the City Council on April 19.

The dispute over the records began Feb. 24 when Azusa asked for Duarte's copies of "potential settlement or resolution documents that (Duarte) might have between ... Duarte and Vulcan."

Duarte asked for an extension in providing the documents, and in a letter earlier this week outlined their objections to Azusa's request, including not revealing some information due to attorney-client privilege.

Duarte officials said any documents would be available March 29.

George insists that Duarte has not made any settlement offers or had settlement negotiations with Vulcan, George said. The city has engaged in discussions of making up for the effects the project would have on Duarte, George said.

"We have talked to Vulcan, sure, about a number of things, but nothing materialized or came of this," George said. "We are trying to approach this from many different levels."

Duarte wants money for city programs, control over some land and penalties if Vulcan doesn't abide by its development agreement, according to city officials.

Officials with Vulcan would not confirm or deny any offers from Duarte.

"We are legally unable to confirm or deny if we have received a confidential document from the city of Duarte," Vulcan Spokesman Todd Priest said.

He said Duarte officials "have been acting in secret and have been more concerned with financial and political gain over the facts associated with our project."

Despite the verbal jabs, both Delach and George agreed discussions need to focus on the facts and merits of the project.

"I think we should get back to focusing on the upcoming council meeting where both sides get heard and that is the opportunity to either support this (environmental report) and move it forward, or not," George said.

Delach said political tactics and emotionally charged statements have distracted people from assessing the proposal on its merits.

"Our whole intent during this whole process was to have an open and public vetting of a proposal made by a property owner and business within our community," Delach said. "I think what it really needs is a level-headed, pragmatic and scientific review rather than an emotional consideration."