

MINUTES

JOINT CITY COUNCIL/CITY COUNCIL AS SUCCESSOR AGENCY TO DISSOLVED REDEVELOPMENT AGENCY/HOUSING AUTHORITY/COMMUNITY FACILITIES FINANCING AUTHORITY OF THE CITY OF DUARTE REGULAR MEETING – APRIL 14, 2015

CALL TO ORDER	The City Council/City Council as Successor Agency to Dissolved Redevelopment Agency/Housing Authority/Community Facilities Financing Authority of the City of Duarte met in a regular meeting in the Council Chambers, 1600 Huntington Drive, Duarte, California. Mayor Paras-Caracci called the meeting to order at 6:04 p.m.
RECORDATION OF ATTENDANCE	The following were in attendance: PRESENT: Fasana (arrived during Closed Session), Finlay, Kang, Reilly, Paras-Caracci ABSENT: None ADMINISTRATIVE STAFF PRESENT: Assistant City Manager Petersen, City Attorney Melching
ADOPTION OF AGENDA	Finlay moved, Reilly seconded to adopt the Agenda, and carried with Fasana not present.
CLOSED SESSION Conference with Legal Counsel Anticipated Litigation	There was no public input. Melching announced the Closed Session was pursuant to Government Code §54956.9 (d)(4); Anticipated litigation; Number of potential cases: two. The Closed Session concluded at 6:57 p.m. City Council reconvened at 7:12 p.m., with all members present.
PLEDGE TO THE FLAG	Brian Barreto led the Pledge of Allegiance to the Flag.
MOMENT OF REFLECTION	A moment of reflection was observed.
FITNESS/MENTAL WARM-UP	Petersen and Finlay provided the warm-up.
PUBLIC REPORT OF CLOSED SESSION ITEM	Melching reported that during the Closed Session, there was no reportable action taken.
SPECIAL ITEMS Recognition – Deborah Cariffe Act of Heroism	Mayor Pro Tem Kang introduced Deborah Lynn Cariffe, and related the details of the incident that took place on February 25. Mayor Paras-Caracci presented a certificate of appreciation to Ms. Cariffe for her act of heroism in coming to the aid of traffic accident victims.
Recognition – Adrian Morales Special Olympics video	After the Special Olympics Host Town video was shown, Mayor Paras-Caracci introduced Daniel Sanchez from Pro One Stage Production, who accepted a certificate for Adrian Morales in appreciation of his creativity and professionalism in producing the video.
Recognition – Robert Herrera “This City – Duarte” video	After the “This City – Duarte” video was shown, Mayor Paras-Caracci presented a certificate of appreciation to Robert Herrera for his ingenuity and artistry in producing the video.

Presentation – CalAm Water
Water Conservation Regulations

Brian Barreto, Cal Am Water, presented an overview of the drought response, including Statewide prohibited water uses implemented in 2014 and 2015, customer outreach, Gov. Brown's mandatory water restrictions that became effective 4/1/15, State Water Resources Control Board upcoming vote in May, available resources to help save water, free water saving products, rebates, and seminars, and answered questions from Council.

Presentation – California JPIA
Risk Management Evaluation

Maria Galvan, California JPIA, presented an update on the City's last Risk Management Evaluation in March 2014, commended staff for implementing over 30 improvements, announced upcoming educational forum in September, and answered questions from City Councilmembers.

ANNOUNCEMENTS

Abdali Martinez, representing Assemblymember Hernandez, announced upcoming events in April and May, and presented a certificate to the City in appreciation of the Earth Day event.

Joanna Gee, Duarte Library, announced upcoming workshops, programs, and story times in April, May, and June.

Brian, Day One, announced educational event about marijuana legalization on April 24 at the Teen Center.

Sheryl Lefmann, Duarte Chamber, announced upcoming Chamber events and programs in April and May.

Jackie Ruiz presented community announcements about City events, projects, programs, and activities in April, May, and June.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda.

Ramon Vargas – Use of youth soccer fields, regulations.

Oscar – Soccer practice on fields.

Angel – Soccer practice on fields.

Cheryl Taylor – Gates, lights, bike path, school bond.

Annie Chu – Use of PAC for concert.

Mayor Paras-Caracci stated she hopes the update on new policy recommendations for scheduling field times will be available in the next few months.

ITEMS ADDED TO CONSENT

Finlay moved, Kang seconded to add attendance at Foothill Unity Center's 35th Birthday Celebration, May 2, 2015, Pasadena, and Kalayaan Incorporated Anniversary Celebration of the Declaration of Philippine Independence, June 6, 2015, Anaheim, to Consent Item L, and carried unanimously.

CONSENT CALENDAR

Finlay moved, Reilly seconded to approve the Consent Calendar, as amended, as follows, and carried unanimously.

Approve Items A, B, C, D, E, H, I, K, L.

Receive and File Item F.

Remove Items G, J.

ITEMS REMOVED

Item G – ECS Imaging, Inc.
Contract – Electronic Records

Irma Hernandez, Senior Planner, presented a staff report about the proposed contract, and answered questions from Councilmembers.

ITEM G – APPROVED

Reilly moved, Finlay seconded to authorize the City Manager to execute a contract with ECS Imaging, Inc., in the amount of \$28,995 to implement an Electronic Permit Records Document Management System using Laserfiche software, and carried unanimously.

Item J–Youth/Family Committee
Recruitment assistance request

There was discussion about the current recruitment process for the Youth and Family Committee members.

ITEM J – APPROVED

Finlay moved, Fasana seconded to ask for a report from the Youth and Family Committee about who is on the Committee, what the group does, and what gaps need to be filled, City Council could then see if there is an expression of interest, and those interested could be called, and carried unanimously.

PUBLIC HEARING

Council Bill 15-O-02 – Massage
Establishments – Location, Deve-
lopment Standards, Definitions
(MCA 14-05) (First Reading)

Mayor Paras-Caracci announced this was the time and place set for a Public Hearing to consider proposed Ordinances.

Melching read by title Council Bills 15-O-02 and 15-O-03:

Council Bill 15-O-02 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA (1) ADDING SECTION 19.60.112 “MASSAGE ESTABLISHMENTS” TO CHAPTER 19.60 “STANDARDS FOR SPECIFIC LAND USES AND ACTIVITIES,” TO ARTICLE 4 “STANDARDS FOR SPECIFIC LAND USES AND ACTIVITIES,” TO TITLE 19 “PLANNING AND ZONING,” OF THE DUARTE MUNICIPAL CODE TO ADD CERTAIN STANDARDS APPLICABLE TO MASSAGE ESTABLISHMENTS; AND (2) AMENDING SECTIONS 19.160.140 “‘M’ DEFINITIONS” AND 19.160.170 “‘P’ DEFINITIONS,” BOTH TO CHAPTER 19.160 “DEFINITIONS,” TO ARTICLE 9 “DEFINITIONS,” TO TITLE 19 “PLANNING AND ZONING,” OF THE DUARTE MUNICIPAL CODE TO AMEND CERTAIN DEFINITIONS THAT ARE APPLICABLE IN THE REGULATIONS OF MASSAGE ESTABLISHMENTS (MCA 14-05) (First Reading)

Council Bill 15-O-03 – Massage
Establishments – Business
Licenses and Regulations
(MCA 14-06) (First Reading)

COUNCIL BILL 15-O-03 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING IN ITS ENTIRETY CHAPTER 5.56, “MASSAGE ESTABLISHMENTS,” OF TITLE 5, “BUSINESS LICENSES AND REGULATIONS,” OF THE DUARTE MUNICIPAL CODE TO REVISE CERTAIN REGULATIONS APPLICABLE TO THE OPERATION OF MASSAGE ESTABLISHMENTS (MCA 14-06) (First Reading)

Notice of the hearing had been given, the affidavit is on file, and there were no written communications filed in the matter.

Jason Golding, Senior Planner, presented a detailed staff report about the proposed ordinances and staff analysis. With regard to Council Bill 15-O-2 (MCA 14-05), Golding stated the item being considered tonight is identical to the item previously heard at the 2/24/15 Public Hearing, except for the Planning Commission clarification of its recommendation proposing a minimum 1,200 square foot floor area requirement for a new massage business. With regard to Council Bill 15-O-03 (MCA 14-06), the item remains unchanged from the previous 2/24/15 Public Hearing, except for the following three proposed modifications: 1) Chapter 5.56.100 – additional language on window coverings for interior doors/windows; 2) Chapter 5.56.160 – rewritten section dealing with separate room requirements based upon gender and limitations on group massage; and 3) Chapter 5.56.170 – clarification on serving both genders, clarification about providing separate gender dressing and toilet facilities, and deletion of a requirement that showers be provided to each gender.

There was discussion about arrests for prostitution, process for checking licenses, technician certificates, human trafficking activities, promoting safety and reducing crime, length of time for compliance, educational component, sterilization tools, use of autoclaves, and video security.

Mayor Paras-Caracci asked if there was anyone in the audience who wished to speak on the item.

Steve Hernandez stated autoclaves require permits, you do not want to bring that into the City, they are used for sterilization of surgical tools, and these businesses use non-invasive tools.

Mark Green stated his wife leased a building for five years to do massages, there is only 40-50% glass in front, and behind the glass is a reception area.

Roxanna Ponce de Leon stated she used to be in Pasadena, some solicitations were made to those not wearing scrubs, there are regulations for massage therapy, they are not bar room massages anymore, they are massage therapists, displayed her massage therapy certificate, stated the health department checks if the place is healthy or not, tools and oils are used, and stated massage therapy requires training for higher standards.

Mayor Paras-Caracci closed the Public Hearing.

Reilly moved, Fasana seconded to introduce Council Bill 15-O-02 for first reading, and carried by the following Roll Call vote:
AYES: Reilly, Fasana, Finlay, Paras-Caracci
NOES: Kang

Finlay moved, Reilly seconded that after adoption, an analysis of the progress of the ordinance is to be reviewed in six months, and the ordinance may be sent back to the Planning Commission to be reworked again, and carried unanimously.

Reilly moved, Finlay seconded to introduce Council Bill 15-O-03 for first reading, and after adoption, to review the ordinance in six months, and then it may be sent back to the Planning Commission if it needs to be reworked, and carried unanimously.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

PETERSEN: Announced that the Budget Workshop has been changed to Wednesday, April 29, 2015, at 5:00 p.m., and will be held at the Community Center.

FINLAY: Announced Town Hall meeting with AQMD regarding mining will be on May 5, asked that the information be on DCTV and the City's website, and that flyers be delivered especially in the Fish Canyon neighborhood, appreciates the gates on the bike path, inquired about light at Encanto Parkway/Huntington Drive (Petersen stated staff is looking into it), requested that Levon Yotnakhparian and the DHS Broadcast Team be recognized at a Council Meeting for winning the Skills USA State Championship, and welcomed Danielle Steiner to the meeting.

FASANA: Stated he missed the last Council Meeting as he was in Washington D.C. arguing for transportation funds, asked that recognition of the Armenian Genocide be on the next Agenda, congratulation Mr. Y's students for finishing first in the broadcast news competition, inquired about the status of the grant for Fish Canyon Falls and signage when entering the Duarte part of the trail, stated it is appropriate and important that the City be recognized, there have been concerns raised by residents about Encanto Park, traffic signs, traffic lights, and expanding the left turn lane pockets on Huntington Drive, he would like to see some discussion of that during the budget presentation, asked that the meeting be adjourned in memory of Michael Messina and Walter Scott, and requested that a comparison of water rates for foothill cities from Arcadia to San Dimas be provided in a month or so.

REILLY: Invited all to attend the Special Olympics Host Town fundraiser on April 30, stated both videos shown were fantastic, the tentative date for the dedication of the Gold Line Station is August 15, this year is the 25th anniversary of the signing of the Americans With Disabilities Act, asked that information about the Act be made available at the City Picnic, attended L.A. County Commission program about women and provided statistics, she took an inspection trip of the State water project in the Bay Delta, and stated water is becoming more salinated.

KANG: Attended Easter egg hunt breakfast, stated Monrovia's lighting on Duarte Road for the Gold Line Station looks awesome, inquired about what our landscaping and sidewalk will look like (Hensley stated he will provide information), and stated he bought new speakers for the Fitness Center, and now there is

better sound.

PARAS-CARACCI: Attended event where she congratulated the three honorees from the 48th Assembly District, stated the Easter event was great, and stated when traveling on Highland and turning left onto Huntington, it is hard to see oncoming cars.

ADJOURNMENT

The meeting was adjourned at 10:24 p.m. in memory of Jimmy Mitchell, James McNeal, Jr., Michael Messina, and Walter Scott.

Mayor Tzeitel Paras-Caracci

ATTEST:

City Clerk