

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 11, 2017

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 Pro Tem Fasana called the meeting to order at 6:35 p.m.
RECORDATION OF ATTENDANCE	The following were in attendance: PRESENT: Fasana, Kang, Paras-Caracci, Reilly, Finlay (arrived during the Closed Session) ABSENT: None ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Cosgrove
ADOPTION OF AGENDA	Reilly moved, Kang seconded to adopt the Agenda, as amended to adjourn in memory of Jonathan Martinez, and carried with Finlay not present.
CLOSED SESSION Labor Negotiations	There was no public input. The Closed Session was a conference with labor negotiators pursuant to Government Code Section 54957.6; Negotiators: Darrell George, Kristen Petersen; Regarding SEIU Local 721 Management and Professional Employees and General Employee Units. The Closed Session concluded at 6:52 p.m. City Council reconvened at 7:10 p.m., with all members present.
PLEDGE TO THE FLAG	Captain David Flores led the Pledge of Allegiance to the flag.
MOMENT OF REFLECTION	A moment of reflection was observed.
FITNESS/MENTAL WARM-UP	George and Finlay provided the warm-up.
PUBLIC REPORT OF CLOSED SESSION	Cosgrove reported that City Council met in Closed Session to discuss labor negotiations, and gave direction to the negotiators, with no reportable action taken.
SPECIAL ITEMS Introduction – Student Interns	Cesar Monsalve introduced Youth@Work interns Ceth Clark (Facilities Maintenance and the Teen Center), Yesenia Munoz (Public Safety Office), Alondra Villela (Parks and Recreation Office), Ashley Rosal (Teen Center), Kalina Jenkins (Parks and Recreation Office), and Kyle Shea (City Manager's Office); and also introduced members of the Teen Nutrition Council Elayssa Aquino, Emily Diaz, Cynthia Sierra, Alfredo Alvarado, Cassandra Gonzalez, Marisol Arias, Alexander Reed, and Lindsay Lathrop.

Mayor's Youth Council update Proclamation – Autism Awareness Month	Felipe Valdez, Mayor's Youth Council, provided information about past Duarte Teen Center events, and announced upcoming events in April, May, and June. Mayor Finlay presented him with a Proclamation for Autism Awareness Month, which will be observed during April 2017.
Recognition–Capt. Caronne Jacob Introduction–Capt. David Flores	Mayor Finlay presented a certificate to Captain Caronne Jacob in appreciation of her service as Temple Station Commander from October 2014-April 2017. Captain Jacob introduced Captain David Flores, the new Temple Station Commander.
Presentation – Annual Wellness Report – City of Duarte/Hope	Cesar Monsalve presented a detailed overview of the Annual Wellness Report, including Duarte Healthy Choice Nutrition Program, Teen Nutrition Council, and additional nutrition/health-related programs and activities. Mayra Serrano, CCARE Manager, City of Hope, discussed the City of Hope partnership, including the parent nutrition program, and Eat Move Live program.
Strategic Plan update	Phil Hawkey, San Gabriel Valley Council of Governments, presented a PowerPoint about the Strategic Plan, including COG membership, Alameda Corridor East Construction Project, priority areas, successes, initiatives, and key issues.
ANNOUNCEMENTS	Sheryl Lefmann, Duarte Chamber, announced upcoming Chamber events, seminars, and speakers in April and May. Joanna Gee, Duarte Library, announced story times, programs, and classes in April, May, and June. Karen Herrera announced upcoming community events, programs, activities, and performances in April, May, and during the summer months. Steve Hernandez announced Rotary dinner dance on May 6.
ORAL COMMUNICATIONS	The following spoke on items not on the Agenda. Nick Zigic – Outdoor fitness center by bike trail, DCTV.
ITEMS ADDED TO CONSENT	Paras-Caracci moved, Fasana seconded to add attendance at the New Faces of the San Gabriel Valley Luncheon, May 15, 2017, City of Hope, \$50 per person, to Item 12.H (Conference Attendance), and carried unanimously.
CONSENT CALENDAR	Paras-Caracci moved, Fasana seconded to approve the Consent Calendar as follows, and carried unanimously. Approve Items B, C, D, H. Remove Items A, E, F, G.
ITEMS REMOVED	Reilly moved, Paras-Caracci seconded to amend the Minutes to reflect that Ian Finlay led the Pledge, and carried unanimously.
Item A – Minutes ITEM A – APPROVED	
Item E – Council Bill 17-O-04 Second Dwelling Unites (Second Reading)	Council Bill 17-O-04 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING SECTIONS 19.10.020.A (Table 2-1 and Table 2-2) ALLOWED

USES AND PERMIT REQUIREMENTS FOR SINGLE FAMILY AND MULTI-FAMILY ZONES; 19.38.050.A (Table 3-4) OFF-STREET PARKING REQUIREMENTS FOR RESIDENTIAL USES; 19.60.160 SECOND DWELLING UNITS; AND MODIFICATIONS TO DEFINITIONS IN SECTIONS 19.-160.020, 19.160.050 AND 19.160.200 OF THE DUARTE DEVELOPMENT CODE RELATING TO THE REGULATIONS AND APPROVAL OF ACCESSORY (SECOND) DWELLING UNITS WITHIN THE CITY OF DUARTE (Second Reading)

ITEM E – APPROVED
ORDINANCE NO. 874

Fasana noted this was the second reading of the ordinance pertaining to second dwelling units. Fasana moved, Reilly seconded to adopt Ordinance No. 874, and carried unanimously.

Item F – Lead/Asbestos Plan
ITEM F – APPROVED

Kristen Petersen presented a staff report about the item. Reilly moved, Kang seconded to adopt the Lead and Asbestos Operating Plan, and carried unanimously.

Item G – Letter of Support
SB 2, SB 3, SB 540 – Housing
ITEM G – APPROVED

George presented a staff report about the item. Reilly moved, Fasana seconded to approve the letter of support for SB 2, SB 3, and SB 540 (the League of California Cities Blueprint for More Housing), and carried unanimously.

PUBLIC HEARING
Council Bill 17-R-26
Appeal – 99 Cents Only Store
Off-Site sales of beer/wine
1327 Huntington Drive

Mayor Finlay announced that this was the time and place set for a Public Hearing to consider this item.

Council Bill 17-R-26:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE DENYING AN APPEAL FILED BY STEVE RAWLINGS OF ALCOHOLIC BEVERAGE CONSULTING, AND 99 CENTS ONLY STORES, UPHOLDING THE PLANNING COMMISSION DECISION TO DENY CONDITIONAL USE PERMIT 16-03 FOR THE OFF-SITE SALES OF BEER AND WINE LOCATED AT 1327 HUNTINGTON DRIVE

Kristen Johnston, Associate Planner, presented the staff report about the proposed resolution, and discussed the background of the request, the process, Planning Commission action, denial of CUP request, and appeal of the Planning Commission decision.

Steve Rawlings, applicant, made a presentation about the 99 Cents Only Store, including its healthy food options, extreme value prices, facts, customer profile, grocery items, consumer goods, and wine/beer sales, and requested to add five shelving sections (20-30 lineal feet) of beer/wine product to the Duarte store. He stated this is commonplace in most grocery stores, 99 Cents Only is a bona fide grocery store, all alcohol is in warm storage on shelves for later use, it is not refrigerated, there are no single sales of beer, as it is not for drinking immediately, and presented testimonials, volunteered conditions, and a list of stores from the ABC website of currently licensed 99 Cents Only Stores in the State of California. Cosgrove asked that the list of

stores be provided to the Community Development Department for the file and record of proceedings.

Notice of the hearing was given, the affidavit is on file, and no written communications were received on the matter.

Mayor Finlay asked if anyone in the audience wished to speak on the item.

Steve Hernandez stated at the time this was discussed by the Planning Commission, Sparr Liquor was a problem, he thinks there should be a gate between Rite Aid and the 99 Cents Only Store, they should stick to 20 lineal feet of shelving, suggested a security guard for safety, he is not against this, and he hopes the City Council will reconsider the request, as they are trying to be a good neighborhood partner.

Nick Zigic stated he has been a property manager for 99 Cents Only Stores, this one is an upgrade, he sees the issue is due to the previous store on the corner and the influence it had with the clientele it served, it would be fair to give this business an opportunity, and the list of volunteered conditions is beyond and above what other grocery stores have to meet.

Fasana moved, Paras-Caracci seconded to close the Public Hearing, and carried unanimously.

There was discussion about CUP requirements to sell alcohol, a suggested cooling off period of six months to one year before issuance of a new alcohol beverage license, suggestion to put gates back, need for better maintenance conditions, better policing of the area, lighting, vagrants, popularity of restaurants and stores selling wine and beer, concern about gate and cleanliness not being maintained, suggestion to give a chance to make repairs, and after upgrade is completed, coming back to apply for a permit, excessive amount of trash between 99 Cents Only Store and Rite Aid, suggestion about signage not allowing loitering, responsibility of entire center, drinking in public, and surrounding developments.

Fasana moved, Kang seconded to uphold the findings of the Planning Commission, and to deny the appeal.

There was further discussion about surrendered vs. withdrawn license applications, 20 lineal feet of shelving, warm storage, pictures showing not all the problems are due to the 99 Cents Only Store, cooling off period, need to be competitive, over-concentration of licenses, and looking at the item again in one to two years.

There was further discussion about either denying the appeal or having the item come back with findings to support the overturning of the Planning Commission decision.

Item continued for 30 days

Reilly moved, Paras-Caracci seconded a substitute motion to have the item brought back within 30 days, and for staff to prepare two Resolutions for City Council's consideration, one approving the appeal with specific conditions as stated and expressed during the City Council discussion, and one denying the appeal, and carried by the following Roll Call vote:

AYES: Paras-Caracci, Reilly, Finlay

NOES: Kang, Fasana

ORAL COMMUNICATIONS
(Continuation)

The following spoke on items not on the Agenda.
Steve Hernandez – Award, School District, staff/Council efforts.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

GEORGE: Thanked Council and staff for participating in the ribbon cutting at the Duarte Road pedestrian and bike improvement unveiling.

PARAS-CARACCI: Stated there are a lot of speeders on the street between Aloysia Moore Park and Beardslee School, suggested the Traffic Safety Commission could look into the possibility of speed calming devices, she spoke at the Teen Center youth employment workshop, stated the brush is growing over the sidewalk on Evergreen near Duncannon, and students were walking in the street (it was noted that Caltrans owns the property), attended the Earth Day event, inquired if there is a process to reach out to students at the School of the Arts to be included in the Mayor's Youth Council recruitment, and discussed information and updates she received about power outages at the government advisory panel meeting with Edison.

REILLY: Attended the library presentation about native and drought tolerant plants, stated the Theodore Payne Foundation is looking for public space to do some consulting, she volunteered Duarte, attended the City of Hope lecture on nutrition, and discussed the effects of sugar.

FASANA: Complimented staff on the painting of curb addresses, attended grand opening for BBQ Indian Cuisine, the shredding event is a great service, attended Earth Day event, stated a number of random events have happened in and around Duarte, the use of grant funds has been effective, and stated he was in Sacramento lobbying for SB 1, and he is pleased it was passed.

KANG: Stated the majority of recent public safety issues have been outside our jurisdiction, asked for an update (Villalobos responded), and stated the Gold Line sidewalk construction looks nice and uniform.

FINLAY: Stated the water leaks on Highland and in front of CVS could possibly become sinkholes, the City received a \$150,000 sustainability planning grant from SCAG, thanked staff and the grant writer, stated a speaker from Lewis Homes in-

licated newer parking structures will be flat due to autonomous vehicles so the structure could be later repurposed, and attended the Earth Day event and the Metro Mayor's meeting.

ADJOURNMENT

Paras-Caracci moved, Fasana seconded to adjourn the meeting 10:31 p.m. in memory of Susana Capra and Jonathan Martinez, and carried unanimously.

Mayor Margaret Finlay

City Clerk