

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 – MARCH 10, 2020

RECEPTION	At 6:00 p.m., a reception was held to welcome Duarte City Manager Daniel Jordan.
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 Kang called the meeting to order at 7:06 p.m.
RECORDATION OF ATTENDANCE	The following were in attendance: PRESENT: Fasana, Finlay, Lewis, Paras-Caracci (left at 10:38 p.m.), Reilly, Urias (left at 11:12 p.m.), Kang ABSENT: None ADMINISTRATIVE STAFF PRESENT: City Manager Jordan, City Attorney Cosgrove
ADOPTION OF AGENDA	Reilly moved, Paras-Caracci seconded to adopt the Agenda, as amended to adjourn in memory of Dona Christensen and Herb Piken, and carried unanimously by those present, with Finlay not on the dais.
PLEDGE TO THE FLAG	Commander Jacob led the Pledge of Allegiance to the Flag.
MOMENT OF REFLECTION	Reilly provided a moment of reflection.
FITNESS/MENTAL WARM-UP	Lewis and Finlay provided the warm-up.
SPECIAL ITEMS	Samantha Martinez, Mayor's Youth Council, presented an update of recent activities and upcoming Teen Center events.
Mayor's Youth Council update	
Recognition – Deputy MacLean	Brian Villalobos, Commander Corrone Jacob, and Captain David Flores expressed appreciation to Deputy Rob MacLean for his service to the residents of Duarte, and for serving as Duarte's School Resource Deputy for the past 14 years as part of his Los Angeles County Sheriff Department career of 25 years. Mayor Kang presented Deputy MacLean with a City plaque. Steve Hernandez thanked Deputy MacLean for having a positive impact on youth and for being a great member of the community.
ANNOUNCEMENTS	Jadey Hernandez, Foothill Unity Center, announced Health and Resource Fair on March 21. Tony Hadloc announced blood drive on May 27 from 9:30 a.m.

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to 3:30 p.m. sponsored by the City of Hope, CERT, Rotary, and the City of Duarte.

Finlay stated she would like some type of incentive to encourage employees to make blood donations.

Denise Walton, Duarte Chamber of Commerce, announced upcoming Chamber events in March and April.

Joanna Gee, Duarte Library, announced events, workshops, programs, and story times in March and April.

Victoria Rocha announced upcoming community events, programs, and activities in March and April.

Yesenia Paez provided Duarte 2020 census information.

Dr. Dawn Terashita, L.A. County Public Health, presented an update about COVID-19, including guidelines, susceptibility, cases, precautions, suggestions, and recommendations.

Paras-Caracci stated she would like to have another format in the near future for a discussion about the virus for our residents and businesses.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda.

Brooke Richards – Opportunities for Learning School.

Nance Parry – Loophole in AB 1482.

Charles – Pasadena Tenants Union, statements from Huntington Oaks Village residents.

Jane Panangaden – Tenant evictions, building permits.

There was discussion about the landlord-tenant item. Cosgrove stated staff can look into it, and come back with a report if there is a problem.

CONSENT CALENDAR

Paras-Caracci moved, Reilly seconded to approve the Consent Calendar as follows, and carried unanimously.

Approve Items A, B, C, D, H.

Receive and File Item E, F, G.

Item D – RESOLUTION 20-05
Local Agency Investment Fund

Council Bill 20-R-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND

PUBLIC HEARINGS
Council Bill 20-O-01
Building Laws (First Reading)

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

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

Yesenia Paez, Community Development Technician, presented the staff report about the proposed ordinance, and answered questions from City Council. Mark Abbott discussed the recom-

mended amendments, and Craig Hensley discussed the Type K copper requirement.

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

George Farra stated he is a soils engineer, stated the soil in this area is coarse and less susceptible to corrosion, and copper piping is expensive.

Steve Hernandez stated pin holes were developing in the original copper at Hearthstone and Amberwood, and that is when Type K came in.

Mayor Kang closed the Public Hearing.

Cosgrove read by title Council Bill 20-O-01:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING CHAPTER 16.04, "BUILDING LAWS," OF TITLE 16, "BUILDINGS AND CONSTRUCTION," OF THE DUARTE MUNICIPAL CODE (First Reading)

Kang moved, Reilly seconded to introduce Council Bill 20-O-01 for first reading, and carried unanimously.

APPEAL–Planning Commission
Deny CUP 19-07
2215 Huntington Drive

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

Notice of the hearing was given, the affidavit is on file, and in addition to the letter from the applicant included in the Agenda packet, written communications were received from Paula Watson-Gardner, Mary Dodds, Danielle Riley, and Goldenrock Investment, Inc., of which City Council and the public were provided copies.

Nick Baldwin, Associate Planner, presented the staff report about the appeal of the Planning Commission decision to deny CUP 19-07 (a request to operate a retail secondhand use within an existing tenant suite located at 2215 Huntington Drive), clarified that the appeal was submitted on February 25, 2020, noted an incorrect version of the Planning Commission resolution was included in the Agenda packet, and provided corrected copies of the Planning Commission resolution to the City Council and the public, stated City Council action would be to either grant or deny the appeal, and a resolution of that action will be brought to the next Council Meeting for adoption.

Cosgrove recited the applicable findings for consideration.

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

Tina Heany stated she supports Re-Store, it is a highly regarded

store, she voted in favor of it at the Planning Commission meeting, it will allow homeowners and businesses access to reasonably priced items, and it will add to our sales tax revenue.

Adam Knight stated he is a business owner across the street from the proposed project, he supports it, it is challenging to open brick and mortar locations, the business plan is in a market that is growing, it is similar to ELS Outlet, it could bring people to our community, their business plan does not say thrift store, and asked that judgment be based on what is being presented.

Eric Gomez, Anytime Fitness, stated he is in favor of Re-Store, it will be a great addition to the plaza and the City, he would welcome it to the City, he believes in Duarte, and hopes this will bring another great resource to the City.

Sheryl Lefmann stated as a Chamber representative and a resident, she offers her support for this project, they have complied with the City's requests, they are willing to make enhancements, they have presented a solid plan, the City can use the sales tax, local businesses support Re-Store, encouraged City Council to look at the facts, and it is a very clean and clear donation process.

Tina Carey, Chamber representative and Economic Development Commissioner, stated she is supportive of the Re-Store project, Fresh and Easy has been gone for four years, it has been hard to find a tenant, there is a potential to bring in a great business, it is a wonderful opportunity, and asked that we look at what is being presented, not an assumption.

David McKecnhie, applicant, stated he is proposing the project for Habitat for Humanity, discussed dispelling pre-conceived notions, the items are not sub-par, approximately 25% are used, they accept high caliber items, the 75% new items are received from corporate donors, the company has one billion dollars in sales nationally per year, it will be a welcome addition to Duarte, the Habitat brand ranks number 33 of 100 brands in America, and Duarte can anticipate receiving sales tax from this business.

Sara Vasquez stated as a Planning Commissioner, she voted no on the proposed plan, it was not because of the type of business, she does not think this is an appropriate location for it, she believes it would be better near Walmart, the merchandise will be left at the location until employees open the store, the owner of the property needs to be held accountable and fix it up, and the City needs to impose penalties on the owner.

Steve Hernandez stated they sell new donations but because the box has been opened, they are considered used, Ross and

Marshalls are on that same model, people have moved out of the center as there was nothing to attract customers, if this goes in there, people will be attracted, all markets have left here because they are not sustainable, this is a great opportunity, and it is far from being a thrift store.

Manoj Patel, Rebuilding Together SGV Foothills, stated he is excited and in support of Habitat, this will produce extra sales tax, it will serve the community, thanked past and present Council and staff, he has served on committees about the Huntington Drive corridor, there was always a professional consultant to guide, inform, educate, and assist, stated there are challenges for businesses coming in, four years have gone by, this is a name brand that wants to locate in our community, and it is a great opportunity.

Ann Dallavalle stated she is looking forward to almost anything there, this is a great store to bring in, and the results remain to be seen.

Michael Lewis discussed Habitat's new format, they sell manufacturer overruns, last year's fashion, and things removed from boxes for photos, it is not like a thrift store, some items come out of remodels, there are many new items, a large percentage of goods will be new, it will revitalize the center, new tenants are few and far between, currently the center is 50% occupied, a number of cosmetic improvements have been made, and the plan is to refresh the façade.

John Yang stated he is the owner of the shopping center, he is here to answer any questions, he has upgraded and repaired what the City required, and he will cooperate with the City to upgrade for this project.

Lino Paras stated some like secondhand shops, the City claims to be business friendly, landlord-tenant contracts are to be implemented, business creates jobs, and stated let the landlord and tenant do their thing, and let the perception go away.

Paula Watson-Gardner stated at the Planning Commission, she voted in favor of Re-Store coming into the City, the shopping center will be revitalized, it is a benefit to the City to have it here, the plan submitted is very thoughtful, she loves what Habitat stands for, it is a positive thing for our City, there is a lot of good coming from it, and stated these are her personal feelings as a resident.

George Farra stated at the Planning Commission, he voted to deny this, he is speaking now as a private resident, 75% of the merchandise is new, they sell construction supplies and furniture that 25% is considered used, suggested they exclude

used merchandise, the landlord left the space in a despicable condition, more businesses would have been attracted if the landlord kept it clean, and he is against the proposed use.

Stephanie Kovach stated she wants to see Duarte move forward, that requires compromise, asked City Council to approve Re-Store, there is more homelessness now, and accepting Re-Store in our community sends a message.

Mark Montgomery asked that Council please uphold the denial, Lewis Business Center has an area that can be used, he would rather have a Dollar General move in there, and asked that Council deny the permit.

Danielle Riley stated she supports Re-Store, it is a great organization, there are a number of empty stores and lots in the area, Habitat helps put people in homes, it is a great organization for the City to have in our space, Re-Store is a great asset for Duarte, and urged City Council to approve this.

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

There was discussion by City Councilmembers about Habitat's profits, sales, and length of lease if the CUP were approved, the Planning Commission's concerns, holding the property owner responsible, benefits to the City's demographics, City Council visits to other Re-Store locations, requiring a new façade, need for improvements to the location, need to remove dead wood and replace bricks, need for landlord or tenant to make repairs, possibility of requiring the applicant to upgrade the façade and including that in the amended conditions outlined in the resolution, the quality of Habitat merchandise is good, suggested ideas of what could be out front of the store, lights, suggestion that the location possibly be in another area of the City, previous tenants leaving the center because rents were raised, other cities' centers, and need for quality shops.

Fasana moved, Paras-Caracci seconded to grant the appeal and reverse the Planning Commission decision, with the condition that the façade be improved within three years, to allow for design and building.

Finlay moved, Paras-Caracci seconded a friendly amendment to grant the appeal and reverse the Planning Commission decision, with the condition that the façade be improved within two and one-half years, with Fasana agreeing to the amendment, and carried by the following Roll Call vote:

AYES: Fasana, Paras-Caracci, Lewis, Finlay, Urias, Reilly

NOES: Kang

BUSINESS ITEMS

Sister City/Friendship City update
(Continued from 2/25/10)

Victoria Rocha presented the staff report about a possible Sister City or Friendship City program, provided a PowerPoint, and answered questions from City Councilmembers about cost, staff time, and establishing a community-based Duarte Sister or Friendship City Association or Committee.

There was discussion about Duarte being one of the most diverse cities, need for strong resident support, need for a committee to help decide the next steps, determination if there is enough interest in the community becoming involved, the need for this to be community-driven, and the suggestion that the CEO of Sister Cities be contacted to help guide this, with the intent that a community-based Committee would be formed to further pursue a Sister or Friendship City.

Mayor Kang stated he will contact the CEO of Sister Cities International to speak with staff and the City Council to provide guidance.

2019/20 Mid-Year Budget and
Approval of amendments

Lino Paras stated he thinks instead of receive and file, because of the latest election results, Council should look into fixing the roads.

Kristen Petersen presented highlights of the mid-year budget report, including General Fund revenues and expenditures, and other City funds, and answered questions from Councilmembers.

Fasana moved, Finlay seconded to receive and file the 2019/20 mid-year budget report, and to approve the budget amendments as outlined in Attachment 2 of the staff report, and carried unanimously by those present, with Paras-Caracci not present.

Petersen presented a status report on Measure D. Fasana discussed recent news items pertaining to paid sick leave, rollback in payroll taxes, and social security.

City Manager Jordan presented a PowerPoint about the context for preparation of the FY 2020/21 budget, including guiding philosophy, fiscal crosscurrents, Measure D, general fund's level of structural balance, cost pressures, status quo, program/service enhancements, revenue enhancements, and/or cost reductions.

ORAL COMMUNICATIONS
(Continued)

The following spoke on items not on the Agenda.
Steve Hernandez – Measure D, voters' right to choose.
Lino Paras – Welcomed Mr. Jordan.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

PARAS-CARACCI (Prior to leaving the meeting earlier): Welcomed Dan, acknowledged Herb Piken, she is thankful to the voters for supporting Measure D, and stated over time we will still need to look what to trim.

JORDAN: Thanked all for a great and fantastic first five days at the City.

REILLY: Inquired about a warrant for repair of gates at the South Yard (Petersen responded), discussed recent incident where a car went through the front window of a business, inquired if there is anything that can be done to prevent that, asked that we look into it, and welcomed Dan.

FINLAY: Thanked the people of Duarte for putting trust in the Council with Measure D, and thanked employees for the work they did.

LEWIS: Thanked the citizens of Duarte for passing Measure D, and welcomed Dan.

FASANA: Stated L.A. Metro is trying to keep the trains clean, the Gold Line will be going to Whittier, and the \$635 million of Measure R funds were kept in the San Gabriel Valley.

KANG: Inquired about Community Choice Aggregation, and asked for a status report on green energy.

ADJOURNMENT

Mayor Kang adjourned the meeting at 11:40 p.m. in memory of Dona Christensen, Larry McCulloch, Joe Coulombe, and Herb Piken.

Mayor Samuel Kang

City Clerk