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 – SEPTEMBER 8, 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 4:42 p.m.
RECORDATION OF ATTENDANCE	The following were in attendance: PRESENT: Fasana, Finlay (left at 10:05 p.m.), Kang, Reilly, Paras-Caracci ABSENT: None ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Melching
ADOPTION OF AGENDA	Reilly moved, Finlay seconded to adopt the Agenda, and carried unanimously.
COMMISSION INTERVIEWS	The City Council interviewed applicants for one vacancy on the Public Services Commission, and two vacancies on the Planning Commission. The interviews concluded at 7:05 p.m. City Council reconvened at 7:25 p.m., with all members present.
PLEDGE TO THE FLAG	Boy Scout Troop 188, Cub Packs 66 and 188, and Girl Scout Troop 4701 led the Pledge of Allegiance to the Flag.
MOMENT OF REFLECTION	A moment of reflection was observed.
FITNESS/MENTAL WARM-UP	Melching and Finlay provided the warm-up.
SPECIAL ITEMS Recognition – Boy Scout Troop 185, Cub Packs 66 and 188, and Girl Scout Troop 4701	Mayor Paras-Caracci introduced and presented Certificates to the leaders and members of Boy Scout Troop 185, Cub Packs 66 and 188, and Girl Scout Troop 4701 for their attendance and participation in the Duarte/City of Hope Gold Line Station dedication ceremony.
Proclamation – Patriotism Week	Mayor Paras-Caracci read and presented a Proclamation for Patriotism Week to Mark and Irene Lozano from the Duarte Elks Lodge.
Proclamation – 25th Anniversary Americans With Disabilities Act	Mayor Paras-Caracci read and presented a Proclamation for the 25th Anniversary of the Americans With Disabilities Act to Robert Gorski from the Pasadena ADA Commission.
ANNOUNCEMENTS	Joanna Gee, Duarte Library, announced upcoming story times, crafts, and workshops in September and October. Karen Herrera presented community announcements about City events, programs, and classes in September and October.

	Irene Lozano, Duarte Elks Lodge, announced upcoming special events and workshops in September and October, and monthly scheduled events. Brad Patterson, DUSD, announced upcoming sports events in September, and availability of the e-newsletter. Steve Hernandez announced upcoming Rotary meetings.
ORAL COMMUNICATIONS	The following spoke on items not on the Agenda. Mark Montgomery – Martin Milner.
CONSENT CALENDAR	Finlay moved, Reilly seconded to approve the Consent Calendar, as follows, and carried unanimously. Approve Items A, B, C, G. Receive and File Item F. Remove Item D. Continue Item E to September 22, 2015.
ITEM REMOVED – Item D NLC Service Line Warranty (Administered by Utility Service Partners, Inc.)	Karen Herrera provided a staff report and PowerPoint presentation about the item, and stated the City can choose to receive royalties of 75 cents per participant per month, or decline the royalties. Ashley Shiwarski, Utility Service Partners, Inc., provided additional information and answered questions from Councilmembers pertaining to administrative costs, co-payments, vetted contractors, and use of staff time. Lino Paras stated the City should not be involved in this type of business, the intent is good, and the City could be held liable. There was discussion about septic tanks, the City being held harmless, response time requirements, reports, and statistics. Finlay moved, Paras-Caracci seconded to approve the program with the royalty option, and to set up a fund to help those having a hard time financially. There was further discussion about term of contract, not accepting royalties to avoid a perception, and survey data information.
ITEM D – APPROVED	Finlay moved, Paras-Caracci seconded to withdraw the second part of the motion, and to approve the program generally, and carried unanimously. Reilly moved, Fasana seconded to decline the royalty, and failed by the following Roll Call vote: AYES: Fasana, Reilly NOES: Finlay, Kang, Paras-Caracci City Council requested that staff prepare a report that includes the amount of staff time involved to implement/run the royalty portion of the program.
PUBLIC HEARING Council Bill 15-R-18	Mayor Paras-Caracci announced this was the time and place for the continued Public Hearing to consider this item.

Deny Appeal of Planning Comm. Decision – Route 66 Roadhouse & Tavern – CUP 95-1
(Continued from 9/8/15)

Melching read by title proposed Council Bill 15-R-18, and noted the Public Hearing was re-opened at the last meeting:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE DENYING AN APPEAL FILED BY BETTY BARNES, OWNER/OPERATOR OF THE ROUTE 66 ROADHOUSE & TAVERN, AND UPHOLDING THE PLANNING COMMISSION DECISION TO MODIFY CONDITIONAL USE PERMIT 95-1 FOR THE ROUTE 66 ROADHOUSE & TAVERN DUE TO RECURRING LAW ENFORCEMENT ACTIVITY AND NON-COMPLIANCE WITH CONDITIONS OF APPROVAL WHICH HAVE CAUSED THE USE TO BECOME DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, AND WELFARE, AND CONSTITUTES A PUBLIC NUISANCE, PURSUANT TO CHAPTER 19.152 OF THE DUARTE DEVELOPMENT CODE

David Eoff IV, Associate Planner, presented a staff report about the item, summarized the items previously considered, provided additional information as requested by City Council, and discussed the conditions determined by the Planning Commission, the requested modification by the owner, and possible alternative adjustment to Condition 4C pertaining to security personnel.

Brian Villalobos provided additional information about types of calls outlined in the tables included in the staff report.

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

Betty Barnes, owner, stated she does not cater to motorcycle clubs, she does not know what happened with the gun, she needs a plan to put cameras and lighting, she is trying to do it, and it is not being done as quickly as she hoped.

Lino Paras stated the chart shows incidents are improving, there will always be incidents, cameras are a good idea, and security guards cannot do anything.

Steve Hernandez stated he feels weekends are the time to have a guard, he sympathizes with them during the week, things are changing as the numbers are going down, they need to have conditions met, it is a lot of money to put out, asked what the guard will do, and stated there needs to be a mutual conclusion.

Cheryl Butler stated she has gone there for 11 years, she is more worried about being shot or stabbed over a toy at Walmart, the food is good, and she wants to go there to relax and talk to friends.

Mayor Paras-Caracci closed the Public Hearing.

There was discussion about the owner working with the City, the need to submit plans, Planning Commission, and alternative condition.

Reilly moved, Kang seconded to adopt Resolution No. 15-18 as amended to require one security guard on Friday and Saturday from 8:00 p.m. until one-half hour after closing, with the request for staff to bring the item back to Council should non-routine calls for service during the next six months occur on days other than Friday or Saturday.

Melching summarized the motion adopting Resolution No. 15-18 and amending the Conditions of Approval (Exhibit A-1 to the proposed resolution) as follows: (1) Second bullet in Item 4C – "Be on duty during the **Friday and Saturday** evening hours of operation beginning at **8**:00 p.m. …" (2) Add Condition No. 28 – "**28. If a non-routine call occurs at any time, the City shall have the right to conduct a further review and to determine whether further revisions to or revocation of the permit is necessary."**

There was further discussion about the need for full compliance with all other conditions, need for solid dates when the owner will comply, deadlines, and history of non-compliance.

RESOLUTION NO. 15-18

The motion to adopt Resolution No. 15-18, as amended above, carried unanimously.

Council Bill 15-O-05
Huntington Dr./Buena Vista St.
Specific Plan (First Reading)

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

Melching read by title Council Bill 15-O-05:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, RECOMMENDING THE DUARTE CITY COUNCIL ADOPT AN AMENDMENT TO THE HUNTINGTON DRIVE/BUENA VISTA STREET SPECIFIC PLAN, MODIFYING VARIOUS SECTIONS OF THE SPECIFIC PLAN INCLUDING BUT NOT LIMITED TO PERMITTING USES, SIGNS, DESIGN REVIEW, DEFINITIONS, AND PERMIT PROCESSING FOR THE PROPERTY LOCATED AT 1155-1247 HUNTINGTON DRIVE (First Reading)

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

Craig Hensley presented the staff report about the item about amending the Huntington Drive/Buena Vista Street Specific Plan including, but not limited to, permitting uses, signs, design review, definitions, and permit processing, and noted there is a change to the title of the proposed ordinance: the words "recommending the Duarte City Council" will be deleted, and the word "adopt" will be changed to "adopting."

There was discussion about the safety element, design theme, colors, and splitting process.

	Mayor Paras-Caracci asked if anyone in the audience wished to speak on the item. There were none. The Public Hearing was closed.
Council Bill 15-O-05 Introduced for First Reading	Fasana moved, Finlay seconded to introduce Council Bill 15-O-05 for first reading, with the title amended as stated above, and carried unanimously.
BUSINESS ITEMS Commission Appointments	Fasana moved, Kang seconded to appoint Tina Heany to the Public Services Commission, for a term ending December 31, 2017, and carried unanimously. Fasana moved, Finlay seconded to appoint Sara Vasquez to the Planning Commission, for a term ending December 31, 2017, and carried unanimously. Kang moved, Fasana seconded to appoint Paula Gardner to the Planning Commission, for a term ending December 31, 2019, and carried unanimously.
	Mayor Paras-Caracci requested that staff extend an invitation to all applicants to attend the Commission Mixer on October 14th.
Update – Active Transportation Program–Bicycle/Pedestrian Plan	Craig Hensley presented an update about the Active Transportation Program projects and Bicycle/Pedestrian Plan, including landscaping, sidewalks, bicycle improvements, way-finding sign program for the City, bicycle/pedestrian plan, and surveys, and answered questions from Councilmembers.
ORAL COMMUNICATIONS (Continued)	The following spoke on items not on the Agenda. Lino Paras – City Council preparation.
ITEMS FROM CITY COUNCIL/ CITY MANAGER	FINLAY: Stated she received a report to the community from Citrus College, commended them, attended Mobility 21 Summit, and stated it was an outstanding conference and Councilmember Fasana did a fantastic speaking job.
	FASANA: Attended Duarte Mesa event, he received inquiries about possibly adjusting the new lights by Mr. Olive/Royal Oaks so they do not shine in driver's eyes, and inquired about the oak trees hanging over Mt. Olive.
	REILLY: Attended Irwindale station event, Kay Pearlman retirement party, and opening of DMN Restaurant.
	KANG: Stated he could not attend the Duarte Mesa block party, and inquired about a status report regarding the bushes at the 210 underpass in Irwindale.
	GEORGE: Stated City staff, the Chamber, and the San Gabriel Valley Economic Partnership will continue the business visitation program.
	PARAS-CARACCI: Attended the reception at St. Joseph Chapel at Santa Teresita, she and her son took the Duarte Transit, stated the buses are clean and drivers are pleasant, noted there is new

flooring at Royal Oaks Park, the park bathrooms closed earlier than they should have on the weekend, she would like to address the bathroom signs at parks, as well as the height of the signs, and regarding the ARB, inquired about having resident input or a non-staff person assisting in the decision-making.

ADJOURNMENT

The meeting was adjourned at 10:15 p.m. in memory of Martin Milner.

_____

Mayor Tzeitel Paras-Caracci

ATTEST:

_____

City Clerk