

## **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 – AUGUST 25, 2015**

|                                                                       |                                                                                                                                                                                                                                                                                                                                |
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| RECEPTION - City of Duarte's 58 <sup>th</sup> Anniversary Celebration | At 6:00 p.m., a Reception was held in celebration of the City of Duarte's 58 <sup>th</sup> year of incorporation.                                                                                                                                                                                                              |
| 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 7:08 p.m. |
| RECORDATION OF ATTENDANCE                                             | The following were in attendance:<br>PRESENT: Fasana, Finlay, Kang, Reilly, Paras-Caracci<br>ABSENT: None<br>ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Melching                                                                                                                                         |
| ADOPTION OF AGENDA                                                    | Finlay moved, Reilly seconded to adopt the Agenda, and carried unanimously.                                                                                                                                                                                                                                                    |
| PLEDGE TO THE FLAG                                                    | Kay Pearlman led the Pledge of Allegiance to the Flag.                                                                                                                                                                                                                                                                         |
| MOMENT OF REFLECTION                                                  | A moment of reflection was observed.                                                                                                                                                                                                                                                                                           |
| FITNESS/MENTAL WARM-UP                                                | Kang and Finlay provided the warm-up.                                                                                                                                                                                                                                                                                          |
| SPECIAL ITEMS<br>Recognition – Irma Hernandez                         | Mayor Paras-Caracci presented a plaque to Irma Hernandez in recognition and appreciation of her 13 years of service to the City of Duarte as Associate Planner and Senior Planner.                                                                                                                                             |
| Introduction – Chief Johnson                                          | Captain Jacob introduced LASD Chief Stephen Johnson, the newly appointed Chief of East Patrol Division, who provided information about his experience with the Department, and stated he looks forward to serving the area.                                                                                                    |
| Recognition – Kay Pearlman                                            | Mayor Paras-Caracci introduced Kay Perlman, and presented her a Certificate of Appreciation for her 16 years of service as the Duarte Library Children's Librarian.                                                                                                                                                            |
| Recognition – Duarte Library Teen Volunteers                          | Mayor Paras-Caracci presented Certificates of Appreciation to the teen volunteers who participated in the 2015 Duarte Library Summer "Volunteer" Reading Program.                                                                                                                                                              |
| Introduction – Mayor's Youth Council                                  | Mayor Paras-Caracci introduced the members of the Mayor's Youth Council, and presented them Certificates of Appointment.                                                                                                                                                                                                       |
| Recognition – Swati Puri                                              | Mayor Paras-Caracci noted outgoing Public Services Commissioner Swati Puri was not in attendance, and she will receive her plaque for serving on the Public Services Commission from                                                                                                                                           |

January 2014-July 2015.

## ANNOUNCEMENTS

Wendy Wright, Friends of the Duarte Library, announced monthly book club and Wine Down event in November.

Joanna Gee, Duarte Library, announced upcoming events and programs in August, September, and October.

Sheryl Lefmann announced upcoming Chamber events and mixers in September and November.

Karen Herrera presented community announcements about City events, programs, exhibits, and activities in August, September, and October, and announced today is Councilmembers Fasana and Reilly's birthday.

## ORAL COMMUNICATIONS

The following spoke on items not on the Agenda.

Phillip Montanez – Southeast corner of Duarte Road/Mountain.

Mayor Paras-Caracci asked that a report be provided about the overall construction as it gets closer to the completion of the Gold Line.

## CONSENT CALENDAR

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

Approve Items B, C, E, F, H.

Remove Items A, D, G.

## ITEMS REMOVED – Item A Minutes 8/11/15

Mayor Paras-Caracci clarified her comments regarding sponsorships, and stated she feels it should come to Council if money or items are being requested "on behalf of the Mayor and City Council on letterhead."

## ITEM A – APPROVED

Finlay moved, Kang seconded to approve the minutes of August 11, 2015, as clarified, and carried unanimously.

## Item D – Council Bill 15-R-19 Deny appeal – R. Ponce de Leon

Council Bill 15-R-19 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE DENYING THE APPEAL BY ROXANA PONCE DE LEON C/O BELLAGIO FOUNTAIN OF YOUTH OF THE DETERMINATION OF THE CITY'S FINANCE DIRECTOR TO REVOKE A BUSINESS LICENSE FOR ACTIVITIES AT 1740 HUNTINGTON DRIVE, SUITE 102

Steve Hernandez stated the hearing turned out well, and asked if she applied for a license and what conditions will be included. Melching responded.

## ITEM D – APPROVED RESOLUTION NO. 15-19

Fasana moved, Kang seconded to adopt Resolution No. 15-19, and carried unanimously.

## Item G – Aquatic Design Group RFP – Pool Repairs

Melching clarified that the Agenda packet includes the proposal from Aquatic Design Group, the Professional Services Agreement that would be signed pending approval of the item is the standard one used by the City, and includes a sentence stating if

there is any inconsistency between the documents, the City's Agreement will control/supersede the inconsistency.

#### ITEM G – APPROVED

Reilly moved, Finlay seconded to authorize the City Manager to execute a Professional Services Agreement with Aquatic Design Group in an amount up to \$19,500.00 for the development of a detailed Request for Proposal and Scope of Work for repairs to the Duarte pools, and to conduct oversight over the duration of the project, and carried unanimously.

#### PUBLIC HEARING

Council Bill 15-R-18

Deny Appeal of Planning Comm.

Decision – Route 66 Roadhouse &

Tavern – CUP 95-1

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

Melching read by title Council Bill 15-R-18:

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

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

David Eoff IV, Associate Planner, presented a detailed staff report about the item, including background, Planning Commission action, CUP conditions of approval, compliance requirements, law enforcement calls for service since 2010, violations, revocation process, offer of second opportunity to comply, modifications/removal of conditions, new set of conditions as a result of recurring law enforcement activity and non-compliance with the previous conditions of approval, and appeal filed by Betty Barnes, owner/operator, regarding Condition 4-C of the modified conditions pertaining to a security plan.

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

Betty Barnes described her history of ownership, stated she tried to follow the codes brought to her attention, described the required conditions she has completed and the ones she is working on, asked that the condition requiring security seven days a week from 6:00 p.m. to 2:00 a.m. be changed to Friday and Saturday from 8:00 p.m. to 2:00 a.m., stated she will increase

security as business picks up, and there has been one incident and one complaint in the past 12 months.

Rhonda Lyons stated this bar is a piece of history, it is a safe place, it is not as bad as it is made out to be, the people who complain do not like loud music, and she would hate to see a piece of history be gone.

Eric Young stated he is a handyman, he fixes problems at the business, he never saw a problem there, a few transients caused problems, there were no physical altercations inside or outside, this is a small business, Betty is a hard worker, and this is unfair.

Steven Young stated he has been going to Route 66 since it's been there, Betty took care of whatever problems have come up, she lets Westminster Gardens use the parking lot, she tries to make this work, a few incidents have been beyond her control, and she is doing a benefit for Duarte.

Mary Garnett said she met people at Route 66 that she went to school with, it is a reunion spot with pool, darts, and entertainment, and she hopes it doesn't get closed down.

Cheryl Butler stated this is her favorite local business, Betty is hard-working, she has been going there for 11 years, people start fights in nice restaurants, Betty does special things for customers, and they are family.

Steve Hernandez stated security could start with weekends and progress from there, two full-time guards takes a lot of money, if there are still problems, you can tier in more than two days, and stated we benefit when we work together.

Shauna Short stated during the week, there are sometimes only three people, and to have a full-time guard seven days a week is a financial struggle.

Mayor Paras-Caracci closed the Public Hearing.

There was discussion and questions answered pertaining to number of incidents, days of the week when most incidents occurred, extent and varying degrees of incidents, lack of guards for the past 4-5 years, citations, volume of resources, recent incidents, matrix of incidents, displacement of resources, new condition requirements, need for more information, risk management, further analysis, safety, and categorization of incidents in context with the rest of the City.

Fasana moved, Finlay seconded to re-open the Public Hearing, and carried unanimously.

(Continued to 9/8/15)

Fasana moved, Kang seconded to continue the Public Hearing to September 8, 2015, with staff to prepare a matrix of the Sheriff's logs for the past five years, categorizing various requests for

service at the location, and carried unanimously.

#### BUSINESS ITEM

##### Duarte Gold Line Station Report

Kristen Petersen introduced Steve Wilks, IBI Group, who provided a detailed presentation of his assessment of findings, suggestions, community survey results/findings, potential improvement concepts, transit service modifications, local circulator service, capital improvements, pedestrian/bicycle facilities, public information, marketing, branding of transit fare policy, demand management, and early action improvements.

There was discussion about gas tax money, private contracts, shuttle, electronic fares system, and apps. Petersen noted a workshop will be held to discuss existing buses.

Finlay moved, Fasana seconded to receive and file the Duarte Gold Line Station Transit Analysis Final Report, and carried unanimously.

#### ITEMS FROM CITY COUNCIL/ CITY MANAGER

GEORGE: Stated we have been working with our partners about encampments along the riverbed, and we are getting close to an implementation plan.

KANG: Stated this is a great group with great synergy.

FINLAY: Provided information to the City Manager and asked that we place a business card ad for \$30 in the programs for the Monrovia Guild of Children's Hospital fundraiser on October 18 at Embassy Suites in Arcadia, the Inland Empire Regional Composting Authority composted its millionth ton of bio solids, attended Contract Cities Sheriff's dinner, and stated yesterday was the first day of school, and asked all to be careful when the kids are walking to school.

FASANA: Stated when City Council works together as a team, we can accomplish great things, he is honored to serve, although there is not an election, there are anxieties and concerns, he pledges to work on that while in office, thanked all for the opportunity to continue to serve, stated the Gold Line is a great opportunity for us, he was contacted by Mike Cacciotti regarding the upcoming CicLAvia-type event, he was concerned with crossing the bridge over the river and closing part of Huntington Drive, asked if we could get more information about it, and stated he would like to know how the route is going through our City.

REILLY: Stated July 26 was the 25<sup>th</sup> anniversary of the Americans with Disabilities Act, requested a Proclamation be presented to the Pasadena ADA Commission at a Council Meeting, a person from Mosquito and Vector Control District came to her home to check her property, asked that Commissioners Howard and Hernandez who resigned from their Commissions be recognized, she is excited about the Gold Line passenger service opening in

Spring 2016, attended Arcadia station dedication and two new business ribbon cuttings, inquired about futsal (staff responded), she is looking forward to the new parking lot on Pops/Huntington Drive, thanked residents for the opportunity to serve on the City Council, and stated she intends to do her very best in the next four years.

PARAS-CARACCI: Congratulated Councilmembers Fasana and Reilly on their next four years of service, stated it is exciting to have a team working together and moving forward, the Duarte Community Service Council needs a temporary space for its storage container and provided information to the City Manager, requested that a Proclamation for National Patriotism Week be presented to the Duarte Elks Lodge, inquired about the residency requirement for a Planning Commission applicant (Melching responded), the Gold Line impacts a number of cities in the San Gabriel Valley, thanked Councilmember Fasana for his service regarding the Gold line, attended Arcadia's event, requested that the Boy and Girl Scouts in attendance at the Gold Line dedication event be recognized at a Council Meeting, wished Happy Anniversary to the City of Duarte, and stated the recent school press releases are great, with a positive outlook for our City.

ADJOURNMENT

The meeting was adjourned at 10:19 p.m.

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Mayor Tzeitel Paras-Caracci

ATTEST:

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City Clerk