

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 – JULY 12, 2016

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 6:08 p.m.
RECORDATION OF ATTENDANCE	The following were in attendance: PRESENT: Fasana, Finlay (left at 9:22 p.m.), Paras-Caracci, Reilly, Kang ABSENT: None ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Cosgrove
ADOPTION OF AGENDA	Finlay moved, Fasana seconded to adopt the Agenda, as amended to adjourn in memory of Officer Brent Thompson, Officer Michael Krol, Officer Patrick Zamarripa, Sgt. Michael Smith, Senior Cpl. Lorne Ahrens (the fallen officers in Dallas), Philando Castile, and Alton Sterling, and carried unanimously.
WORKSHOP	A Workshop was held to discuss lessons learned, observations, and next steps pertaining to the recent San Gabriel Complex Fire. Representatives from all City Departments, the Red Cross, the Fire Department, and the Sheriff's Department attended and provided input. Duarte resident Kerry Nock stated his concern was with communication in the evacuation area, and how the Sheriff Department operates. The Workshop concluded at 7:07 p.m. City Council reconvened at 7:22 p.m., with all members present.
PLEDGE TO THE FLAG	Tom Reyes led the Pledge of Allegiance.
MOMENT OF REFLECTION	A moment of reflection was observed.
FITNESS/MENTAL WARM-UP	Kang and Finlay provided the warm-up.
SPECIAL ITEMS Mayor's Youth Council update	Felipe Valdez, Mayor's Youth Council, announced upcoming Teen Center events and celebrations.
BUSINESS ITEM – Discussion/ Potential direction – Fireworks (Out of sequence)	Finlay moved, Paras-Caracci seconded to consider Business Item 13 (Discussion pertaining to fireworks) at this time, and carried unanimously. There was a discussion about the number of illegal fireworks

seen and heard this year. Fasana stated he would prefer putting it to a vote in November about the purchase and discharge of fireworks. Finlay stated she thinks the fine should be increased.

Brian Villalobos presented a report about suppression efforts, Municipal Code amendment regarding the time fireworks are allowed to be discharged and the fine for violation, and provided a chart of San Gabriel Valley cities that allow and do not allow fireworks.

There was further discussion about the possibility of increasing the fine for violations, dryness, wind speed, year-to-year basis, use of fireworks in parks, spike in unhealthful air quality emissions, and \$23,000 estimated cost for a ballot measure.

Art Rodriguez stated there will still be illegal fireworks, the sale of safe/sane fireworks does more for the community than banning them, discussed the amount given by LULAC in scholarships, and stated he hopes they do not take away fireworks.

Stella Starr, Duarte High School ASB, asked that fireworks not be taken away, it is the best fundraiser, and suggested there could be a display by the City.

Dolores Ortiz stated she never heard of a major incident by safe/sane fireworks, they did not start the fire, it is a waste of taxpayers' money to put it in on the ballot, and it would take money away from non-profit groups.

Tom Reyes stated many kids will be impacted if it makes it to the ballot and passes, he hopes the fire does not weigh on Council's decision, the money is used for children and scholarships, and thanked Council for approving fireworks permits in the past.

Steve Hernandez stated he can understand both sides, it helps many kids in the community, a fire would be a concern, and he thinks the best way is to put it to a vote.

Lisa Deutch stated there have been fireworks in her neighborhood for the past three weeks, it is traumatizing, she is sensitive to noise, she supports scholarships for students, hopes there is a compromise, suggested seeing what model other communities are using or having fireworks in a contained environment, and she is supportive of a ballot measure.

John Kelly, TNT Fireworks, stated his company represents 300 cities in California and 33 in L.A. County, illegal fireworks is a problem, his company is against illegal fireworks, discussed SB 839 regarding fines, and regarding a vote, stated since 2001, 20 cities have voted on fireworks, and the result was that all cities voted to keep them.

James Walker discussed the noise of fireworks, dogs barking, and car alarms, stated loss of life, an eye, or limb is important, we must not put profit over safety, fireworks are unsafe, we must find another means to help the children, and fireworks

are dangerous for the community.

Steven Hernandez, Jr., stated he worked security for the booth at Target this year, his daughter received \$300 and \$200 previously for school, he went to camp because of fireworks, he looks forward to volunteering to support the boys and girls' teams and schools, it buys yearbooks and prom tickets, and he encouraged Council to keep fireworks going.

John Baczkowski stated people and property are safe since the 4th, safe/sane fireworks are safe, Duarte has a history of safe/sane, other cities should look to Duarte, it helps with charities and scholarships, asked how would the organizations that rely heavily on this fundraiser be supported if they are banned, celebrating the 4th is ingrained in our culture, and asked that it not be taken away.

Luisa Flores stated she is a PCC student, she received a \$1,000 scholarship from LULAC, it helped pay for expenses at school, and she hopes fireworks sales continue.

Cheryl Taylor stated the bigger problem is illegal fireworks, crossing the street is not banned when someone is killed, she lives in an evacuation area and would still like to see fireworks in Duarte, the booths represent children, if fireworks are handled correctly, there is no issue, there would be no scholarship money if there are no fireworks, and there have been fireworks used on the 4th of July for 240 years.

Henry Baltazar stated he does not want a vote, responsible people in the City are not going to set a fire, safe/sane has caused no fires in our City, asked that parks not be closed, and stated the \$23,000 could be used to invest in more officers next year.

Teresa Baczkowski stated where she lived before, they eliminated fireworks and still had illegal ones, safe/sane never caused fires, in Lone Pine the field is watered and fireworks can be shot off in the field, in Independence the airport area is used, companies sponsor fireworks shows, there is movement of illegal fireworks into our community, and we should look at management styles in other cities.

Fasana moved to place a measure on the November ballot prohibiting the purchase and discharge of safe and sane fireworks in Duarte. The motion died for lack of a second.

There was further Council discussion about adding additional safeguards, putting young people first and being safe, options at parks, inability to stop fireworks completely, environment, water shortage, drought, increasing the fine, pro-active approach, annual evaluation, closing off Royal Oaks and Encanto, not closing off Royal Oaks and Encanto, scholarships, music programs, watering down of fields, cordoning off areas of parks closest to homes, and poor air quality.

Kang moved, Reilly seconded that the City Attorney research whether we can charge more than \$1,000 as an administrative fine, in light of Government Code Section 39601 and SB 839, and carried unanimously.

Kang moved to ban the use of fireworks at Royal Oaks Park and Encanto Park. The motion died for lack of a second.

Finlay moved, Paras-Caracci seconded to direct staff to report back on strategies to mitigate potential problems and strategies to control the use and discharge of fireworks in all City parks, and carried unanimously.

RECESS

Mayor Kang called a Recess at 9:14 p.m. City Council reconvened at 9:22 p.m., with four members present, and Finlay absent.

SPECIAL ITEMS

Presentation – Granicus/Civica
City's new website

Karen Herrera presented a staff report about the City's new website, including background, selection process, highlights, features, responsiveness, online forms, open government section, Nixle service, and social media.

Ian Nichols, Granicus/Civic, described the general process used to design the website, staff input and committees, phases, overall design, content, navigation structure, ease of transmittal of information, and emergency alerts, and demonstrated a number of the features.

Cesar Monsalve provided information about ActiveNet for on-line class registrations, which will be launched in September when the next quarterly registration period begins.

Brian Villalobos provided information about CaleAmerica for online parking permits, which will be launched in August, as well as a 24/7 kiosk that will be by City Hall.

Information – 2017 Rose Parade

George presented an informational staff report about funds that were identified in the 2015/16 budget that will be used to participate in the 2017 Rose Parade with the City of Hope as an economic effort, stated the City of Hope has developed an amazing design for the float, it will include the City's logo, and representation of the City of Duarte will be on the float.

ANNOUNCEMENTS

Joanna Gee, Duarte Library, announced story times, programs, and teen/adult events in July.

Karen Herrera presented community announcements, including upcoming events, programs, and celebrations in July.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda.

Cheryl Taylor – City Hall flag.

Deborah West – Street sweeping.

Brian Lister – Street sweeping, fireworks.

Tom Reyes – Street sweeping.

Steven Hernandez – Martin Luther King, Jr.

CONSENT CALENDAR

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

Approve Items A, B, C, F, G, I.

Remove Item D, E, H.

ITEMS REMOVED

Item D – Proclamation – Parks

ITEM D – APPROVED

Reilly moved, Fasana seconded to approve the Proclamation for Parks Make Life Better in Duarte Month, which will be observed during the month of July 2016, and carried with Finlay absent.

Item E – Council Bill 16-R-17
Designated Positions

Council Bill 16-R-17 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING THE LIST OF DESIGNATED POSITIONS FOR FILING STATEMENTS OF ECONOMIC INTEREST AND CONFORMING THE APPLICABLE DISCLOSURE CATEGORIES TO REQUIREMENTS OF THE STATE OF CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION

Staff answered questions about the item.

ITEM E – APPROVED
RESOLUTION NO. 16-17

Reilly moved, Kang seconded to adopt Resolution No. 16-17, and carried with Finlay absent.

Item H – Notice of Completion
Duarte Sports Park Parking Lot

Staff answered questions about the item.

ITEM H – APPROVED

Reilly moved, Fasana seconded to approve the acceptance of Duarte Sports Park Parking Lot Improvements project (PK Construction) and authorize the City Clerk to initiate the Notice of Completion, and carried with Finlay absent.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

GEORGE: Stated the flag at City Hall is illuminated, however, the bulb may need to be replaced.

PARAS-CARACCI: Requested that a copy of the street sweeping report about number of parked cars be emailed to her, stated words on the signs can be changed at a minimal cost, and all feedback will be considered.

REILLY: Stated people need to be prepared to shelter in place in the event of a fire, the Red Cross has suggestions on its website, Red Cross volunteers have to be trained, commended staff on the evacuation center, attended AQMD update and tour, they offer a pilot program for electric lawnmowers, suggested Valley Crest may like to participate in it, and stated she is glad Smart & Final is here.

FASANA: Congratulated staff on Smart & Final, he is looking forward to Grocery Outlet and Starbucks, discussed the Fresh & Easy location, Metro initiated a bike share program in downtown L.A., regarding the shooting victims, stated there is a need for dialogue and communication, we need to be sensitive as to how long the street sweeping pilot program will proceed as it is, and we need to keep residue from going into the storm drain.

KANG: Regarding the fire, he would like to utilize the CERT personnel, inquired about ham operators (Villalobos responded), he received emails about the signal at Mountain and Duarte Road

(Hensley responded), he would like to know how Smart & Final is doing, and stated although he does not not sell fireworks, he does contribute to the City.

ADJOURNMENT

Steve Hernandez spoke about the fallen Dallas officers.

The meeting was adjourned at 10:42 p.m. in memory of Officer Brent Thompson, Officer Michael Krol, Officer Patrick Zamarripa, Sgt. Michael Smith, Senior Cpl. Lorne Ahrens, Philando Castile, and Alton Sterling.

Mayor Samuel Kang

ATTEST:

City Clerk