

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 – JUNE 26, 2018

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 Fasana called the meeting to order at 7:10 p.m.
RECORDATION OF ATTENDANCE	The following were in attendance: PRESENT: Kang, Paras-Caracci, Reilly, Finlay, Fasana ABSENT: None ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Cosgrove
ADOPTION OF AGENDA	Finlay moved, Kang seconded to adopt the Agenda, as amended to adjourn in memory of Sheri Uhlig, Captain David Rosa, John Mack, and Lucy Escarcega, and carried unanimously.
PLEDGE TO THE FLAG	Dilip Tiwari led the Pledge of Allegiance to the Flag.
MOMENT OF REFLECTION	Finlay provided a moment of reflection.
FITNESS/MENTAL WARM-UP	George and Finlay provided the warm-up.
SPECIAL ITEMS Introduction – Mayor’s Youth Council	Karen Herrera introduced members of the Mayor’s Youth Council. Mayor Fasana presented Certificates of Appointment to Ryan Schneider, Ariel Gonzalez, Serene Dowiri, Sarah Dowiri, Sargis Bederian, Samantha Martinez, Jalen Griffin, Faith Peoples, Hugh Alexander, and Carlos Mejia, and extended congratulations.
Presentation – Duarte Education Foundation – ACT-SO	Councilmember Finlay, on behalf of the Duarte Education Foundation, presented a \$1,000 check to the Pasadena-Duarte NAACP ACT-SO program to be used toward sending Gold Medal winners to the national competition in Texas.
Recognition – Outgoing City Commissioners	Mayor Fasana thanked outgoing City Commissioners Cecilia Moran and Robert Jole (not in attendance) for their service to the City, and presented a plaque to outgoing City Commissioner Shauna Pierce, who arrived later in the meeting.
ANNOUNCEMENTS	Joanna Gee, Duarte Library, announced programs, story times, classes, and workshops in June and July. Karen Herrera announced upcoming community events, programs, movies, and activities in June and July. Tina Heany, Duarte Chamber, announced upcoming meetings and grand openings in June and July.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda.
Gene Jones – Cell phones, fitness center.

CONSENT CALENDAR

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

Approve Items A, B, C, D, G, J.

Remove Items E, F, H, I.

Item D – Council Bill 18-O-05
ORDINANCE NO. 881
DDC 19.60.140(C)(1)
Parcel size and location
(Second Reading)

Item D – Ordinance No. 881 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, APPROVING MUNICIPAL CODE AMENDMENT 18-01 FOR THE AMENDMENT OF SECTION 19.60.140(C)(1) “PARCEL SIZE AND LOCATION” OF THE DUARTE DEVELOPMENT CODE (Second Reading)

ITEMS REMOVED

Item E – Chamber Sublease

Karen Herrera presented a staff report about the Chamber sublease agreement, and answered questions from Councilmembers.

ITEM E – APPROVED

Paras-Caracci moved, Finlay seconded to approve the Duarte Chamber of Commerce sublease agreement, effective 7/1/18-6/30/19, and to authorize the City Manager to execute the agreement, and carried unanimously.

Item F–Chamber Services Agmt.

Karen Herrera presented a staff report and overview of the item.

ITEM F – APPROVED

Reilly moved, Kang seconded to approve the annual Services Agreement with the Duarte Chamber of Commerce in the amount of \$55,100 (7/1/18-6/30/19), and carried unanimously.

Item H – Community Media of the Foothills

Karen Herrera presented a staff report about the agreement, and answered questions about capital equipment expenditures.

ITEM H – APPROVED

Reilly moved, Kang seconded to authorize the City Manager to execute an Annual Service Agreement with Community Media of the Foothills for FY 2018/19 in the amount of \$24,500 for public access programming, and carried unanimously.

Item I – DCTV Service Agmt.

Karen Herrera presented a staff report, discussed the highlights of the agreement, and answered questions.

ITEM I – APPROVED

Reilly moved, Finlay seconded to approve the 2018/19 Service Agreement with Duarte Community Television (DCTV) in the amount of \$27,605 for governmental and educational access programming, and carried unanimously.

BUSINESS ITEMS

Cities of Duarte and Irwindale
Plan to Prevent and Combat
Homelessness

Jessica Ripper, Senior Associate, LeSar Development Consultants, presented an overview of the Cities of Duarte and Irwindale Plan to Prevent and Combat Homelessness, including the goals, revisions, action steps, and next steps.

There was discussion about goals, the importance of coordinating with regional partners, funding for housing, Measure H, rehab of buildings, and strategies.

Lino Paras spoke about homelessness and his experience with homeless persons.

Paras-Caracci moved, Reilly seconded to adopt the Cities of Duarte and Irwindale Plan to Prevent and Combat Homelessness, and carried by the following Roll Call vote:

AYES: Paras-Caracci, Finlay, Kang, Reilly, Fasana

NOES: None

Appointments to Commissions

George presented a staff report about the three vacancies on the three Commissions, and the previously interviewed residents who expressed interest in serving on them.

There was discussion about not having one person serve on two Commissions, as the purpose of the Commission is to give new perspectives.

Finlay moved, Paras-Caracci seconded to appoint Daniel Yri-goyen to the Traffic Safety Commission, Martin Calderon to the Public Safety Commission, and Tina Heany to the Planning Commission (with the requirement that she resign from the Public Services Commission), for terms expiring December 31, 2019, and carried unanimously.

Discussion/Direction–Fireworks Ballot Measure

George presented a staff report about the item to discuss and provide direction about whether to place a measure on the November 2018 ballot prohibiting the sale and discharge of all fireworks in the City beginning with the 4th of July 2019 holiday, including Facebook comments, email notification of this item to the names listed on current fireworks applications, history of fireworks in the City, previous discussions by City Council, and cost to place a measure on the November 2018 ballot. Mayor Fasana previously established a 10-minute presentation period each for pro and con speakers, with other speakers limited to one minute per person.

Michele Silence presented a 10-minute video titled “Consumer Fireworks Report” by Duarte Safety First that included information about enforcement, citations, organized crime, public fireworks display, air/water contamination, fire threat, animals, veterans, survey, and revenues, and asked that fireworks be banned.

The following spoke:

-Rito Escamilla – Wish City Council would ban fireworks, his father-in-law has PTSD.

-Carrie Osburn – Safe and sane fireworks gives the impression of safety, no fireworks are safe and sane, we do not need to vote, we need to ban them.

-Nancy Tinker – Lives in Monrovia, her dog was injured, trash is left afterward, sulphur smoke in the air.

-Yvonne Bernal – Need to look at good for all, consider air, animals, elderly, environment, do not focus only on dollars lost.

-Stacie Tang – There is filth, stench, noise, disruption, fear of fire, pets suffer, she wants to enjoy the 4th of July with clean air/water, fireworks are banned in other cities.

-Lorraine LeBerthon – She has a service dog who is terrified of fireworks and cannot do her job, asked to ban fireworks, suggested community-involved activity.

-David Van de Wetering – Banning safe and sane fireworks is not going to stop illegal fireworks, it will encourage people to buy illegal ones, families who like fireworks will leave Duarte, clubs will lose funding, it is unfair to do a straight ban, he feels there could be a compromise.

-Danielle Van de Wetering – The survey does not include everyone, she has animals she cares about, it is one day out of the year, that is a compromise, other things cause fires, gas BBQs, it could possibly be put to a vote, she celebrates here in Duarte, suggested not completely banning fireworks.

-Michael Olson – Asked Council to read the facts, there is enough information to ban fireworks.

-Karen Vance – Spoke about how other people feel about fireworks, those who cannot be here, she asked a veteran and a veterinarian, asked City Council to ban fireworks.

-Linda Acosta – Need to ban fireworks, risk of fires, injuries, smell, noise, distress to pets, it's not just one day, illegal fireworks are going off now, ban fireworks now.

-Doug Stokes – He remembers the Fish Canyon fire, we live in a place where fire is dangerous, he sees people with legal and other fireworks.

-Gene Jones – He lives south of Duarte Road, fireworks are used all year long, there is noise, stench, stuff on the street, asked to please get rid of it, have an organized event, ban them.

-Lino Paras – Should place it on the ballot and let the voters decide, most come from China, it increases our deficit.

-Rick Forintos – Ban it, he has bronchitis, save \$20,000 and pass an ordinance and eliminate it.

-Sarah Skinner – Legal safe and sane fireworks produce only sparks and smoke, there is a difference between illegal and legal fireworks, banning all fireworks will not prevent the use of illegal fireworks, need enforcement, she objects to illegal fireworks, presented safety statistics of fireworks accidents vs. other causes, the City of Hope air supply is filtered, need to enforce existing laws against illegal fireworks.

-Jim Kelley – Asked City Council to look at the material, there are other ways for groups to make money, we do not need injuries, fireworks are never safe, please ban fireworks.

-Lois Gaston – It is a regional issue, there is a group of people who are not here to speak, need a solution for revenue for youth, suggested ad hoc committee, figure it out ourselves.

There was discussion about affected air, flames from fireworks and BBQs, banning will not totally eliminate illegal fireworks, noise, fire alarms, experience of illegal fireworks at Royal Oaks Park, appreciation for all speakers and feedback, socializing, enjoying neighbors and neighborhood, celebrating birth of the country, bonding and sharing experiences, survey results, revenue for clubs, staged fireworks event in Monrovia was very loud, dogs ran around the streets, structured event will not stop illegal fireworks, banning will not stop illegal fireworks, revenue statistics for fireworks booths, increase patrols, arrests, animals and air quality affects areas where fireworks are not allowed, compromise by allowing sparklers in a parking lot, reviewing potential ban annually, tinder, dry conditions, global warming, and PTSD.

Kang moved, Fasana seconded to ban fireworks in the City of Duarte.

There was additional discussion about banning fireworks for a period of time, then reviewing the ban, how non-profits and service clubs can be supported, ad hoc committee to help find a solution, committee not being City-driven, need for communication among groups, and agendaizing at the second meeting in July the option of an ordinance banning fireworks with a sunset on the prohibition, or placing a measure on the November ballot.

Kang and Fasana agreed to amend the motion to direct staff to bring back two options at the July 24, 2018, Council meeting: 1) A directly-enacted ban on fireworks that includes an annual review; and 2) Documents required to submit a measure to the voters in November about banning fireworks. The motion carried unanimously.

ORAL COMMUNICATIONS
(Continued)

The following spoke on items not on the Agenda.
Lino Paras – Fireworks.
Steve Hernandez – Perchlorate, ballet.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

PARAS-CARACCI: Wished all a safe happy 4th of July.

REILLY: Attended Duarte Historical Museum fundraiser, participated in a library workshop, made a presentation at Westminster Gardens about the City, and wished all a happy, safe, and sane 4th of July.

KANG: Stated the signal at Buena Vista/Duarte Road stays red about five minutes (Fasana responded), some of his constituents on Greenbank have said the large towers are resting on City property, asked if we could investigate that, wished all a great 4th of July, stated we have to find a solution for clubs to find alternative funding, and the number one thing he cares about is public safety.

FINLAY: Attended the senior volunteer event, stated Bradbury approved one camera as a pilot project and we will do the other, security cameras have helped catch several criminals, she would like Sgt. Gaw to make a presentation about the number of criminals who have been caught by the use of security cameras, wished all a happy safe 4th of July, and stated she appreciates those who spoke tonight and gave honest opinions.

FASANA: Thanked all who spoke at the meeting, clarified that the vacant lot by Mountain Avenue/Duarte Road is a City property, inquired about the City's vision and role for Route 66, and wished all a safe 4th of July.

Regarding Route 66, Paras-Caracci stated the branding of our City needs to be included. Reilly suggested sending the item to a Commission. Paras-Caracci suggested sending the item to all Commissions for feedback. George stated staff will bring something back for discussion in context with the Napolitano legislation.

ADJOURNMENT

Finlay moved, Fasana seconded to adjourn the meeting at 10:45 p.m., in memory of Sheri Uhlig, Captain David Rosa, John Mack, and Lucy Escarcega, and carried unanimously.

Mayor John Fasana

ATTEST:

City Clerk