

**ARCADIA CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, OCTOBER 17, 2017**

CALL TO ORDER – Mayor Amundson called the meeting to order at 4:04 p.m.

ROLL CALL OF CITY COUNCIL MEMBERS

PRESENT: Beck, Chandler, Verlato, Tay, and Amundson
ABSENT: None

PUBLIC COMMENTS – No one appeared

CLOSED SESSION

- a. Pursuant to Government Code Section 54957.6 to confer with labor negotiators.

City Negotiators: City Manager Dominic Lazzaretto, Administrative Services Director Hue Quach, and Assistant City Manager/Development Services Director Jason Kruckeberg.

Employee Organizations: Arcadia Public Works Employees Association, Arcadia Employees Association, Arcadia Police Civilian Employees Association, Arcadia Police Officers' Association, Arcadia Firefighters' Association, and unrepresented employees: Department Heads, Division Managers, Supervisors, and part-time employees.

No reportable action was taken on the Closed Session item.

The Closed Session ended at 7:00 p.m.

**REGULAR CITY COUNCIL MEETING
7:00 p.m.**

CALL TO ORDER – Mayor Amundson called the regular meeting to order at 7:07 p.m.

INVOCATION – Rabbi Sholom Stiefel, Chabad of Arcadia

PLEDGE OF ALLEGIANCE – Travis Ring, Arcadia Firefighter/Paramedic

ROLL CALL OF CITY COUNCIL MEMBERS

PRESENT: Beck, Chandler, Verlato, Tay, and Amundson
ABSENT: None

REPORT FROM CITY ATTORNEY REGARDING CLOSED/STUDY SESSION ITEMS

City Attorney Deitsch reported that the City Council met in Closed Session to consider the one item listed on the posted agenda under Closed Session, no reportable action was taken.

SUPPLEMENTAL INFORMATION FROM CITY MANAGER REGARDING AGENDA ITEMS

City Manager Lazzaretto stated there was no supplemental agenda information.

MOTION TO READ ALL ORDINANCES AND RESOLUTIONS BY TITLE ONLY AND WAIVE THE READING IN FULL

A motion was made by Mayor Pro Tem Tay and seconded by Council Member Chandler to read all ordinances and resolutions by title only and waive the reading in full.

PRESENTATIONS

- a. Presentation to outgoing Planning Commissioner Ching Chiao.
- b. City Clerk to administer the Oath of Office to newly appointed Planning Commissioner Donald Fandry.

The Pasadena Humane Society appeared and presented an adoptable dog.

1. PUBLIC HEARING

- a. Appeal of the Planning Commission's approval to overturn the Santa Anita Oaks Home Owners' Association Architectural Review Board Chairperson's denial of a new circular driveway at 1231 San Carlos Road (HOA Appeal No. HOA 17-01) with a categorical exemption under the California Environmental Quality Act ("CEQA").

Recommended Action: Approve the Appeal and Uphold the ARB Denial

Planning/Community Development Administrator Flores presented the staff report.

City Manager Lazzaretto announced for the record that a letter was received by Attorney Scott Carlson, of Carlson & Nicholas, LLP, who represents the applicant's Tom and Ellen Crosby.

Mayor Amundson opened the public hearing.

Vince Vargas, Santa Anita Oaks Homeowners Association Board Member, appeared and provided the reasons why the ARB denied the Applicant's request for a circular driveway; and encouraged the City Council to uphold the appeal and reverse the Planning Commission's findings.

Scott Carlson, attorney for the applicant, appeared and stated that the Planning Commission's findings indicated traffic safety issues; that the Architectural Review Board ("ARB") adopted a standard that is inconsistent with the Development Code; that the ARB does not have written standards or the capacity to decide when a circular driveway may or may not be granted; and indicated that the decision should be made by the City Council.

Tom Crosby, the applicant, appeared and explained his reasons why the circular driveway should be granted; he stated that there is no written provision in the Santa Anita Oaks Association By-Laws, Resolution No. 6770, or the Arcadia Municipal Code denying the right to rebuild circular driveways when meeting City Zoning Codes; he expressed safety concerns; and asked the City Council to approve the circular driveway.

Council Member Beck questioned Mr. Crosby's safety concerns; and indicated that he does not feel there are safety issues.

Council Member Verlato also questioned Mr. Crosby's safety concerns; and stated that the initial design took into account those safety concerns.

Jack Lynch, Santa Anita Oaks Association Board Member, appeared and explained the reasons why the ARB was opposed to the circular driveway.

Donna Perez, a resident of the Santa Anita Oaks, appeared and spoke about the standards put in place by the Homeowners' Association and ARB; she stated that the standards prohibit circular driveways; that circular driveways cause excess hardscape and act as parking lots; and asked the City Council to uphold the appeal.

Linda Crawford, a resident of the Santa Anita Oaks, appeared and explained her reasons why she is opposed to the circular driveway; she stated that there are no safety issues; and asked that the applicant conform to the standards put in place by the ARB.

Takashi Cheng, a resident of the Santa Anita Oaks, appeared in support of the Applicant's request for a circular driveway; he indicated that there is no state or federal law prohibiting circular driveways; and explained his reasons why the circular driveway should be granted.

In response to Council Member Beck's inquiry, Mr. Vargas indicated that Mr. Cheng had previously requested that his current driveway be replaced with a circular driveway.

In response to Council Member Chandler's questions, Mr. Vargas explained the reasons why the standards prohibiting circular driveways were put in place; and at the request of Council Member Chandler, Mr. Vargas stated that he would provide the City Council with minutes from the meeting in which the ARB voted to adopt those specific standards.

Mayor Pro Tem Tay commented on Mr. Vargas' concerns regarding parking on circular driveways; he indicated that his concern is street parking; and noted that he would rather see cars parked on driveways.

Tom Walker, ARB Chair of the Santa Anita Oaks Association, appeared and expressed the reasons why the ARB is opposed to circular driveways; he spoke about the Association's design standards and their purpose; and asked that the City Council approve the appeal and uphold the ARB's denial.

A motion to close the public hearing was made by Council Member Chandler seconded by Mayor Pro Tem Tay, and seeing no further objection, Mayor Amundson declared the public hearing closed.

It was moved by Council Member Beck, seconded by Council Member Verlato and carried on roll call vote to approve the appeal and overturn the Planning Commission's approval of Home Owners' Association Appeal No. HOA 17-01, and uphold the Santa Anita Oaks Home Owners' Association Architectural Review Board Chairperson's denial of a new circular driveway at 1231 San Carlos Road, and find that the project is Categorically Exempt under the California Environmental Quality Act ("CEQA").

AYES: Beck, Verlato, and Amundson
NOES: Chandler and Tay
ABSENT: None

PUBLIC COMMENTS

Nash Eskander, an Arcadia resident, appeared and expressed his frustration over several citations he received from the Police Department.

Shuk Rashidi, an Arcadia resident, appeared and stated that Chief Guthrie earlier addressed his concerns regarding false alarms; and expressed his concerns over his neighbor possibly renting rooms to separate individuals, and inquired if this was legal in Arcadia.

In response to Mr. Rashidi's concerns, Assistant City Manager/Development Services Director Kruckeberg indicated that if the home was considered a boarding house, it was not permissible in a single-family zone, and requested the property address; and stated that the Planning Division would look into the matter.

Mark Liu, appeared and presented the City Council with invitations for the unveiling ceremony honoring Dr. Robert Wilson on November 12; he announced that a monument was being donated to the Arcadia Methodist Church to commemorate Dr. Wilson.

REPORTS FROM MAYOR, CITY COUNCIL AND CITY CLERK (*including reports from the City Council related to meetings attended at City expense [AB 1234]*).

Council Member Beck announced on October 27, former Mayor Jim Helms will be presented with the Hiram Award at the Masonic Lodge; on October 30, a joint meeting with the Arcadia Unified School District Board; and on November 3, is the Veterans Day Luncheon at the Community Center; he reminded everyone that the City has an ordinance in place prohibiting Airbnb rentals; and indicated that staff is looking into the issue of multiple cars parked on circular driveways.

Council Member Chandler had nothing to report.

Council Member Verlato announced that on October 27, the Downtown Arcadia Improvement Association will be having their Halloween Haunting from 3-5 p.m., followed by a costume contest and Halloween Parade at the Arcadia Transit Plaza, and invited everyone to attend.

Mayor Pro Tem Tay expressed his frustration over the district map selection process; he indicated that the City must comply with the California Voter Rights Act in order to avoid a lawsuit; he noted that the Purple Map is the most harmonious map; and indicated he uses WeChat to keep the community informed about the City.

City Clerk Glasco announced that November 4 is the Shine a Light on Veterans Fundraising Dinner, and that the proceeds will be used for the purchase and installation of the lighting for the Arcadia Vietnam War Monument.

Mayor Amundson also announced that October 30, is the joint meeting with the Arcadia Unified School District Board of Education, and noted that it is open to the public, and encouraged the public to attend; he announced that the Senior Lunch Program has been recognized with the 2017 Congressional Recognition of Excellence Award, and that Congresswoman Judy Chu would be presenting staff members with the award, and thanked the staff for their hard work;

that the City of Arcadia has joined together with the “10 Minute Walk to a Park Campaign”, and shared a short video of the campaign. Mayor Amundson further announced that City Manager Lazzaretto’s wife, Christine Lazzaretto, was honored for her efforts, on behalf of the Los Angeles County Arboretum, by the California Preservation Foundation; he spoke about inquiries that he has received regarding shutting down illegal massage parlors; and encouraged everyone to report suspicious activity to the non-emergency police phone number.

2. CONSENT CALENDAR

- a. Resolution No. 7184 amending the Fiscal Year 2017-18 Annual Capital Improvement Program to include RMRA Funding for various pavement and concrete rehabilitation projects.
Recommended Action: Adopt
- b. Extension to the Contract with Siemens Industry, Inc. for extraordinary repairs of traffic signals in the amount of \$45,588.60.
Recommended Action: Approve
- c. Extension to the Contract with Sheldon Mechanical Corporation for HVAC preventative maintenance services at various City facilities in the amount of \$138,984.
Recommended Action: Approve
- d. Accept all work performed by Doug Martin Contracting, Inc. for the Fiscal Year 2016-17 Annual Slurry Seal Project as complete.
Recommended Action: Approve

It was moved by Mayor Pro Tem Tay, seconded by Council Member Chandler, and carried on roll call vote to approve Consent Calendar Items 2.a through 2.d.

AYES: Tay, Chandler, Verlato, Beck and Amundson
NOES: None
ABSENT: None

3. CITY MANAGER

- a. Ordinance No. 2350 adding Section 1704 to Chapter 7 of Article I of the Arcadia Municipal Code establishing by-district elections, defining district boundaries, and scheduling elections within the districts.
Recommended Action: Adopt

City Manager Lazzaretto presented the staff report.

Mayor Amundson announced that he would allow public comments on City Manager item 3. a.

Janet Chan, an Arcadia resident, appeared and expressed her support of the Purple Map; and thanked the City Council for moving forward with Ordinance No. 2350.

Susan Guo, an Arcadia resident, appeared and also expressed her support of the Purple Map, and expressed her gratitude to the City Council for moving forward with Ordinance No. 2350; and urged the City Council to adopt the ordinance.

Stella Gu, an Arcadia resident, appeared and spoke about their role as City Council Members; and stated that their actions will affect their re-election.

Nelson Ge, an Arcadia resident, appeared and expressed his support of Ordinance No. 2350, and urged the City Council to adopt Ordinance No. 2350.

Ian Howe, an Arcadia resident, appeared and encouraged the City Council to adopt Ordinance No. 2350.

Philip Chan, an Arcadia resident, appeared and expressed his support of Ordinance No. 2350.

Kathy Tan, an Arcadia resident, appeared and expressed her support of the Purple Map.

It was moved by Council Member Chandler, seconded by Mayor Pro Tem Tay, and carried on roll call vote to adopt Ordinance No. 2350 adding Section 1704 to Chapter 7 of Article I of the Arcadia Municipal Code establishing by-district elections, defining district boundaries, and scheduling elections within the districts.

AYES: Chandler, Tay, and Amundson
NOES: Beck and Verlato
ABSENT: None

- b. Report, discussion, and direction regarding the matter of Higginson v. Becerra, and the City of Poway concerning the constitutionality of the California Voting Rights Act.
Recommended Action: Provide Direction

City Attorney Deitsch presented the staff report.

It was moved by Council Member Beck, seconded by Mayor Pro Tay, and carried on roll call vote to lend the City of Arcadia's name to future amicus briefs pending review of the City Attorney; and defer a final determination on funding pending further review from the City Attorney.

AYES: Beck, Tay, Chandler, Verlato, and Amundson
NOES: None
ABSENT: None

ADJOURNMENT

The City Council meeting adjourned at 10:21 p.m. to November 7, 2017, 6:00 p.m. in the Council Conference Room.


Lisa Mussenden
Chief Deputy City Clerk