

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 – APRIL 23, 2019

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 6:13 p.m.

RECORDATION OF ATTENDANCE

The following were in attendance:

PRESENT: Fasana, Finlay (left at 9:35 p.m.), Kang, Reilly,
Urias, Paras-Caracci

ABSENT: None

VACANCY: District 7

ADMINISTRATIVE STAFF PRESENT: City Manager
George, City Attorney Cosgrove

ADOPTION OF AGENDA

Cosgrove asked that an item be added to Item 3 (Closed Session), and that City Council make the finding of the need to take action, as a tentative ruling about the State Water Resources Control Board legal case occurred after the posting of the Agenda.

Fasana moved, Finlay seconded to make the finding, and adopt the Agenda as amended to include the Closed Session item stated above, and carried unanimously by the members who were present.

There was no public input. Cosgrove stated the first Closed Session item was pursuant to Government Code Section 549579-(b)(1), Public Employment – City Manager; the second Closed Session item was pursuant to Government Code Section 54957-(b)(a), Public Employee Performance Evaluation – City Manager, and the third Closed Session item was pursuant to Government Code Section 54956.9(a); Pending Litigation; *Cities of Duarte et al v. State Water Resources Control Board et al*, Orange County Superior Court Case No. 30-2016-00833614-CU-WM-CJC. The Closed Session concluded at 7:08 p.m. City Council reconvened at 7:13 p.m., with six members present, and one vacancy.

PLEDGE TO THE FLAG

Monrovia-Duarte Girl Scout Service Unit 2851 led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION

Paras-Caracci provided a moment of reflection.

FITNESS/MENTAL WARM-UP

Kang and Finlay provided the warm-up.

SPECIAL ITEMS

Public Safety update
Fireworks enforcement plan
(Continued from 4/9/19)

Brian Villalobos presented an update on the fireworks enforcement plan, including signage and fines, and later in the meeting, displayed a picture of the proposed warning sign. City Council suggested the word “minimum” be added to the signs, so they read “\$1,000 minimum fine for all violations.”

Homelessness update (continued)

The homelessness presentation by Lt. Geoffrey Deedrick was continued to a future meeting.

Presentation by Duarte Chamber
Quarterly Report

Sheryl Lefmann, Duarte Chamber of Commerce, presented its Quarterly Report covering January – March 2019.

Proclamation – National Historic
Preservation Month

Mayor Paras-Caracci read and presented the Proclamation for National Historic Preservation Month to Dilip Tiwari from the Duarte Historical Society.

ANNOUNCEMENTS

Tony Hadloc announced upcoming Ham Radio training class from June 14-18, and stated the Duarte club license has been approved.

Tina Carey, Duarte Chamber of Commerce, announced upcoming luncheons, grand openings, and network events from April through June.

Joanna Gee, Duarte Library, announced upcoming story times, classes, and programs in April and May.

Karen Herrera announced upcoming community events, activities, and presentations in April and May.

Levon Yotnakhparian announced Armenian march for justice in Los Angeles on April 24.

Margaret Finlay provided information about the funeral for her father, expressed appreciation for him, and thanked all for their kind thoughts.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda.

Girl Scout Service Unit 2851 – Picking up trash in local waterways for a Bronze Award.

Paula Watson-Gardner – Naming bike path after her parents.

Steve Hernandez – Ed Ferguson, Sri Lanka incident.

Lino Paras – Ed Ferguson

City Councilmembers expressed their sympathies and memories about Ed Ferguson.

CONSENT CALENDAR

Fasana moved, Urias seconded to approve the Consent Calendar as follows, and carried unanimously by the members who were present.

Approve Items A, B, C, D, H, L.

Receive and File Items I, J, K.

Remove Items E, F, G.

ITEMS REMOVED

Item E – CT&T Concrete Paving
City Hall Concrete Project

Amanda Hamilton, Public Works Manager, presented a staff report about the item, and answered questions from Councilmembers.

ITEM E – APPROVED

Reilly moved, Kang seconded to award the contract to CT&T Concrete Paving, Inc., in the amount of \$48,352 for City Hall Concrete Repair Project, and carried unanimously by the members who were present.

Item F – PCI – Citywide Striping
and Marking Mtce Project

Amanda Hamilton presented a staff report and answered questions about the project.

ITEM F – APPROVED

Reilly moved, Urias seconded to award the contract to PCI in the amount of \$54,020 for FY 18/19 Citywide Striping and Marking Maintenance Project, and carried unanimously by the members who were present.

ITEM G – PTM Engineering
Royal Oaks Traffic Signal
Notice of Completion

Amanda Hamilton presented a staff report about the item, and answered questions from Councilmembers.

Lino Paras stated traffic going west still needs improvement, and discussed charges from the County.

ITEM G – APPROVED

Reilly moved, Finlay seconded to accept the Royal Oaks Traffic Signal and Pedestrian Crossing Improvement Project (PTM Engineering Services, Inc.) as complete, authorize the City Clerk to initiate the Notice of Completion, and approve a \$25,744.08 budget amendment from the State Gasoline Tax fund, and carried unanimously by the members who were present.

PUBLIC HEARING

Council Bill 19-O-03 (1st Reading)
RV overnight parking

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

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

Council Bill 19-R-05

Fees – RV overnight parking

Brian Villalobos presented a staff report and PowerPoint about RV parking on public streets, including calls for service, current 3:00-6:00 a.m. parking restrictions, permits for passenger vehicles, background, Public Safety Commission recommendation, RV parking permit program, and fiscal impact, and answered questions from Councilmembers.

Mayor Paras-Caracci asked if there was anyone in the audience who wished to speak on the matter.

Lino Paras stated the City Council needs to be more pro-active, and discussed chalk marking.

Mayor Paras-Caracci closed the Public Hearing.

Cosgrove read by title Council Bill 19-O-03:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, ADDING A NEW CHAPTER 11.15 TO THE DUARTE MUNICIPAL CODE RELATING

TO PERMIT AND LICENSE REQUIREMENTS FOR OVER-NIGHT PARKING OF RECREATIONAL VEHICLES ON CITY RIGHT OF WAY (First Reading)

Fasana moved, Kang seconded to introduce Council Bill 19-O-03 for first reading.

Finlay moved, Urias seconded a substitute motion to increase the fee to \$10.

Steve Hernandez, Public Safety Commissioner, provided information about the recommendation from the Commission for the \$5 fee.

Finlay withdrew the substitute motion.

The main motion to introduce Council Bill 19-O-03 as proposed for first reading carried unanimously by the members who were present.

Cosgrove read by title Council Bill 19-R-05:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING THE SCHEDULE OF FEES AND CHARGES FOR CITY SERVICES RELATING TO PERMIT AND LICENSE REQUIREMENTS FOR PARKING RECREATIONAL VEHICLES IN THE CITY'S RIGHT OF WAY

RESOLUTION NO. 19-05

Fasana moved, Urias seconded to adopt Resolution No. 19-05, and carried unanimously by the members who were present.

BUSINESS ITEMS

Jocelyn Nunez resignation
Options to fill vacancy

Darrell George presented the staff report about the vacancy in District 7 due to the resignation of Jocelyn Nunez, and provided options for filling the City Council position.

Lino Paras discussed district elections, feels the estimate for an election is too high, democracy is priceless, and suggested letting voters choose their representative.

Lillian Cabral stated she lives in the County area, the election was done, Council should consider the next person elected, and stated the people have spoken.

Steve Hernandez presented his opinion about Jocelyn winning the election in District 7, and stated we need to let that area decide.

Fasana moved, Finlay seconded to receive applications from interested persons, conduct interviews, and make an appointment to fill the vacancy, with the schedule as outlined in Option 1 of the staff report.

There was discussion about the possibility of conducting an internal election, mail-in ballot, timeframe, suggestion that the person receiving the second highest votes be selected, focus on

appointing someone quickly, application process, the large margin between the top two vote-getters, fiscally irresponsible to pay for holding an election, interview process being open to all residents of District 7, and respect for residents in District 7.

The motion to receive applications from interested persons, conduct interviews, and make an appointment to fill the vacancy, with the schedule as outlined in Option 1 of the staff report, carried by the following Roll Call vote:

AYES: Fasana, Finlay, Urias, Paras-Caracci

NOES: Reilly

ABSTAIN: Kang

RECESS

Mayor Paras-Caracci called a Recess at 9:34 p.m. City Council reconvened at 9:48 p.m., with five members present, and Finlay not present.

Ad Hoc Citizens Finance Advisory Committee and Proposed Sales Tax Revenue Measure (Continued from 4/9/19)

Karen Herrera presented a staff report about proposed structure and timeline for the Ad Hoc Citizens Finance Advisory Committee pertaining to a proposed sales tax revenue measure on the March 2020 ballot.

There was discussion about including staff, the Assistant City Manager, size and makeup of committee, qualifications, goals, broad understanding of finance, and representation from the Chamber, County, and/or School District.

Lino Paras discussed a previous ad hoc committee and fiscal emergency, and stated he would rather have the money stay in the City.

There was further discussion about the School District possibly going out for a bond, whether there is a conflict, need for coordination, School District representative possibly being a parent, application, Commission representatives, and possibly someone from labor. City Council determined the Committee would be comprised of one member selected from each City Commission, one member selected by each City Councilmember, one member representing the Chamber of Commerce, one member selected from the Youth and Family Committee, one member selected from the Mayor's Youth Council, and possibly one member selected as a labor representative.

Fasana moved, Reilly seconded to direct staff to initiate the formation of an Ad Hoc Citizens Finance Advisory Committee consistent with the discussion held during the Agenda item, and to bring back the applications for appointment at the May 28, 2019, City Council meeting, and carried unanimously by the members who were present.

Discussion – SB 50 (Wiener)

Fasana discussed some of the aspects of the proposed legislation SB 50 (Wiener) pertaining to planning and zoning, housing

development, and incentives, and asked that the City oppose the bill.

Fasana moved, Reilly seconded that a letter of opposition to Senate Bill 50 (Wiener) be sent under the Mayor's signature to the co-authors of the proposed legislation, as well as to the City's representatives, and carried unanimously by the members who were present.

REPORTS/COMMUNICATIONS
FROM COUNCIL/MANAGER/
ATTORNEY

REILLY: Inquired about a completion date for the sidewalk on Las Lomas (Hensley responded), asked that staff take a look at the yellow area next to 7-11, announced tomorrow is Denim Day, stated some attending the Earth Day event found the information online, and stated we need to make sure the status of non-profits is verified for all events.

KANG: Stated a number of motion detectors are being installed on Huntington Drive, homelessness is at a critical mass at the riverbed, related incidents he experienced, and suggested talking to the non-profits to help find a solution.

URIAS: Related an incident concerning a mail scam and filing a police report at the sub-station (Villalobos responded), and stated he noticed that on the Duarte side of Mountain Avenue south of Duarte Road, there are bus stops without benches.

FASANA: Stated he would like a report about the National Recreation Area legislation, the Mountains Forever program is opening a planning grant application process, and stated the homelessness situation is an ongoing discussion.

PARAS-CARACCI: Stated the Duarte Rotary Breakfast was a great event, thanked staff for the bus tour with Congressman Napolitano, and requested clarification about using Councilmembers' names in City publications, and in ads in the Chamber newsletter.

MEETINGS ATTENDED

In addition to the meetings reported on the Agenda, the following attendance reports were provided:

Reilly: East San Gabriel Valley electeds group event regarding the Vector Control District.

Kang: Visited China with other electeds from a California delegation.

ADJOURNMENT

The meeting was adjourned at 10:42 p.m. in memory of Ed Ferguson, Mike Spence, and the victims of the violence in Sri Lanka.

Mayor Tzeitel Paras-Caracci

ATTEST:

City Clerk