



AGENDA
**REGULAR JOINT MEETING OF THE CITY
 COUNCIL OF THE CITY OF DUARTE, THE
 DUARTE HOUSING AUTHORITY, AND THE
 DUARTE COMMUNITY FACILITIES
 FINANCING AUTHORITY**

TUESDAY, APRIL 11, 2023
 7:00 PM

5:30 PM - CLOSED SESSION
 CITY COUNCIL CHAMBERS,
 1600 HUNTINGTON DRIVE,
 DUARTE, CALIFORNIA 91010

MISSION STATEMENT

With integrity and transparency, the City of Duarte provides exemplary public services in a caring and fiscally responsible manner with a commitment to our community's future

JODY SCHULZ, MAYOR
 VINH TRUONG, MAYOR PRO TEM
 MARGARET FINLAY, COUNCILMEMBER
 SAMUEL KANG, COUNCILMEMBER
 TONEY LEWIS, COUNCILMEMBER
 CESAR GARCIA, COUNCILMEMBER
 TERA MARTIN DEL CAMPO, COUNCILMEMBER

City/Agency/Authority Staff:
 Daniel Jordan, City Manager
 Kristen Petersen, Assistant City Manager and Director of Administrative Services
 Craig Hensley, Community Development Director
 Manuel Enriquez, Director of Parks and Recreation
 Brian Villalobos, Director of Public Safety Services
 Thai Viet Phan, City Attorney
 Annette Juarez, City Clerk

ADA ACCESSIBILITY NOTICE: In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, you should contact the City Manager's office at (626) 357-7931. Notification no later than 1:00 p.m. on the day preceding the meeting will enable the City to make reasonable arrangements to assist your accessibility to this meeting.

Notice: Any documents distributed by the City/Authorities to a majority of the City Council/Housing Authority/Financing Authority Board less than 72 hours prior to the City Council/Housing Authority/Financing Authority meeting will be made available for public inspection at City Hall, 1600 Huntington Drive, Duarte, CA 91010, during normal business hours, except such documents that relate to closed session items or which are otherwise exempt from disclosure under applicable law.

Notice: Duarte City Council meetings are videotaped for later broadcast on DCTV. Attendance at the meeting constitutes consent by members of the public to the City's and any third party's use in any media, without compensation or further notice, of audio, video, and/or pictures of meeting attendees.

Members of the public may listen/view the City Council meeting broadcast on the City's website following each

meeting. To access the meeting, log onto www.accessduarte.com then on the homepage, click on the Agendas/View Meetings icon under the LATEST NEWS/QUICK LINKS banner, then on the Agendas & Minutes page, click on the City Council Meeting link. City Council meetings are also broadcast following each meeting through Spectrum Cable, Channel 3, daily at 12:00 p.m. and 7:00 p.m.

Public comments can be submitted by emailing duarteinfo@accessduarte.com, prior to 6:00 p.m. on the day of the meeting and will be distributed to the City Council and made available for public review. PLEASE NOTE: The subject line of your public comment email must contain the Agenda item number or title. Public comments are a matter of public record, including content that include emails and addresses, so consider content and remove private information as you deem appropriate.

5:30 PM CLOSED SESSION - COUNCIL CHAMBERS

1. CALL TO ORDER AND ROLL CALL

A. City Manager Written Comments

2. ADOPTION OF THE AGENDA

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS - Any person wishing to speak on the Closed Session item may do so at this time. The opportunity to speak is on a first come, first served basis. Each person may speak for 3 minutes.

4. CLOSED SESSION:

A. CONFERENCE WITH LABOR NEGOTIATOR - The Closed Session is authorized by the Government Code Sec. 54957.6. Agency Negotiator: Kristen Petersen, Assistant City Manager and Administrative Services Director

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Pursuant to Government Code Section 54956.8 Property: Approximately 4.412 acres located near the northern terminus of Mel Canyon Road and north of its intersection with Brookridge Road (APN: 8602-002-012) Agency Negotiator: City Manager, Daniel Jordan; Community Development Director, Craig Hensley; City Attorney, Thai Phan; Special Counsel, Joseph Larsen Negotiating Parties: J&Q Land Development Construction, Inc. Under Negotiations: Price and Terms

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Pursuant to Government Code Section 54956.8 Property: Approximately .362 acres located near the southeast corner of Mel Canyon Road and Brookridge Road (APN: 8602-018-005) Agency Negotiator: City Manager, Daniel Jordan; Community Development Director, Craig Hensley; City Attorney, Thai Phan; Special Counsel, Joseph Larsen Negotiating Parties: Mai Thon Ly Under Negotiations: Price and Terms

D. Public Employee Performance Evaluation - Pursuant to Government Code Section 54957; Title: City Attorney

7:00 PM OPEN SESSION - REGULAR MEETING - COUNCIL CHAMBERS

5. CALL TO ORDER AND ROLL CALL

6. PLEDGE TO THE FLAG

7. CITY ATTORNEY CLOSED SESSION REPORT

8. SPECIAL ITEMS

- A. Community Development Department Update
- B. Parks and Recreation Department Update

9. ANNOUNCEMENTS OF UPCOMING COMMUNITY EVENTS

10. ORAL COMMUNICATIONS - ITEMS NOT ON THE AGENDA

11. CONSENT CALENDAR

- A. Motion to read all Resolutions and Ordinances presented for consideration by Title only and waive further reading (CC/HA/FA).
- B. Approve absence(s) of City Councilmember(s) from the City Council meeting
- C. Approval of Minutes - March 28, 2023 Special Meeting and March 28, 2023 Regular Meeting (CC/HA/FA)
- D. Approval of Warrants - April 11, 2023 (CC/HA/FA)
- E. Receive and file the Community Development Department Status Report
- F. Receive and file the Parks and Recreation Department Status Report
- G. Consideration of a Production Agreement with Pyro Spectaculars, Inc. for 2023 Independence Day Celebration Fireworks Show

Recommendation: 1) Authorize the City Manager to execute this production agreement with Pyro Spectaculars, Inc. in the amount of \$26,000 to produce the fireworks display at the City's Independence Day Celebration on July 3, 2023; and 2) Adopt Resolution No. 23-05, authorizing a sole source procurement process

- H. Approval for the 2022 Housing Element Annual Progress Report

Recommendation: Approve the progress report for filing with California Department of Housing and Community Development.

- I. Consideration of Award of Contract to JJJJ Floor Covering, Inc. for the Senior Center Floor Replacement

Recommendation: 1) Award the construction contract for the Senior Center Floor Replacement to JJJJ Floor Covering, Inc., as the lowest responsive and responsible bidder in the amount of \$95, 909.50, in addition to a ten percent contingency for a total project budget of \$105,500.50; and 2) approve a budget amendment of \$75,500.

- J. Approval of Fiscal Intermediary Agreement Between the City of Duarte and the California Department of Technology to Conduct a Broadband Access and Connectivity Infrastructure Assessment

Recommendation: Authorize the Mayor to execute a Fiscal Intermediary Agreement between the City of Duarte and the California Department of Technology for \$200,000 to conduct a broadband access and connectivity infrastructure assessment by June 30, 2024.

12. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION

13. PUBLIC HEARINGS

- A. Municipal Code Amendment (MCA) 23-01 - a City-initiated request to amend the Duarte Development Code in response to State Law in the Areas of Affordable Housing, Assisted Housing, and Accessory Dwelling Units

Recommendation: 1) Conduct a public hearing and receive public testimony; and 2) Introduce Ordinance No. 916, replacing Section 19.10.020 in its entirety; deleting Chapter 19.52; replacing Section 19.60.160.D, Section 19.60.160.F, Chapter 19.64, Section 19.120.160.5 and Section 19.160.190 in their entirety; all of which are within the Duarte Development Code and thereby establishing definitions and regulations regarding housing to implement recently enacted law.

- B. Specific Plan Amendment (SPA) 23-01 - a City-initiated amendment to the Duarte Town Center Specific Plan for Consistency with Approved Housing Element

Recommendation: 1) Conduct a public hearing and receive public testimony; and 2) Introduce Ordinance No. 917, amending Section 3.5.2 and adding Section 3.5.3 to the Duarte Town Center Specific Plan thereby establishing regulations regarding housing to implement the recently adopted Housing Element

14. BUSINESS ITEMS

15. CONTINUATION OF ORAL COMMUNICATIONS

16. ITEMS FROM CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY/FINANCING AUTHORITY MEMBERS AND CITY MANAGER/EXECUTIVE DIRECTOR

17. ADJOURNMENT

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted at the following locations: City Hall – 1600 Huntington Drive, Duarte Public Safety Department – 1042 Huntington Drive, Duarte Library – 1301 Buena Vista Street, and the City of Duarte website (www.accessduarte.com) not less than 72 hours prior to the meeting per Government Code 54954.2.

Dated this 6th day of April, 2023.

Annette Juarez, MMC
City Clerk