

CITY OF DUARTE

**MINUTES OF THE REGULAR JOINT MEETING OF THE CITY COUNCIL,
SUCCESSOR AGENCY TO DISSOLVED REDEVELOPMENT AGENCY OF THE
CITY OF DUARTE, THE DUARTE HOUSING AUTHORITY, AND THE DUARTE
COMMUNITY FACILITIES FINANCING AUTHORITY**

TUESDAY, MARCH 22, 2022

**CLOSED SESSION – 5:45 PM
OPEN SESSION – 7:00 PM**

CLOSED SESSION

1. CALL TO ORDER

Mayor Finlay called the meeting to order at 5:47 p.m.

ROLL CALL:

Councilmembers Present: Kang, Lewis, Schulz*, Truong, Garcia, Paras-Caracci, Finlay
*Councilmember Schulz arrived at 5:55 p.m. during Closed Session.
Councilmembers Absent: None
Staff Present: Daniel Jordan, City Manager
Thai Viet Phan, Assistant City Attorney
Kristen Peterson, Assistant City Manager / Director of
Administrative Services
Craig Hensley, Community Development Director
Manuel Enriquez, Director of Parks and Recreation
Brian Villalobos, Director of Public Safety Services
Victoria Rocha, Assistant to the City Manager
Annette Juarez, City Clerk

2. ADOPTION OF THE AGENDA

City Manager Jordan announced that Business Item 10A – Agreement with Pyro Spectaculars for Production of 2022 Independence Day Celebration Fireworks Show, will be removed from the agenda and brought back for consideration at the April 12, 2022, City Council Meeting.

Moved by Councilmember Kang, seconded by Councilmember Truong, and carried by the following vote of the Council to approve the adoption of the agenda.

AYES: KANG, LEWIS, TRUONG, GARCIA, PARAS-CARACCI, FINLAY
NOES: NONE
ABSTAIN: NONE
ABSENT: SCHULZ

3. PUBLIC COMMENT REGARDING CLOSED SESSION ITEM

None.

4. CLOSED SESSION:

The City Council recessed to Closed Session at 5:52 p.m. to discuss the following:

CONFERENCE WITH LEGAL COUNCIL – ANTICIPATED LITIGATION: Pursuant to Government Code Section 549569(a) and (d)(2): One potential case.

5. CITY ATTORNEY CLOSED SESSION REPORT

The City Council reconvened at 7:04 p.m. and City Attorney Phan announced that no reportable action took place during Closed Session.

OPEN SESSION

1. CALL TO ORDER

Mayor Finlay called the meeting to order at 7:04 p.m.

ROLL CALL:

Councilmembers Present: Kang, Lewis, Schulz, Truong, Garcia, Paras-Caracci, Finlay
Councilmembers Absent: None
Staff Present: Daniel Jordan, City Manager
Thai Viet Phan, Assistant City Attorney
Kristen Peterson, Assistant City Manager / Director of Administrative Services
Craig Hensley, Director Community Development
Manuel Enriquez, Director of Parks and Recreation
Brian Villalobos, Director of Public Safety Services
Victoria Rocha, Assistant to the City Manager
Annette Juarez, City Clerk
Maia McCurley, Associate Planner
Nick Baldwin, Associate Planner

2. PLEDGE TO THE FLAG

The flag salute was led by Diya Shah Patel, member of the Mayor's Youth Council.

3. SPECIAL ITEMS

A. Mayor's Youth Council Update

Members of the Mayor's Youth Council provided an update on recent activities which included the circulation of a petition to bring a bowling alley to the City of Duarte.

B. Duarte Chamber of Commerce Annual Report

Executive Director Shoshana Puccia and Board President Adam Knight provided an update on the Duarte Chamber of Commerce's accomplishments and events over the past year; and announced goals and events for the upcoming year.

C. Public Safety Department Update

Director of Public Safety Services Villalobos provided an update on Part 1 crimes, a habitual offender, and municipal code violation prosecution services; discussed illegal operations at Rainbow Spa and a residential property; provided information about the citation process for Mandatory Organic Recycling; and gave an update on the recent riverbed cleanup.

In response to questions posed by the Council, he provided information regarding the illegal gambling home on Citrus View and an illegal marijuana grow house fire in Irwindale; and announced a partnership with Mountain View Tires for the engraving of catalytic converters.

4. ANNOUNCEMENTS OF UPCOMING COMMUNITY EVENTS

Joanna Gee, Duarte Library, announced upcoming library programs and events.

Assistant to the City Manager Rocha announced upcoming City events.

5. ORAL COMMUNICATIONS – ITEMS NOT ON THE AGENDA

Brian Tindell provided information about a planned development in the City of Bradbury.

6. CONSENT CALENDAR

- A. Motion to read all Resolutions and ordinances presented for consideration by Title only and waive further reading. (CC/HA/SA/FA)
- B. Approval of absence(s) of City Council member(s) from the City Council meeting.
- C. Approval of minutes – March 8, 2022 Regular Meeting. (CC/HA/SA/FA)
- D. Approval of warrants – March 22, 2022. (CC/HA/SA/FA)
- E. Receive and File the Public Safety Department Status Report for March 2022.
- F. Receive and File the Monthly Financial Update for February 2022.

Moved by Mayor Pro-Tem Paras-Caracci, seconded by Councilmember Kang, and carried by unanimous vote to approve Items A-F of the Consent Calendar.

AYES: KANG, LEWIS, SCHULZ, TRUONG, GARCIA, PARAS-CARACCI, FINLAY
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

7. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION

None.

8. PUBLIC HEARING – TO BE HEARD AT 8:00 P.M.

- A. Public Hearing to Receive Public Input, Discuss Draft Redistricting Maps, and Identify Focus Maps for Inclusion in the Ordinance to Adopt New District Boundaries for the Duarte City Council; and Scheduling of the Next Public Hearing

Mayor Finlay opened the Public Hearing at 8:00 p.m.

City Clerk Juarez announced that one public comment was submitted via email by the American Civil Liberties Union Foundation regarding compliance with Federal and State redistricting laws, urging the City Council to reject Map 105 and closely analyze Map 108 to ensure compliance with the Voting Rights Act of 1965.

Public Comment

Steve Hernandez addressed the Council to express his support of Draft Map 104.

Anne Wilkins addressed the Council to request that street names be added to the Draft Maps.

Mayor Finlay closed the Public Hearing at 8:08 p.m.

Jeff Simonetti, National Demographics Corporation, joined the Public Hearing via phone.

The Council directed Mr. Simonetti to add street names to the draft maps.

Councilmember Truong moved to elevate Map 103 Revised; Councilmember Schulz seconded the motion to elevate Map 103 Revised. Both Councilmember Truong and Councilmember Schulz stated their reasons for selecting Map 103 Revised.

Mayor Finlay made a substitute motion for Map 104 Revised. Mayor Finlay stated her reasons for preferring Map 104 Revised. The substitute motion died for lack of a second.

Moved by Councilmember Truong, seconded by Councilmember Schulz, and approved by the following vote of the Council to direct Staff to prepare an Ordinance adopting Draft Map 103 Revised for first reading at a Special Meeting.

AYES: KANG, LEWIS, SCHULZ, TRUONG, GARCIA, PARAS-CARACCI
NOES: FINLAY
ABSTAIN: NONE
ABSENT: NONE

9. PUBLIC HEARINGS - CONTINUED

A. Municipal Code Amendment 22-02 – A City-initiated request to repeal Chapter 19.30 “Inclusionary Housing” of the Duarte Development Code and Introduction of Ordinance No. 908

Associate Planner McCurley provided background information about the Inclusionary Housing Ordinance and the suspension of the Inclusionary Housing Program; discussed the findings of an inclusionary housing feasibility study completed as part of the City’s Housing Element Study; and requested that the City Council repeal Chapter 19.30, modify Chapter 19.10, and Chapter 19.160 of the Duarte Municipal Code.

In response to questions posed by the Council, Associate Planner McCurley discussed the inclusionary housing in-lieu fees, rate of return, and the inclusionary housing feasibility study.

Director of Community Development Hensley further discussed the inclusionary housing feasibility study, housing in-lieu fees, and development costs.

Mayor Finlay opened the Public Hearing at 8:37 p.m.

Public Comment

None

Mayor Finlay closed the Public Hearing at 8:38 p.m.

Moved by Councilmember Schulz, seconded by Mayor Pro-Tem Paras-Caracci, and approved by the following vote of the Council to introduce Ordinance No. 908 repealing Chapter 19.30 “Inclusionary Housing” and modifying Chapter 19.10 “Residential ones” and Chapter 19.160 “Definitions” within Title 19 “Development Code” of the City of Duarte Municipal Code – Municipal Code Amendment 22-02.

AYES: KANG, LEWIS, SCHULZ, TRUONG, GARCIA, PARAS-CARACCI, FINLAY
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

B. Site Plan and Design Review (SPDR) 19-05 – Resolution No. 22-11, Subdivision 20-01 – Resolution No. 22-13; and Planned Development Permit (PDP 19-01) – Resolution 22-12 – a proposal for a new, 20-unit, multi-family residential condominium project at 1401 Santo Domingo Drive

Associate Planner Baldwin presented the Staff Report, providing a summary of the project and required entitlements, site-plan and design review, and the tentative tract map. He further discussed the Planned Development Permit, site plan and design review, architectural and landscape design, and comments received by neighboring property owners.

Mayor Finlay opened the public hearing at 8:49 p.m.

Public Comment

Sharon Sharp, HOA President, expressed concerns regarding privacy and requested that privacy accommodations be made to the design of the project.

Eunice Figueras, resident at the south side of the proposed development expressed concerns regarding privacy.

Associate Planner Baldwin responded to questions posed by the Council regarding elevations of the proposed development, the use of trees as a privacy alternative, and discussions regarding privacy concerns which took place at the Planning Commission meeting.

Project architect Jimmy Lee responded to questions regarding privacy options for the neighboring developments, zoning requirements, and conditions of approval.

City Attorney Phan clarified that the landscape and hardscape plan are a part of the conditions of approval which will require separate review by staff to ensure compliance with the development code.

Public Comment

Manoj Patel addressed the Council to give his opinion regarding liability and gated communities.

Mayor Finlay closed the public hearing at 9:11

Moved by Councilmember Schulz, seconded by Councilmember Kang, and approved by the following vote to adopt Resolution No. 22-11 for SPDR 19-05, Resolution No. 22-12 for PDP 19-01, and Resolution No. 22-13 for Subdivision 20-01 with the caveat that the Director of Community Development consider the privacy concerns for the approval the landscape and hardscape plan.

AYES: KANG, LEWIS, SCHULZ, TRUONG, GARCIA, PARAS-CARACCI, FINLAY
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

10. BUSINESS ITEMS

- A. Agreement with Pyro Spectaculars for Production of 2022 Independence Day Celebration Fireworks Show in the amount of \$26,000; and approval of budget amendment of \$6,000 from the General Fund

Item was pulled from the agenda for discussion at the April 12, 2022, City Council Meeting.

- B. Request from KID-FIT Preschool Health and Fitness Organization for the City of Duarte to sponsor the KID-FIT Family Fun Run 5K on Saturday, May 21, 2022

Director of Parks and Recreation Enriquez presented the Staff Report, providing an overview of the feedback provided by the Parks and Recreation Commission during their March 14, 2022, meeting regarding the KID-FIT Family Fun Run 5K co-sponsorship request.

Michele Silence, KID-FIT Preschool Health and Fitness Organization, provided an update on what has taken place since the previous Council meeting.

There was discussion regarding the event logistics, liability, funding, sponsorship, donations, and trail repair.

Further discussion ensued regarding the event, co-sponsorship, and an indemnification agreement.

Councilmember Kang made a motion to reject the standard co-sponsorship package. The motion was seconded by Councilmember Truong.

Mayor Finlay made a substitute motion to approve a \$325 waiver of permit fees, which would not include the use of the city logo and would require that the organization complete and submit an indemnity agreement within 14 days of the meeting, City marketing and social media would be excluded as well.

Discussion ensued regarding the use of the city logo on event materials.

There was further discussion regarding the repair of the trail.

Moved by Mayor Finlay, seconded by Councilmember Garcia, and carried by the following vote of the Council to approve the substitute motion to approve a \$325 waiver of permit fees, which would not include the use of the city logo and would require that the organization complete and submit an indemnity agreement within 14 days of the meeting, City marketing and social media would be excluded as well.

AYES: GARCIA, FINLAY
NOES: KANG, LEWIS, SCHULZ, TRUONG, GARCIA, PARAS-CARACCI
ABSTAIN: NONE
ABSENT: NONE

The substitute motion failed.

Moved by Councilmember Kang, seconded by Councilmember Truong and carried by the following vote of the Council, reject the standard co-sponsorship package including the waiver of the \$325 permit fees.

AYES: KANG, LEWIS, SCHULZ, TRUONG, PARAS-CARACCI
NOES: GARCIA, FINLAY
ABSTAIN: NONE
ABSENT: NONE

13. CONTINUATION OF ORAL COMMUNICATIONS

None.

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

Director of Parks and Recreation Enriquez provided an update on the community meeting regarding a potential dog park in the city.

Assistant City Manager /Director of Administrative Services Petersen announced that a budget workshop will be taking place on May 5.

City Manager Jordan commended Staff on their hard work.

Mayor Pro-Tem Paras-Caracci congratulated the Route 66ers senior softball team on their win; and encouraged everyone to attend the State of the City and Schools event.

Councilmember Truong inquired about the repairing of a wall at the 605-freeway onramp.

Councilmember Schulz thanked Staff for their work; and commended the Chamber of Commerce for their hard work.

Councilmember Garcia thanked the Rotary and all attendees that participated in the Beardslee Park cleanup event; and encouraged everyone to attend the Cesar Chavez Day of Service at Westminster Gardens.

Mayor Finlay inquired about a memorial plaque for Councilmember Bryan Urias at Beardslee Park; and the Lloyd Gibbons Bike Rack ceremony.

Councilmember Kang requested a status report regarding the ridership on the City's transit buses; inquired about the reason for the transit buses with CNG buses; requested that Staff look into the congregating of modified cars and speeding on Huntington Drive at night; inquired about increasing patrol at the Duarte Library due to the increasing number of homeless at the Duarte Library.

Councilmember Lewis thanked Staff for their work; and thanked the City of Gardena for inviting him to their State of the City event.

Mayor Finlay thanked everyone that stayed for the entire meeting; and announced that the meeting would be adjourned in memory of former Councilmember John Fasana's father, Bernard Fasana.

15. ADJOURNMENT

At 10:40 p.m. the City Council adjourned the meeting in memory of Bernard Fasana. ✓


Annette Juarez, City Clerk
Margaret Finlay, Mayor