

CITY OF DUARTE

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

**TUESDAY, FEBRUARY 13, 2024
7:26 PM – Regular Session**

1. CALL TO ORDER

Mayor Truong called the open session to order at 7:03 p.m.

ROLL CALL:

Councilmembers Present: Finlay, Kang, Lewis, Martin Del Campo, Garcia, Truong
Councilmembers Absent: Schulz
Staff Present: Brian Villalobos, City Manager
Thai Viet Phan, City Attorney
Kristen Petersen, Assistant City Manager / Director of
Administrative Services
Craig Hensley, Director of Community Development
Manuel Enriquez, Director of Parks and Recreation
Larry Breceda, Director of Public Safety Services
Annette Juarez, City Clerk
Andres Rangel, Assistant to the City Manager/PIO
Albert Nunez, Management Aide
Salina Bautista, Permit Technician
Susie Perez, Recreation Supervisor

2. PLEDGE TO THE FLAG

The flag salute was led by Joanna Gee.

3. ADOPTION OF THE AGENDA

Moved by Councilmember Finlay, seconded by Councilmember Martin Del Campo, and carried by the following vote of the Council to adopt the agenda.

AYES: FINLAY, KANG, LEWIS, MARTIN DEL CAMPO, GARCIA, TRUONG
NOES: NONE
ABSTAIN: NONE
ABSENT: SCHULZ

4. SPECIAL ITEMS

A. HumanGood Donation to the Duarte Senior Center

Andrew Smith, HumanGood, presented a \$10,000 donation to the Duarte Senior Center. The donation was accepted by Susie Perez, Recreation Supervisor.

B. Community Development Department Update

Director of Community Development Hensley presented the Community Development Department Update which included the development of affordable housing at the Metro parking site, sidewalk and lighting improvements on Evergreen Rd., the annexation of Royal Oaks, Westminster Gardens specific plan revision, the opening of 360 Fitness in the City, and the Starbucks interior renovation.

In response to questions from the Council, he stated that at this time he is unsure whether another Starbucks will be opening in the City, that he would bring back more information about the EV Charging station at a later time, that there are no limitations to the number of same types of businesses allowed in the City, defined affordable housing as required by the County, and gave an update on Mariposa Landscaping performance.

C. Parks and Recreation Department Update

Director of Parks and Recreation Enriquez announced the following upcoming events: 3-on-3 basketball tournament, 20th Annual Cesar Chavez Day of Service, and re-opening of the pool in the upcoming weeks.

In response to questions from the Council, he stated that there is no age limit for the basketball tournament, and at this time the delivery date for the pre-fabricated ADA restroom at Beardslee Park has not been set.

5. ANNOUNCEMENTS OF UPCOMING COMMUNITY EVENTS

Joanna Gee, Duarte Library, announced upcoming library events.

Assistant to the City Manager Rangel announced upcoming city events.

6. ORAL COMMUNICATIONS – ITEMS NOT ON THE AGENDA

Dr. Andrew Raubitschek expressed his displeasure with the City's management of the Spinks Canyon/Duarte Wilderness Preserve prescribed burn and lack of notification.

Steve Hernandez expressed his opinion on the statements made by the previous speaker regarding Spinks Canyon/Duarte Wilderness Preserve.

Assistant Fire Chief Steve Cabrera provided a briefing on the Spinks Canyon Fuels Modification Project.

City Manager Villalobos responded to a question posed by the Council stating that the City is in compliance with the Rivers and Mountains Conservancy and the Department of Fish and Wildlife.

7. CONSENT CALENDAR

- A. Approval of absence(s) of City Councilmember(s) from the City Council meeting.
- B. Motion to read all Resolutions and ordinances presented for consideration by Title only and waive further reading. (CC/HA/FA)
- C. Approval of Minutes – January 23, 2024. (CC/HA/FA)
- D. Approval of Warrants – February 13, 2024. (CC/HA/FA)
- E. Receive and file the Community Development Department Update.
- F. Receive and file the Parks and Recreation Department Update.
- G. Award of Contract for the FY 2023-24 CDBG ADA Curb Ramps Project No. 24-7 CDBG Project No. 602643-23 to TVR Construction Engineering LLC in the amount of \$118,550.00; an approval of a budget amendment to use additional CDBG Funds in the amount of \$100,000.00.
- H. Contract with Bucknam Infrastructure Group, Inc in the amount of \$29,742.00 for the update of the Pavement Management Program.

Moved by Mayor Pro Tem Garcia, seconded by Councilmember Finlay, and carried by the following vote of the Council to approve Items 7A-7H of the Consent Calendar.

AYES: FINLAY, KANG, LEWIS, MARTIN DEL CAMPO, GARCIA, TRUONG
NOES: NONE
ABSTAIN: NONE
ABSENT: SCHULZ

8. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION

None.

9. PUBLIC HEARINGS

A. Adding Section 9.19 to the Duarte Municipal Code (“DMC”) establishing rules and regulations governing the public use of City Facilities

Director of Public Safety Breceda presented the report stating that this item is in response to concerns from City Staff and community members about unsafe behaviors at City facilities. The Public Safety Commission reviewed the current Municipal Code and found deficiencies in existing provisions related to rules and regulations governing the public use of City facilities and the proposed Ordinance rectifies the identified deficiencies. The proposed Ordinance authorizes the City Manager to establish facility regulations which provide the flexibility needed to manage City Facilities effectively while allowing the City Council to retain the authority to establish specific rules for particular facilities.

He answered questions posed by the Council describing which facilities are included in the Ordinance; stating that the Ordinance includes a 10:00 p.m. – 6:00 a.m. curfew; and detailed the various enforcement tools authorized by the Ordinance.

Mayor Truong opened the Public Hearing.

Public Comment

None.

Mayor Truong closed the Public Hearing.

Moved by Councilmember Finlay, seconded by Councilmember Kang, and carried by the following vote of the Council to approve the introduction of Ordinance No. 921 for first reading that will add Section 9.19 to the DMC which establishes rules and regulations governing the public use of City Facilities, to be read by number and title only, and waive further reading of the Ordinance.

AYES: FINLAY, KANG, LEWIS, MARTIN DEL CAMPO, GARCIA, TRUONG
NOES: NONE
ABSTAIN: NONE
ABSENT: SCHULZ

10. BUSINESS ITEMS

A. Joint Resolution between the Board of Supervisors of the County of Los Angeles and the City Council of the City of Duarte Approving and Accepting the Negotiated Exchange of Property Tax Revenue resulting from the Annexation of Territory known as Annexation No. 2023-07 to the City of Duarte and Withdrawal from County Road District No. 5

Mayor Pro Tem Garcia recused himself from discussion of the item 10A as HumanGood is a source of his income, and he left the room.

City Manager Villalobos presented the Staff Report stating that the Joint Resolution is a component of the annexation as required by LAFCO; the Joint Resolution transfers property tax revenue, however since HumanGood is a non-profit organization, the dollar amount is \$0; it will become the City’s responsibility to maintain the roadway in front of the property; the City will be responsible for assuming compliance with the National Flood Insurance Program which the City already does for all property in the City; and the City will notify all public utilities and assume the franchise fees.

Moved by Councilmember Finlay, seconded by Councilmember Martin Del Campo, and carried by the following vote of the Council to approve the Joint Resolution between the Board of Supervisors of the County of Los Angeles and the City Council of the City of Duarte Approving and Accepting the Negotiated Exchange of Property Tax Revenue resulting from the Annexation of Territory known as Annexation No. 2023-07 to the City of Duarte and Withdrawal from County Road District No. 5.

AYES: FINLAY, KANG, LEWIS, MARTIN DEL CAMPO, TRUONG
NOES: NONE
ABSTAIN: GARCIA
ABSENT: SCHULZ

B. Parks and Recreation Commission Recommendation to Approve the Pickleball Court Conversion at Royal Oaks Park

Parks and Recreation Director Enriquez presented the Staff Report stating that in the Summer of 2023, a large group of pickleball players came before the Parks and Recreation Commission to request dedicated pickleball courts. The resurfacing of courts at Royal Oaks Park is part of the City's 2023/24 Capital Improvement Projects and the Commission proposed the idea of permanent pickleball courts at that park. City Staff consulted with some resurfacing contractors and brought the item back to the Commission and the Commission was split in their decision. The City then facilitated a Duarte FlashVote survey and after those results were brought before the Commission, the Commission recommended that the City convert one (1) of existing tennis courts to two (2) permanent pickleball courts (installed with lines and nets) and paint pickleball lines on the tennis court side to allow it to be used as both a tennis court and pickleball courts.

He responded to questions stating that there is enough room for all three courts to be installed, and the space allows for the allotted traffic; there is enough lighting in the area; Staff can look into the reason why there is no lighting at Encanto Park; there are striped courts at the sports complex, however they are not dedicated courts and Staff needs to install the nets prior to events; noise level was taken into consideration; the public has access to tennis courts at the high school;

Moved by Councilmember Finlay, seconded by Councilmember Kang, and carried by the following vote of the Council to approve the pickleball court conversion at Royal Oaks Park.

AYES: FINLAY, KANG, LEWIS, MARTIN DEL CAMPO, GARCIA, TRUONG
NOES: NONE
ABSTAIN: NONE
ABSENT: SCHULZ

C. Ordinance No. 922 Purchasing Requirements

Assistant to the City Manager/Director of Administrative Services Petersen presented the Item stating the proposed Ordinance would add a provision that would allow the City Council to authorize negotiations and ability to enter into a contract with a vendor that has unique qualifications without having to meet the other requirements. The provision would still allow Staff to do formal bidding, written quotes, verbal quotes, requests for proposals, emergency purchases, and sole vendor purchasing.

In response to questions from the Council, she clarified the definition of a sole source vendor and stated that this provision allows Staff to consider a unique vendor to be treated like a sole source vendor based on unique technical knowledge; and discussed the purchasing process.

Moved by Councilmember Finlay, seconded by Councilmember Martin Del Campo, and carried by the following vote of the Council to approve Ordinance No. 922 to add language to the Duarte Municipal Code relating to Exemptions from Purchasing Requirements.

AYES: FINLAY, KANG, LEWIS, MARTIN DEL CAMPO, GARCIA, TRUONG
NOES: NONE
ABSTAIN: NONE
ABSENT: SCHULZ

11. CONTINUATION OF ORAL COMMUNICATIONS

None.

12. ITEMS FROM CITY COUNCIL/HOUSING AUTHORITY/FINANCING AUTHORITY MEMBERS AND CITY MANAGER/EXECUTIVE DIRECTOR/REPORTS OF MEETINGS ATTENDED PER GOVERNMENT CODE SECTION 53232.3

City Manager Villalobos reported that he attended the League of California Cities City Manager's Conference; and announced the passing of Brad Patterson, former Duarte Unified School District employee.

Councilmember Martin Del Campo reported that she attended the Foothill Goldline JPA meeting.

Councilmember Finlay expressed sentiments about the passing of Brad Patterson and requested that the meeting be adjourned in his memory; congratulated Mayor Truong on his prayer breakfast; reported that she attended Kathryn Barger's Open House event; commended Staff for the successful Lunar New Year event; discussed her recent trip to El Salvador; and commended the students of CSArts for their recent production.

Councilmember Lewis thanked City Staff for their work; echoed Councilmember Finlay's request to adjourn the meeting in memory of Brad Patterson; shared the passing of his former neighbor, Angie Easterly and the passing of this Grandmother.

Councilmember Kang thanked Staff for the Lunar New Year event; and inquired about a short term solution to the increase in the homeless population in the area surrounding the Teen Center.

Director of Public Safety Breceda provided information regarding the increase in patrolling near the Teen Center and solutions for the increased camping in that area.

Mayor Pro Tem Garcia commended the Parks & Recreation Department for the Lunar New Year event; wished Mayor Truong a Happy Birthday; and wished everyone a Happy Lunar New Year.

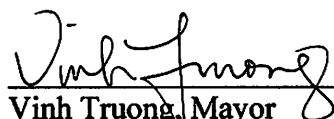
Mayor Truong thanked everyone for their birthday wishes; thanked the Parks & Recreation Department for the Lunar New Year Celebration; expressed his appreciation to everyone that attended the Mayor's Prayer Breakfast; reported that he attended Supervisor Barger's Open House event; and wished everyone a Happy Valentine's Day.

13. ADJOURNMENT

At 8:55 p.m., the City Council adjourned the meeting in memory of Patrick Paddock and Brad Patterson.



Annette Juarez, City Clerk



Vinh Truong, Mayor