

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 – OCTOBER 8, 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 Pro Tem Kang called the meeting to order at 5:02 p.m.

RECORDATION OF ATTENDANCE

The following were in attendance:

PRESENT: Fasana, Finlay (arrived at 5:12 p.m.), Kang, Lewis, Reilly, Urias

ABSENT: Paras-Caracci

ADMINISTRATIVE STAFF PRESENT: Interim Successor City Manager Enriquez, City Attorney Cosgrove

ADOPTION OF AGENDA

Reilly moved, Fasana seconded to adopt the Agenda, and carried unanimously by those present.

CLOSED SESSIONS

- 1) Public Employee Appointment
Successor City Manager
- 2) Existing Litigation
Rate case – Cal Am Water
- 3) Existing Litigation – State
Water Resources Control Board

City Attorney Cosgrove announced three Closed Sessions:

1) Public Employee Appointment – Successor City Manager; per Government Code section 54957(b)(1) – Review Candidate Profile. 2) Existing Litigation: Per Government Code section 54956.9 (a) and (d)(1) regarding an existing rate case filed by California American Water company with the California Public Utilities Commission, Application No. 19-07-004 (Filed July 1, 2019). 3) Existing Litigation: Per Government Code section 54956.9(a) and (d)(1) regarding *The Cities of Duarte and Huntington Park v. State Water Resources Control Board, et al, OCSC Case No. 30-2016-00833614-CU-WM-CJC* (Related Case No. 30-2016-00833722).

Public Input

Lois Gaston stated there are now two City Managers, inquired as to what citizens are paying for, she thought there was to be a transition, no one knows what is to be done next, all should be kept abreast of what is going on at the same time, there is a budget deficit, inquired as to who is in charge of the recruiting process, and stated we are paying for two City Managers and something is wrong.

Steve Hernandez stated he was told it is a violation of the Brown Act for him to be told what happened with Mr. George, this is a betrayal of our trust, it is not the City Attorney's job, residents are the Council's boss, Manuel Enriquez was put in a compromising position as were residents, there is a fiscal emergency to bring more money into the City yet we are paying for two City Managers, if we have that much money, why is there a fiscal

emergency, and stated he does not like it and he is not happy.

Lino Paras stated he is here to help the City get through this, the proposed contract with the Interim City Manager has a lack of wording, asked what happens if the Mayor is not available within seven days to sign the contract, this should be reviewed with an employment contract attorney, we are not paying two full City Manager salaries, and stated the consultant will screen qualified candidates.

City Councilmembers went into Closed Session, and concluded at 6:53 p.m. City Council reconvened at 7:00 p.m., with six members present, and Paras-Caracci absent.

PUBLIC REPORT OF CLOSED SESSION ITEMS

City Attorney Cosgrove announced the three Closed Session items were discussed, as stated above, with no reportable action taken on any item.

PLEDGE TO THE FLAG

Dan Mabe led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION

Finlay provided a moment of reflection.

FITNESS/MENTAL WARM-UP

Kang and Finlay provided the warm-up.

SPECIAL ITEMS

Mayor's Youth Council update

Faith Peoples and Samantha Martinez provided an update of recent Mayor's Youth Council activities and upcoming Teen Center events.

Red Ribbon Week proclamation

Mayor Pro Tem Kang read and presented the proclamation for Red Ribbon Week to Brian Villalobos, who provided information about events associated with the week of activities.

Presentation by AQMD Air Quality update

Michael Cacciotti, South Coast Air Quality Management District, presented an update about the SCAQMD including background, air monitoring, health standards/impacts, incentive programs, exchange and rebate programs, and clean air investments in the City of Duarte.

ANNOUNCEMENTS

Kristen Petersen introduced the City's new Financial Services Manager Angela Chiaromonte. City Councilmembers welcomed her to the City.

Joanna Gee, Duarte Library, announced upcoming programs, story times, events, and classes in October and November.

Adam Knight, Duarte Chamber, announced upcoming events, programs, and seminars in October.

Victoria Rocha announced upcoming community events, activities, and meetings in October and November.

Irene Bobadilla, Think Together, announced after school open house on October 24.

CONSENT CALENDAR

Urias moved, Reilly seconded to approve the Consent Calendar as follows, and carried unanimously by those present.

Approve Items A, B, C, D.

BUSINESS ITEMS

Interim Successor City Manager Contract

Cosgrove presented the staff report about the Interim Successor City Manager contract, including additional temporary compensation and duties, and stated the overlap in compensation was fully contemplated.

Lino Paras stated he is concerned about the proposed contract, it is ambiguous and confusing about the timeline, there should be a backup if the Mayor is not available, and discussed a situation with Montebello School District.

Lois Gaston stated she is concerned about how we got to this point, she thought City Council would have a meeting to know the next steps, not all Councilmembers are aware of the plan, she is a concerned taxpayer, asked why isn't the transition now being worked on with the Interim and former City Manager, and she is concerned about any one Councilmember having more access to the City Manager, Interim City Manager, and City Attorney than all seven Councilmembers do.

Lillian Cabral, SEIU, stated she is concerned this has become personal, asked Councilmembers to take the SEIU employees' letter seriously, personal things should not get in the way of business, and stated the employees produce the product.

There was discussion about the Mayor's signature. Cosgrove stated the law allows the Mayor Pro Tem to sign documents if the Mayor is not available.

Fasana moved, Finlay seconded to approve the Interim Successor City Manager contract, and carried with Reilly voting no, and Paras-Caracci absent.

Recommendations for Mountain/ Euclid Avenue intersection

Amanda Hamilton, Public Works Manager, presented a staff report and PowerPoint about the recommendations from the Los Angeles County Public Works Traffic Engineering Department, answered questions from City Council, and introduced Victor Le from L.A. County, who provided additional details about the crosswalk location, red curb, and removal of speed limit sign.

Steve Hernandez stated the crosswalk was in the wrong spot, it will now have only one movement, the entrance to drop off at Maxwell is very short, and it is a safety factor that we need.

Lewis moved, Reilly seconded to approve the Los Angeles County Public Works Traffic Engineering recommendations for traffic safety improvements at the intersection of Mountain Avenue and Euclid Avenue, per staff recommendation, and carried with Finlay not on the dais, and Paras-Caracci absent.

2019 League Resolutions

Manuel Enriquez presented the staff report about the resolutions to be considered at the upcoming 2019 League of California Cities Conference, and stated Councilmember Lewis is the City's voting delegate.

There was discussion about being in support of the second resolution pertaining to international transboundary pollution flows, and receiving additional information at the conference about the first resolution pertaining to the California Public Utilities Commission amendment to its Rule 20A program.

Finlay suggested in the future, staff could keep a close eye on issues and bring them to the attention of City Council for possible inclusion in League of California Cities resolutions.

Urias moved, Finlay seconded to allow Councilmember Lewis to determine the City's vote on the first resolution after receiving additional information about it at the conference, and to support the second resolution, and carried unanimously by those present.

FM3 Research
Contract Amendment

Cosgrove presented the staff report about the amendment to the FM3 Research contract.

There was discussion about the follow-up survey, timing, new information, increase in education, value of receiving additional information, Ad Hoc Committee, cost, and services provided by Cerrell Associates.

Continued to 10/22/19

Finlay moved, Reilly seconded to continue this item to the next City Council meeting, and invite Cerrell Associates to make a presentation at the next Council Meeting prior to consideration of the amendment to the FM3 Research contract, and carried unanimously by those present.

RESOLUTIONS
Council Bill 19-R-21
Trench Repair Policy

Council Bill 19-R-21 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, ADOPTING THE GENERAL PERMIT CONDITIONS AND TRENCH REPAIR SPECIFICATION POLICY

Amanda Hamilton presented a staff report and PowerPoint about the proposed resolution, including policy goals, and answered questions from Councilmembers.

RESOLUTION NO. 19-21

Reilly moved, Finlay seconded to adopt Resolution No. 19-21, and carried unanimously by those present.

Council Bill 19-R-22
Supports H.R. 2215 (San Gabriel
National Recreation Area) and
Inclusion of Duarte in boundaries

Council Bill 19-R-22 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE SUPPORTING H.R. 2215 AND ITS ESTABLISHMENT OF THE SAN GABRIEL NATIONAL RECREATION AREA, AND EXPRESSING SUPPORT FOR THE INCLUSION OF THE CITY OF DUARTE WITHIN ITS PROPOSED BOUNDARIES

Manuel Enriquez presented the staff report about the proposed resolution.

There was discussion about boundary lines, whether or not to include the entire City in the National Recreation Area, pros and cons, funding and lack of funding, availability of accessing

potential Federal funds, additional regulations, and administrative Federal regulations.

RESOLUTION NO. 19-22

Urias moved, Fasana seconded to adopt Resolution No. 19-22, and carried by the following Roll Call vote:

AYES: Fasana, Urias, Finlay, Kang

NOES: Lewis, Reilly

ABSENT: Paras-Caracci

COMMISSIONS/COMMITTEES
Dissolution of Youth and Family
Committee

Manuel Enriquez presented the staff report about the Youth and Family Commission's recommendation pertaining to dissolution of the Committee.

Adam Knight, Committee President, stated it was an honor to be part of the Committee, discussed action steps and the good work that was done by great people, and stated some of the work began to be redundant as it was being accomplished by the Parks and Recreation Commission and other community groups.

Fasana moved, Finlay seconded to support the recommendation from the Youth and Family Committee and City staff, and to approve the dissolution of the Youth and Family Committee, and carried unanimously by those present.

Finlay requested that all who served on the Youth and Family Committee during the past decade, including former employees Donna Georgino and Cesar Monsalve, be recognized at a subsequent City Council meeting.

ORAL COMMUNICATIONS
(Continued)

The following spoke on items not on the Agenda.

Lino Paras – Mr. Enriquez, update on his daughter's health.

REPORTS/COMMUNICATIONS
FROM COUNCIL/MANAGER/
ATTORNEY

ENRIQUEZ: Thanked City Council for their support and confidence during the transition, and expressed his commitment to continue to make sure this City is thriving while the recruitment process is underway for a permanent City Manager.

FASANA: Stated the Route 66 Parade was fantastic, congratulated the NAACP on its 100th anniversary, and his thoughts and prayers are with Mayor Paras-Caracci for her recovery.

LEWIS: Thanked the Route 66 Committee and the owner and driver of his vehicle, thanked Baskin Robbins for the new business brought to Duarte, stated he will be leading the team on the field at Homecoming on Friday, October is Breast Cancer Awareness Month, he is praying for the Mayor to get better, and thanked Manuel for meeting with him.

FINLAY: Asked that Soyfoods of America be recognized for receiving the Sanitation District's award, inquired if we have safe routes for seniors, suggested it could be something for Parks and Recreation to look at, asked for a riverbed update and inquired about trucks with pallets parking on Buena Vista (Villa-

lobos responded), stated Orange Blossom Park is awesome, the parade and picnic were great, and welcomed Manuel aboard.

URIAS: Stated thoughts and prayers are with the Mayor for a speedy recovery, inquired about a traffic study on Buena Vista (Hensley responded), and inquired about laws or rules regarding bulky items left on streets (Villalobos responded).

REILLY: Stated Orange Blossom Park is wonderful, thanked volunteers and car owners for Route 66 Parade, asked when we can expect a transient occupancy tax agreement from the City of Hope pertaining to the hotel (Cosgrove responded), inquired about the other hotel (Hensley responded), she hopes Baskins Robbins will stay in Duarte, related an incident of a resident who is being evicted and inquired about the need to give cause (Cosgrove responded), asked if apartments across the street are TEFRA (Hensley responded), and stated she will say a prayer for the Mayor and hopes she gets better.

KANG: Thanked staff for their work on the hotel, he is glad we will have a City of Hope hotel also, the Route 66 Parade was awesome, thanked his friend for the flyover, the picnic was cool, stated he believes in righteousness and fairness, he respects everyone equally, there should be no personal agenda, and he will pray for the Mayor and hopes for the best.

MEETINGS AND EVENTS ATTENDED

In addition to the meetings/events reported on the Agenda, the following attendance events were announced:

Fasana – Mayor Garcetti’s Mayor’s meeting, Senator Rubio’s appointments seminar, Ruby McKnight Williams awards event, Rebuilding Together event, SGV Humane Society visit, Orange Blossom Park and Baskin Robbins events.

Lewis – Rebuilding Together event, MAD Council fireworks meeting.

Reilly – Jury duty.

ADJOURNMENT

The meeting was adjourned at 9:59 p.m.

Mayor Pro Tem Samuel Kang

ATTEST:

City Clerk