

6:00 PM MAYOR'S YOUTH COUNCIL INTERVIEWS

1. CALL MEETING TO ORDER AND ROLL CALL

The 6:00 p.m. Mayor's Youth Council Interviews meeting was called to order by Mayor pro tem Finlay at 6:08 p.m. in the City Hall Council Chamber, 1600 Huntington Drive, Duarte, California 91010

ROLL CALL:

Councilmembers Present: Finlay, Kang, Lewis, Paras-Caracci, Schulz, Truong
Councilmembers Absent: Urias

2. CONDUCT MAYOR YOUTH COUNCIL INTERVIEWS

Council interviewed each of the Youth Council applicants.

3. ADJOURN to regular meeting at 6:48 p.m.

7:00 PM OPEN SESSION

4. CALL MEETING TO ORDER

The 7:00 p.m. Open Session meeting was called to order by Mayor pro tem Finlay at 7:11 p.m. in the City Hall Council Chamber, 1600 Huntington Drive, Duarte, California 91010.

ROLL CALL:

Councilmembers Present: Finlay, Kang, Lewis, Paras-Caracci, Schulz, Truong
Councilmembers Absent: Urias
Staff Present: Dan Jordan, City Manager
David Cosgrove, City Attorney
Kristen Petersen, Assistant City Manager, Administrative Services Director
Craig Hensley, Community Development Director
Manuel Enriquez, Parks and Recreation Director
Brian Villalobos, Public Safety Services Director
Annamarie Porter, Interim City Clerk

5. PLEDGE TO THE FLAG

The salute to the Flag was led by City Attorney Cosgrove.

6. ADOPTION OF THE AGENDA

Councilmember Schulz moved, Councilmember Kang seconded to approve the adoption of the Agenda. Motion carried unanimously

7. SPECIAL ITEMS

A. Mayor's Youth Council update – removed from Agenda
Parks and Recreation Director Enriquez confirmed that applications for the Youth Council would continue to be accepted until September 13, 2021.

- B. Duarte Bites Back: Presentation by Levy Sun from the San Gabriel Valley Mosquito & Vector Control District

Mr. Sun gave a PowerPoint presentation regarding Mosquitoes in Duarte, their spread of diseases including West Nile virus among others, vector control, setting up traps to gather information, determining what might attract them, stagnant water, public education, long-term suggestions to reduce their numbers, and neighborhood programs. He elaborated on the amount of vegetation being a contributor to their numbers.

- C. Public Safety Update

Public Safety Services Director Villalobos gave an update regarding crime, fireworks enforcement, Measure H and outreach coordination, the Master Lease program for the homeless, trash and dumping in Encanto Park, the Riverbed areas, 2020 LAHSA Official Homeless count, emergency preparedness, and a Covid update.

Steve Hernandez from the public spoke regarding being on CERT duty during the fire, and the Fire Department did escort some residents in to check in on their horses, after the fire was out.

8. ANNOUNCEMENTS OF UPCOMING COMMUNITY EVENTS

Joanna Gee announced current and upcoming events and programs available at the Duarte Public Library, and activities kits for babies, children, and teens.

Adam Knight of the Duarte Chamber of Commerce gave an update regarding their YouTube channel for Duarte View live, and additional spotlights.

Parks and Recreation Director Enriquez announced the “touch-a-truck” event, and swim lesson registration.

9. ORAL COMMUNICATIONS – ITEMS NOT ON THE AGENDA

Lino Paras from the public noted that in previous years, a musical introduction preceded the fireworks and he suggested that return. He also stated that districts should go down to 5, or be at-large.

10. 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. Approve absence(s) of City Council member(s) from the City Council meeting.
- C. Approval of Minutes – July 13, 2021 (CC/HA/SA/FA)
- D. Approval of Warrants – July 27, 2021 (CC/HA/SA/FA)
- E. Receive and file Public Safety Update Report.
- F. Receive and file Monthly Financial report.
- G. Adopt for second reading by title only Ordinance No. 904, an Ordinance of the City Council of the City of Duarte, California Adopting Municipal Code Amendment 2020-02 replacing in its entirety Duarte Development Code Chapter 19.60.160, regarding accessory dwelling units and junior accessory dwelling units; and modifying Chapter 19.160.050 related to definitions for Accessory Dwelling Units, and authorize the City Attorney to prepare a summary of the Ordinance for Public Notice publication.
- H. Adopt for second reading by title only Ordinance No. 903, an ordinance of the City Council of the City of Duarte California amending Chapter 6.09 of the Duarte Municipal Code, titled "Waste Management", to include provisions pertaining to mandatory commercial recycling and

mandatory commercial organics recycling, and authorize the City Attorney to prepare a summary of the Ordinance for Public Notice.

- I. Accept as Complete the FY 20/21 Street Rehabilitation Project with Gentry Brothers Inc. and authorize the City Clerk to execute and file a Notice of Completion with the Country Recorder.
- J. Accept as Complete FY 20/21 Annual Striping Project with Superior Pavement Markings Inc Project No. 21-4, and authorize the City Clerk to execute and file a Notice of Completion with the Country Recorder.
- K. Approve a letter to Governor Newsom in support of the Foothill Gold Line light rail project completion.
- L. City Council/City Manager Conference Attendance and other items suggested by Council.

Councilmember Kang moved, seconded by Councilmember Paras-Caracci to approve the Consent Calendar as presented. Motion was carried by the following vote:

AYES:	Finlay, Kang, Lewis, Paras-Caracci, Schulz, Truong
NOES:	None
ABSTAIN:	None
ABSENT:	Urias

Councilmember Kang left the dais at 8:02 p.m. and returned at 8:05 p.m.

11. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION - None

12. PUBLIC HEARINGS

A.1. Public Hearing to Consider a resolution ordering the levy and collection of assessments for FY 2021-2022 within the Citywide Landscape and Lighting District

A.2. Adopt by title only Resolution No. 21-16, a Resolution of the City Council of the City of Duarte, California, Confirming the diagram and assessment, and levying of the Assessment for the Street Landscaping and Lighting District for the Fiscal Year from July 1, 2021 to June 30, 2022.

Contract Engineer Milano of RKA gave a report regarding the 17 zones, differentiating among them, and reviewed gas lighting. He deferred to the engineer's report that highlighted the plans and specifications for the improvements, estimated costs of improvements, citywide street and sidewalk landscaping, citywide landscaping and park costs, the senior center, lighting maintenance, graffiti removal, traffic signals, the diagram for the assessment district, assessment zones, and calculations for each. He continued to state there was no money in the budget to convert the approximate 50 existing gas lights to electric, stating it was a very expensive proposition.

Mayor pro tem Finlay opened the public hearing, there being no one wishing to speak, Mayor pro tem Finlay closed the public hearing.

Councilmember Paras-Caracci moved, seconded by Councilmember Schulz to Adopt Resolution No. 21-16. Motion was carried by the following vote:

AYES:	Finlay, Kang, Lewis, Paras-Caracci, Schulz, Truong
NOES:	None
ABSTAIN:	None
ABSENT:	Urias

13. BUSINESS ITEMS

A. Discussion and possible action for appointments to the Mayor's Youth Council

Mayor pro tem Finlay announced the previously held interviews revealed diverse and exceptional candidates, and the value the Youth Council provided to the City Council.

Councilmember Paras-Caracci reiterated that applications would continue to be accepted.

Councilmember Paras-Caracci moved, seconded by Councilmember Schulz to approve the Youth Council applicants. Motion was carried by the following vote:

AYES:	Finlay, Kang, Lewis, Paras-Caracci, Schulz, Truong
NOES:	None
ABSTAIN:	None
ABSENT:	Urias

B. Discussion and possible action regarding options for further study of legal non-conforming fencing.

City Manager Jordan gave the background on the 2010 ordinance prohibiting the fencing, and the grandfathering of the legally non-conforming fencing. Recently a resident had seen in the City of Bradbury, a deer impaled upon the type of non-conforming fencing, which led to the inquiry to Staff regarding the City's ordinance and enforcement. Within the process of developing a revised ordinance, a letter was sent to approximately 1500 residences stating there would be a public hearing to discuss the term of enforcement of the ordinance. In turn, Staff received a number of inquiries, which indicated that the issue needed further study before the public hearing. He then presented four options for consideration and asked for Council direction.

Mayor pro tem Finlay asked for public comment.

John Fasana from the public stated he didn't agree that option 2 was viable. Also, he currently had non-conforming fencing (vinyl).

Lino Paras from the public asked regarding the mailing costs. He further stated that the fencing protected humans and their pets. He referenced dilapidating fencing, and thought permitting, and enforcement was lacking within the city. He asked for the statistics of injured animals in the City.

There being no one else wishing to speak, Mayor pro tem Finlay closed the public comment period.

Councilmember Schulz stated she received much communication regarding wildlife concerns throughout the City and riverbed and proposed that marketing materials be sent to residents, and statistics be kept over time to satisfy due diligence.

Councilmember Paras-Caracci also asked for statistics regarding enforcement, numbers of injured wildlife and for review of the 2010 ordinance for safer fencing such as vinyl and that the conversation should continue.

Councilmember Truong agreed with his fellow councilmembers regarding due diligence and statistics being reviewed.

Regarding enforcing conformity upon the transfer of the property, City Attorney Cosgrove stated that metric on abatement of a non-conforming use gears not to the transfer of the property but rather a reasonable time within which the holder of the non-conforming use can get the economic value out of that economic use. The IRS code uses the 15-year time for fencing depreciation.

Mayor pro tem Finlay asked City Manager Jordan to speak with the City Manager of Bradbury to work with the City on combining efforts.

Councilmember Schulz moved, seconded by Councilmember Kang to refer the matter back to Staff for further review and study for a period of at least one year, that Staff is directed to explore a public information campaign with respect to potential voluntary conversion, during that time, of fencing materials for the protection of wildlife. Staff's review should include review of the existing ordinance as well, and that Staff should report back sometime after a year an analysis of elements such as permit requirements, code enforcement, enforcement generally and fatalities or injuries to wildlife. Motion was carried by the following vote:

AYES:	Finlay, Kang, Lewis, Paras-Caracci, Schulz, Truong
NOES:	None
ABSTAIN:	None
ABSENT:	Urias

14. CONTINUATION OF ORAL COMMUNICATIONS

John Fasana from the public commented on the frequent power outages, and the changes from the State regarding reduction in support for rooftop solar and storage. He asked if there might some communal refrigeration storage for those on medications.

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

City Attorney Cosgrove announced his resignation as City Attorney for the City of Duarte as of August 13, 2021, and his gratitude in working for and with the City.

City Manager Jordan announced the City's receipt of its first tranche under the American Rescue Plan Act. \$2.544 million was received, and the Finance Department would be presenting allowable uses at the next City Council meeting.

Councilmember Paras-Caracci congratulated the athletes in the Toyoko Olympics, in particular the Philippines' weight-lifting gold medal. She also acknowledged Betty McWilliams retirement. She stated issues with Spectrum cable outages. She promoted the touch-a-truck event, and welcomed Sgt. Fiedler.

Councilmember Truong also expressed concerns with severe Spectrum issues and thanked City Attorney Cosgrove for his service.

Councilmember Schulz thanked City Attorney Cosgrove for his service, and she requested for SCE to address Council on planned outages, and perhaps having Spectrum present as well. She stated that Encanto was far from the residents of Azusa, and asked Sgt. Fielder do as much as possible in the area.

Public Safety Services Director Villalobos stated that SCE was unaware of the electricity theft, and since it was Duarte's poles, Duarte was the victim.

Councilmembers Kang and Lewis thanked City Attorney Cosgrove for his service to the City.

Councilmember Lewis congratulated the Olympians and welcomed Sgt. Fiedler.

Mayor pro tem Finlay commented on the loss of Janet Trossel Enrique.

15. CLOSED SESSION

- A. PUBLIC EMPLOYEE APPOINTMENT /EMPLOYMENT /EMPLOYEE PERFORMANCE EVALUATION - The Closed Session is authorized by the Government Code Section 54957(b)(1).

Title: City Attorney

Lino Paras from the public offered his opinion of City Attorney Cosgrove as being "one of the best", and the longest lasting and wished him all the best.

Recessing to closed session at 9:08 p.m. were Councilmembers Lewis, Paras-Caracci, Schulz, Truong, and Mayor pro tem Finlay. Absent were Councilmember Kang and Mayor Urias.

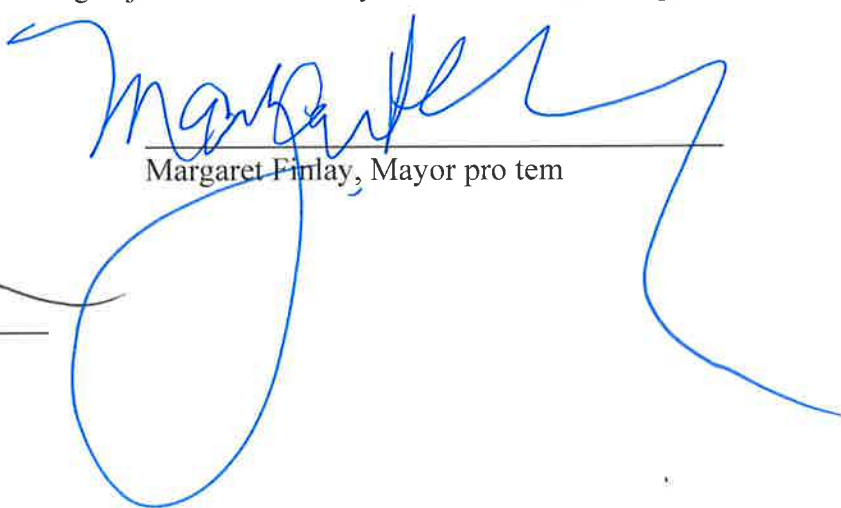
Also present from Staff were City Manager Jordan and City Attorney Cosgrove.

Reconvened to open session at 9:48 p.m., City Manager Jordan announced there was no reportable action.

16. **ADJOURNMENT** – 9:50 p.m. meeting adjourned in memory of Janet Trossel Enrique.



Annamarie Porter, Interim City Clerk



Margaret Finlay, Mayor pro tem