

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 – JULY 14, 2020

NOTE: Due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID-19), Governor Newsom has issued Executive Order N-29-20 in which Section 3 supersedes Paragraph 11 of Executive Order N-25-20 (issued on March 12, 2020) addressing Brown Act regulations. This new order states that the City does not need to make a physical location available for members of the public to observe a public meeting and offer public comment. The Order allows the City to hold City Council meetings via teleconferencing and allows for members of the public to observe and address the meeting electronically.

To follow the new Order issued by the Governor, the City Council meeting was closed to the public. Members of the public were able to view/listen to the live City Council meeting broadcast on the City's website. Public comments were submitted electronically by emailing duarteinfo@accessduarte.com before or during the meeting, prior to the close of public comment. Emailed public comments were read into the record.

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 by teleconference in the Council Chambers, 1600 Huntington Drive, Duarte, California. Mayor Kang called the meeting to order at 4:35 p.m.

RECORDATION OF ATTENDANCE

The following were in attendance:

PRESENT: Fasana, Finlay (arrived at 4:37 p.m.), Lewis, Paras-Caracci, Reilly, Urias, Kang

ABSENT: None

ADMINISTRATIVE STAFF PRESENT: City Manager
Jordan, City Attorney Cosgrove

ADOPTION OF AGENDA

Fasana moved, Urias seconded to add a discussion with possible action regarding COVID response measures, to be considered prior to Item 5, as the situation arose after the posting of the Agenda due to the Governor's shut-down order and recent spike in cases, and carried by the following Roll Call vote:

AYES: Lewis, Reilly, Paras-Caracci, Finlay, Fasana, Urias, Kang

Urias moved, Reilly seconded to adopt the Agenda as amended above, and to also add a Special Item after 7.B (Chamber of Commerce presentation), and to add the names Alejandro Paras and Jesus Zamora to Adjournment, and carried by the following Roll Call vote:

AYES: Fasana, Finlay, Paras-Caracci, Reilly, Lewis, Urias, Kang

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CLOSED SESSION

- Exposure to Litigation (2 cases)
- Conference with Labor Negotiators
- Existing Litigation

There was no public input. The first Closed Session item was pursuant to Government Code Section 54956.9(a), (d)(2), (e)(1), Exposure to Litigation, and includes two cases. The second item was pursuant to Government Code Section 54957.6, Conference with Labor Negotiators; Negotiators: Dan Jordan, Kristen Petersen; Regarding SEIU Local 721 Management and Professional Employees and General Employee Units. The third item was pursuant to Government Code Section 54956.9(a) and (d)(1), Existing Litigation, 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). The Closed Session concluded at 5:45 p.m. City Council reconvened at 7:04 p.m., with all members present.

PUBLIC REPORT OF CLOSED SESSION

City Attorney Cosgrove reported that the City Council met to discuss the above items, with no reportable action taken.

SPECIAL ITEMS

- Item Added – Discussion
- COVID Response Measures

There was discussion among City Councilmembers about issues, concerns, suggestions, and options related to the number of COVID cases in the community, the need to know what is going on, skilled nursing facilities, issue of enforcement, use of masks, possible shut-down, loss of loved ones, some not wearing masks or respecting social distancing, implementation of fines, emergency ordinance, consequences, use of barricades and/or flashing lights, COVID class, turning lights off at the basketball courts, need to disperse crowds, organized sports, information changing daily, law enforcement, timing, education, pedestrians' use of masks, infringement of freedom, public health matter, resources, supplying masks, businesses requiring customers to wear masks, infraction, and fines.

Villalobos and Cosgrove answered questions and provided information about law enforcement, health order, implementation of fines, and infractions.

Fasana requested an update about COVID cases at skilled nursing facilities in Duarte. Kang asked that a thermometer be purchased for use at City Hall. Urias asked if we can revisit the possibility of having COVID testing done in the City.

After discussion, City Council directed staff to bring back an urgency ordinance requiring the use of face masks, with a violation considered an infraction, enforcement of fines, and other appropriate prevention measures that may be necessary.

ANNOUNCEMENTS

Victoria Rocha presented community announcements including upcoming City events, senior food bank, truck event, blood drives, and election information for November 2020.

ORAL COMMUNICATIONS

None.

SPECIAL ITEMS

- Presentation – DUSD

Dr. Gordon Amerson, DUSD Superintendent, presented a status update about the upcoming school year, including vision, mis-

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sion, beliefs, responsibility to find solutions that enable all students to learn, response to COVID-19 during the school closure, re-visioning roadmap to 2020-21 timeline, essential services for students, families, and community, and summer school program, and answered questions from Councilmembers pertaining to food distribution, laptops, distance learning, steering committee, Think Together program, COVID prevention equipment, and protocol.

Presentation – CDBG Cares Act

Tina Gall, CDBG Consultant, presented information about the Community Development Block Grant Cares Act, the Small Business Grant Program, allocation of funds for the purpose of responding to, addressing, and mitigating the impacts of the COVID pandemic, and the City's participation in the program, and answered questions from Councilmembers about the application process, types of businesses, and notification.

Item Added – Presentation by Duarte Chamber of Commerce

Sheryl Lefmann, Duarte Chamber of Commerce, presented the 2019-2020 Annual Report, including membership, categories, Duarte View, partnerships, community events, workforce development, grand openings, COVID-19 response effort, and the Duarte Stronger Together program.

Presentation – Public Safety 4th of July Report

Brian Villalobos presented a PowerPoint about the 4th of July, including calls for service, deployment, violations, observations, and recommendations.

Presentation – Parks Make Life Better Month

Manuel Enriquez presented a video about services and programs offered by the City of Duarte, and noted July is "Parks Make Life Better in Duarte Month."

CONSENT CALENDAR

Victoria Rocha read a comment from Sheryl Lefmann, Duarte Chamber, encouraging support of Item E, the CDBG Cares Act.

Fasana moved, Reilly seconded to adopt the Consent Calendar, as follows, and carried by the following Roll Call vote:

Approve Items A, B, C, D, E, F.

AYES: Fasana, Finlay, Paras-Caracci, Reilly, Lewis, Urias, Kang

NOES: None

PUBLIC HEARINGS

Council Bill 20-R-23

Orders Levy of Assessments

FY 2020-21 Landscape/Lighting

Mayor Kang announced this was the time and place set for a Public Hearing to consider this item, and read by title Council Bill 20-R-23:

Council Bill 20-R-23 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2020-2021 WITHIN THE LANDSCAPE AND LIGHTING DISTRICT PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972

Notice of the hearing was given, the affidavit is on file, and no written communications were received about this item.

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Dominic Milano presented the staff report about the proposed Resolution, and answered questions from Councilmembers.

Mayor Kang asked if anyone requested to speak on the item. As there was no public input, the Public Hearing was closed.

RESOLUTION NO. 20-23

Kang moved, Fasana seconded to adopt Resolution No. 20-23, and carried by the following Roll Call vote:

AYES: Fasana, Finlay, Paras-Caracci, Reilly, Lewis, Urias, Kang
NOES: None

Council Bill 20-O-06 (1st reading) Shopping/Laundry Carts

Mayor Kang announced this was the time and place set for a Public Hearing to consider this item, and read by title Council Bill 20-O-06:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING CHAPTER 9.70, "ABATEMENT OF SHOPPING CARTS AND LAUNDRY CARTS," OF THE DUARTE MUNICIPAL CODE (First Reading)

Notice of the hearing was given, the affidavit is on file, and no written communications were received about this item.

Brian Villalobos presented the staff report about the proposed Ordinance, and answered questions from Councilmembers. Paras-Caracci suggested working with some of the larger property owners, such as Target and Big Lots.

Mayor Kang asked if anyone requested to speak on the item. As there was no public input, the Public Hearing was closed.

Fasana moved, Kang seconded to introduce Council Bill 20-O-06 for first reading, and carried by the following Roll Call vote:
AYES: Fasana, Finlay, Paras-Caracci, Reilly, Lewis, Urias, Kang
NOES: None

BUSINESS ITEM Short-term rentals

Brian Villalobos presented a staff report about short-term rentals, including listings in Duarte, survey of cities, and options pertaining to allowing, regulating, prohibiting, or taxing and/or licensing.

There was discussion about transit occupancy tax, regulation, allowing the use, enforcement issues, restrictions, signage, rights of property owners, and number of occupants/vehicles.

After discussion, the consensus of a majority of the City Council was to direct staff to bring back a resolution or ordinance regulating short-term rentals.

ITEMS FROM CITY COUNCIL/ CITY MANAGER

REILLY: Announced Duarte Kiwanis Club's 65th anniversary, and requested a certificate be sent, noted businesses in Duarte are struggling and we should purchase items locally, encouraged the community to help/support local eating establishments, and stated we need to wear masks and social distance.

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PARAS-CARACCI: Stated the Budget Workshop went well, she would like staff to look into possibly allowing participation at City Council meetings, we need to continue to improve our outreach and how we share information on our various platforms, thanked those involved with the food distribution, we need to utilize our local businesses, it was great to have the Superintendent give an update, it is important to wear masks in public, and spoke about Alejandro Paras.

LEWIS: Thanked all for the food drive, recommended doing another one soon, and thanked the Superintendent for the information.

FINLAY: Discussed cars lined up on Huntington Drive by City Hall, requested a report back about purchasing barricades, and noted community restaurants offer take-out service.

FASANA: Asked if Mr. Barreto from CalAm Water can present a report at an upcoming meeting about PFAS pollution found in the water well, and stated he has known Mr. De La Torre for many years, and he will be missed.

URIAS: Asked if it would be possible to have drive-in movies with people sitting in their cars, perhaps at Walmart parking lot, thanked staff for helping with the food distribution, many are asking if we can do another event, asked for a report about expanding our existing food distribution for seniors to include unemployed and low-income, requested certificates be sent to the partners who helped with the food drive, and spoke about Jesus Zamora.

KANG: Stated the hotel project is moving forward, requested an update on the status of the former True Value location, hopes the thermal camera to spot fires can be implemented soon, suggested temporarily taking the rims off basketball hoops at the park, he is looking forward to implementation of the shopping cart ordinance, requested a report on curb appeal, he would like to donate light bulbs for the parks, asked that a thermometer be purchased for use at City Hall and offered to use his expense funds, suggested LED signs about wearing masks be placed on the trail, asked for a report about the recent Edison outage that lasted over 10 hours and affected 88 residents, asked that we look into the cars being parked at Encanto Park and whether people are camping there, stated we need to prepare for fire season, stated the lights are out at the 99 Cents Store shopping center and asked for a report, inquired about purchasing barricades, and stated Giggle Fiber is not able to provide internet services this year.

ADJOURNMENT

Fasana moved, Reilly seconded to adjourn the meeting at 11:52 p.m. in memory of Michael De La Torre, Alejandro Paras, and Jesus Zamora, and carried unanimously.

Mayor Samuel Kang

City Clerk

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