

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

TUESDAY, MAY 25, 2021

6:00 p.m. – Closed Session
7:00 p.m. – Regular Session

6:00 PM CLOSED SESSION

1. CALL MEETING TO ORDER

Via teleconference the 6:00 p.m. Closed Session meeting was called to order by Councilmember Kang at 6:00 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, Urias
Councilmembers Absent	None
Staff Present:	Dan Jordan, City Manager David Cosgrove, City Attorney Kristen Peterson, Assistant City Manager, Administrative Services Director Victoria Rocha, Assistant to the City Manager Annamarie Porter, Interim City Clerk

2. PLEDGE TO THE FLAG

The salute to the Flag was led by Councilmember Kang

3. ADOPTION OF THE AGENDA

Councilmember Kang moved, Councilmember Paras-Caracci seconded to approve the adoption of the Agenda. Motion carried by the following vote:

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

4. PUBLIC COMMUNICATION ON CLOSED SESSION & NON-AGENDA ITEMS

None

5. CLOSED SESSION ITEMS – 6:03 p.m

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

Title: City Manager

- B. CONFERENCE WITH LEGAL COUNSEL AND LABOR NEGOTIATOR - The Closed Session is authorized by the Government Code Sec 54957.6

AGENCY NEGOTIATOR:

Kristen Peterson, Assistant City Manager and Administrative Services Director
Katy Suttorp, Burke Williams & Sorensen, LLP, Outside Legal Counsel

- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - The Closed Session is authorized by the Attorney-Client privilege, Government Code Section 54956.9(d)(1) & 54957.6.

Name of Case: City of Duarte v. Levon H. Bardakjian, et al., Case No.EC067418

6. ANNOUNCEMENT OF CLOSED SESSION ITEMS

City Attorney Cosgrove stated there was no reportable action on all three Closed-Session items under 54956.1

7:00 PM OPEN SESSION - REGULAR MEETING

7. CALL MEETING TO ORDER

Via teleconference the 7:00 p.m. Open Session meeting was called to order by Mayor Urias at 7:21 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, Urias
Councilmembers Absent	None
Staff Present:	Daniel Jordan, City Manager David Cosgrove, City Attorney Kristen Peterson, Assistant City Manager, Administrative Services Director Craig Hensely, Community Development Director Victoria Rocha, Assistant to the City Manager Manuel Enriquez, Director of Parks and Recreation Brian Villalobos, Director of Public Safety Services Annamarie Porter, Interim City Clerk

City Manager Jordan announced the retirement of Peggy Diamond after 37 years of service. Parks and Recreation Director Enriquez reviewed Ms. Diamond's history with the City, culminating with her being named as Recreation Supervisor, extending rave reviews, and presented her with a plaque. Council also expressed their thanks and best wishes.

8. SPECIAL ITEMS

A. Mayor's Youth Council Update

Faith Peoples and Elizabeth Perez gave a report regarding the Homeless Care Package Drive distributions, a teen center field trip, and new teen center summer hours.

B. Public Safety Update May 2021

Public Safety Services Director Villalobos gave the report on crime trends, the Measure H Grant and Outreach Coordinator, the Riverbed Areas, the Official Homeless Count, and emergency preparedness. Councilmember Paras-Caracci asked for continued outreach regarding garbage and wildlife

9. ANNOUNCEMENTS OF UPCOMING COMMUNITY EVENTS

Bernadette Change, Duarte Chamber of Commerce announced upcoming events, the Duarte View, office hours and holiday closures.

Joanna Gee, Duarte Library announced current library programs.

Assistant to the City Manager Rocha reported on holiday closures, summer recreation registration, and the Senior Softball team.

10. ORAL COMMUNICATIONS – ITEMS NOT ON THE AGENDA

Carol Askin and Rita Kwasnick both voiced concerns over the Riverbed's condition.

Alexandria Beltran, Alton Preston, Dora Andrade & Richard Beltran all voiced concerns regarding the Las Lomas property evictions and asked for Council intervention.

Mayor pro tem Finlay and Councilmember Kang addressed concerns and deferred to City Attorney Cosgrove, who then confirmed that a Receiver had been appointed by the court, and a sale had been made resulting in the need to rehabilitate the property from its' unsafe conditions that were hazardous and a danger to lives. Relocation benefits had been offered to the residents. Additionally, the City had been working on behalf of the residents to acquire benefits in excess of State law requirements. Further, the City had investigated alternate housing and had discovered affordable opportunities. He also referenced the City's Homeless Prevention Program.

Mayor Urias reiterated, in both English and Spanish, the data provided by City Attorney Cosgrove.

11. 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 Minutes – May 11, 2021 (CC/HA/SA/FA)
- C. Approval of Warrants - May 25, 2021 (CC/HA/SA/FA)
- D. Approve Public Safety Update Report. (CC)
- E. Approve Monthly Financial Update. (CC)
- F. Adopt by title only, Resolution No. 21-07, A Resolution of the City of Duarte, California, Establishing an Appropriations Limit Pursuant to the Provisions of Article XIII B of the California Constitution.
- G. Receive and File resignation of Commissioner George Farra from the Planning Commission.
- H. Approve the FY 2021-22 State Law Enforcement Supplemental Funds Expenditure for the amount of \$160,000 and authorize the percentage use of funds as recommended by Temple Station Captain Mark Reyes.
- I. Award the contract to United Storm Water Inc. for the City-Owned Catch Basin Retrofit Project No. 21-8 for the total amount of \$77,392.43; and authorize a budget amendment in the amount of \$17,392.43.
- J. Award the contract to Towo Enterprise Inc. for the Duarte Road Sidewalk and Pedestrian Lighting Improvement Project No. 21-9 for the amount of \$466,672.54.
- K. Award the contract to Superior Pavement Markings, Inc. for the FY 20/21 Annual Striping Project No. 21-4 in the amount of \$87,978.50.
- L. Accept as Complete the Citywide Concrete Repair Project No. 21-5; authorize the City Clerk to Execute and File a Notice of Completion with the County Recorder; and authorize a budget amendment in the amount of \$8,889.50.
- M. City Council/City Manager Conference Attendance and other items suggested by Council. (CC)

Mayor pro tem Finlay moved, seconded by Councilmember Kang to Approve the Consent Calendar. Motion was carried by the following vote:

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

12. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION - None

13. BUSINESS ITEMS

- A. Introduce by Title Only, Ordinance No. 902 an Ordinance of the City Council of the City of Duarte, California enacted pursuant to California Government Code Sections 8634, 36934, and 36937, repealing Urgency Ordinance No. 900 regarding the Public Health Mandate on Face Coverings. For introduction and first reading

City Attorney Cosgrove gave background regarding the origin of the original ordinance, to supplement and align with State and County measures and that we were no longer at that level of severity. The CDC has begun to ease restrictions regarding mask requirements. Further there are enforcement issues. The proposed ordinance would coincide with the State's June 15th goal of mask relaxation. He then addressed questions regarding the ability of the City Manager to rescind the ordinance, the timing being synced up to State mandates, that it supplemented State mandates, however the more restrictive of the State or City's levels would be maintained, the actual date of effectuation, and scenarios if Council postponed. Also, public confusion by being misaligned with the State and County orders.

Moved by Councilmember Paras-Caracci, seconded by Councilmember Kang to introduce Ordinance No. 902, for first reading. Motion failed by the following vote:

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

Moved by Mayor Urias, seconded by Councilmember Lewis to bring back the ordinance in two weeks. Mayor Urias withdrew his motion.

Moved by Mayor pro tem Finlay, seconded by Councilmember Schulz to continue the first reading of the non-urgency ordinance to the City Council meeting of June 8, 2021 for second reading on June 22, 2021 to include Council direction to the City Manager regarding potential suspension of Ordinance No. 900.

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

14. CONTINUATION OF ORAL COMMUNICATIONS

Mayor Urias called for public comment.

Alton Preston expressed appreciation for expression of concerns regarding the Las Lomas housing issue.

There being no one further wishing to speak, Mayor Urias closed the public comment period.

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

City Manager Jordan reported on the City of Hope's joint meeting with a contingency from the Vietnamese Consulate.

Mayor pro tem Finlay announced her mother's memorial service on the 18th of June at 10:00 a.m. at Immaculate Conception Church.

Councilmember Paras-Caracci announced the Duarte Woman's Club Flags of Honor Display from May 28 – June 1, 2021 at Veterans Memorial Thorsen Park.

Councilmember Schulz invited the public to the Homeless discussion that would occur at the City Council meeting of June 22, 2021.

Councilmember Lewis announced that Council was working with other agencies on the Riverbed issue.

Councilmember Kang announced a meeting that would occur with the City of Azusa and Irwindale to continue discussions regarding the homelessness in the Riverbed. He also asked for Public Safety Services Director Villalobos to investigate a series of modified cars that were speeding within a particular area.

Mayor Urias acknowledged the upcoming Memorial Day holiday and extended his thanks for the ultimate sacrifice of life.

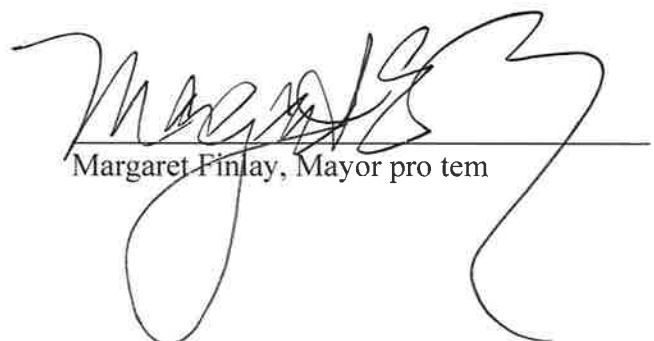
Mayor pro tem Finlay congratulated Duarte High School graduates and announced the Duarte Education Foundation award of \$8,000 in scholarships.

Councilmember Lewis noted the one-year anniversary of the death of George Floyd.

16. ADJOURNMENT – 9:46 p.m. Adjourned in memory of Lorraine Christle, 8/16/1928 - 4/30/2021



Annamarie Porter, Interim City Clerk



Margaret Finlay, Mayor pro tem