

CITY OF DUARTE

**Minutes of the REGULAR JOINT MEETING OF THE
CITY COUNCIL/HOUSING AUTHORITY/DUARTE COMMUNITY FACILITIES
FINANCING AUTHORITY**

**Tuesday, January 28, 2025
6:00 PM — Closed Session
7:00 PM — Regular Session**

6:00 PM - CLOSED SESSION

The City Council did not meet in Closed Session due to a lack of quorum.

7:00 PM - OPEN SESSION

5. CALL TO ORDER AND ROLL CALL

Mayor Garcia called the open session to order at 7:04 p.m.

Councilmembers Present:	Finlay, Kang, Lewis, Calderon, Martin Del Campo, Garcia
Councilmembers Absent:	Truong
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 Larry Breceda, Director of Public Safety Services Manuel Enriquez, Director of Parks and Recreation Annette Juarez, City Clerk Andres Rangel, Assistant to the City Manager Albert Nuñez, Management Analyst Frances Jimenez, Deputy City Clerk

6. PLEDGE TO THE FLAG

The flag salute was led by Mayor’s Youth Council President, Hope Peoples.

Announcement

Mayor Garcia announced the City Council did not meet in Closed Session due to a lack of quorum and moved Item 2 - Adoption of the agenda to the next item.

2. Adoption of the Agenda

City Manager Villalobos announced the request to add two items - Special Item 8.C. - Environmental Protection Agency presentation regarding the Hazardous Materials Processing Site at Lario Park and Business Item 14.B. - Consideration to Adopt Resolution No. 25-04, Opposing the United States Environmental Protection Agency's Use of Lario Park as a Hazardous Waste Sorting Site for the Eaton Fire Due to the Harm to Public Health, Safety, and Welfare.

Moved by Councilmember Finlay, seconded by Mayor Pro Tem Martin Del Campo, and carried by the following vote of the City Council to add the urgency items to the agenda after the Public Safety Department Update.

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

Moved by Councilmember Finlay, seconded by Councilmember Kang, and carried by the following vote of the City Council to adopt the agenda as amended.

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

7. CITY ATTORNEY CLOSED SESSION REPORT

Item was skipped due to Closed Session not being held.

8. SPECIAL ITEMS

A. Mayor's Youth Council Update

President Hope Peoples gave an update on recent and upcoming Mayor's Youth Council events.

B. Public Safety Department Update

Director of Public Safety Breceda presented a department update on the reduction of Part 1 crimes; thanked the Public Safety Department staff for their work in the community; gave details on the new E-bike Patrol Program; and shared upcoming projects for the year.

In response to questions posed by the City Council, clarification was made regarding clean up at the riverbed being the Army Corps of Engineers' responsibility.

The City Council acknowledged the increase in patrols and the efforts to clean up the riverbed; thanked Director Breceda for his leadership and responsiveness to recent issues; and shared appreciation for Sergeant Fiedler and his team.

Mayor Garcia recognized elected officials and representatives in attendance.

C. Environmental Protection Agency presentation regarding the Hazardous Materials Processing Site at Lario Park

EPA Incident Commander, Tara Fitzgerald, gave a presentation on the emergency response order that led to the use of the Lario Park Staging Area to temporarily store the household hazardous materials that are collected from destroyed homes in the Eaton fire footprint; addressed concerns regarding the health and safety of the community; shared it was not the EPA's intention to exclude the City of Duarte from the process; reviewed the timeline they were tasked with; detailed the selection process of the location; and explained the projects process and scope of work.

Conversation was had regarding the lack of information given to the surrounding communities, the reasoning for choosing the site location, and the issue of trust in the agency to protect residents now and in the future. In response to questions posed by the City Council, Incident commander Fitzgerald shared other locations that were considered; gave the history of past site locations set up in response to natural disasters; clarified the timeline of phase 1 and what it entails; and listed the organizations involved in the decision-making process.

Discussion ensued regarding the site location and concerns about possible relaxed environmental laws. Clarification was made regarding the specific debris that is taken from each lot and the safety measures that will be taken at the site before and after using the staging area.

Per questions made by the City Council there was conversation regarding lithium batteries and steps taken to reduce the risk of fires. Further conversation was had regarding concerns about fires, water contamination and health of residents in the future.

14.B Consideration to Adopt Resolution No. 25-04, Opposing the United States Environmental Protection Agency's Use of Lario Park as a Hazardous Waste Sorting Site for the Eaton Fire Due to the Harm to Public Health, Safety, and Welfare.

City Manager Villalobos presented Resolution No. 25-04; shared frustration with lack of notification; expressed concerns including the environmental impacts that could negatively affect Lario Park which is designated as a Significant Ecological Area, ("SEA") and the transportation route that could potentially expose communities to hazardous materials; and shared multiple other reasons for opposing the EPA

designated Collection and Processing Center at Lario Park.

Public Comment

The following community members shared their concerns and expressed strong opposition to the Hazardous Materials Processing Site at Lario Park: Bernie Moore; Teresa Baczkowski; Beth Fuller; William Murphy.

Ryan Serrano, Deputy District Director for the office of Supervisor Hilda Solis read a statement on her behalf in response to the EPA's site designation.

The following community members also shared their concerns and expressed strong opposition to EPA's designated collection and processing center at Lario Park: Lucia Atencio; Leticia Martinez; David Ranck; John; Mary Somerlott; Andrea Herrera; Melanie Pitts; James Finlay; Terry Browning; Juan Lopez- Driotis; Travis Patterson; Joel Rigor; Rosalva Breceda; Doris Anderson; Tina Irmakesen; Zoe Chapjian; Neil Furukawa; and Sergio Campos.

In response to questions made by the City Council, City Attorney Phan stated that there are legal remedies the City Council may choose to pursue if the City Council so directs it would be placed on the agenda for a closed session.

Moved by Mayor Pro Tem Martin Del Campo, seconded by Councilmember Calderon, and carried by the following vote of the City Council to Adopt Resolution No. 25-04, Opposing the United States Environmental Protection Agency's Use of Lario Park as a Hazardous Waste Sorting Site for the Eaton Fire Due to the Harm to Public Health, Safety, and Welfare.

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

9. ANNOUNCEMENTS OF UPCOMING COMMUNITY EVENTS

Joanna Gee, Duarte Library, announced that while the library is still closed the book drop off is open.

Assistant to the City Manager Rangel announced upcoming city events.

10. ORAL COMMUNICATIONS - ITEMS NOT ON THE AGENDA

None.

11. CONSENT CALENDAR

A. Motion to read all Resolutions and Ordinances presented for consideration by Title only and waive further reading (CC/HA/FA).

B. Approve absence(s) of City Councilmember(s) from the City Council meeting.

C. Approval of Minutes - January 14, 2025 Regular Meeting (CC/HA/FA).

D. Approval of Warrants - January 28, 2025 (CC/HA/FA).

E. Monthly Financial Reports for the months of October 2024 and November 2024 were received and filed.

F. The Public Safety Department Update was received and filed.

G. Approval of Council Conference Attendance.

H. Approval of a Professional Services Agreement with Willdan Financial Services for Cost Allocation Plan and Comprehensive User Fee Study, with a total amount not to exceed \$38,523.

I. Approval of allocation of Permanent Local Housing Allocation (PHLA) Year 5 Funds to the San Gabriel Valley Regional Housing Trust (SGVRHT).

J. Removed from the Consent Calendar for discussion.

K. Authorization of the Duarte Youth Athletic Club (DYAC) In-Kind Donation Request to publicize promotional materials for DYAC's 2025 registration across all the City's communication channels and upcoming Spring 2025 City News.

Moved by Councilmember Finlay, seconded by Councilmember Calderon, and carried by the following vote of the City Council to approve items 11A-11I and 11K of the Consent Calendar.

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

12. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION

J. Request from the Duarte Rotary Club for the City of Duarte to Co-sponsor the Women in Rotary Event

Councilmember Finlay gave the history of the Duarte Rotary Club and its incorporation of women into the club; and also shared details about the upcoming event.

Moved by Councilmember Finlay, seconded by Councilmember Calderon, and carried by the following vote of the City Council to Co-sponsor the Duarte Rotary Club's Women in Rotary event.

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

13. PUBLIC HEARINGS

A. Assembly Bill 2561

Assistant City Manager/Director of Administrative Services Petersen presented a staff report on AB 2561. Per its requirements, Director Petersen shared the status of the City's vacancies and addressed the recruitment and retention efforts currently employed by the City.

Mayor Garcia opened the Public Hearing.

Public Comment

None.

Mayor Garcia closed the Public Hearing.

Moved by Councilmember Finlay, seconded by Mayor Pro Tem Martin Del Campo, and carried by the following vote of the City Council to receive and file the report.

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

14. BUSINESS ITEMS

A. Request for Direction Regarding Voter Approved Measure QQ

Assistant to the City Manager Rangel presented a staff report on the voter approved Measure QQ which passed by a 52.07% - 47.93% majority vote in the 2024 General Municipal Election. The voter approval of Measure QQ would authorize the City Council to adopt an ordinance to permit no more than two 2 storefront retail sales cannabis dispensaries, and tax cannabis businesses up to 10% of gross receipts.

In response to questions asked by the City Council, City Manager Villalobos confirmed that if the City Council moves forward with an ordinance and zoning, research can be done in-house without the aid of a consultant.

After discussion, the City Council concurred that due to other ongoing projects and situations at present, they would like to table the discussion and bring the item back at a future meeting.

Moved by Councilmember Finlay, seconded by Councilmember Lewis, and carried by the following vote of the City Council to table the discussion regarding the Voter Approved Measure QQ.

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

15. CONTINUATION OF ORAL COMMUNICATIONS

Rebecca Cruz stated her opposition against establishing a cannabis storefront.

Lino Parras stated his opinion on the new cameras in the Council Chambers.

Barbie Bylsma-Houghton expressed her gratitude after serving the community for 41 years as a Parks and Recreation Commissioner. The City Council thanked her for her commitment and volunteerism.

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

Assistant City Manager Petersen shared comments made by residents commending City Staff and City Council for their work regarding the EPA site designation.

City Manager Villalobos reported he was officially appointed to the Liability Trustfund Committee as an alternate, shared he serves on the negotiation team for the Liability Trustfund; and also sits on the League of California Cities Fire Insurance Committee.

Mayor Pro Tem Martin Del Campo thanked her colleagues for their collaboration.

Councilmember Calderon echoed Mayor Pro Tem Martin Del Campo's sentiments; and thanked all who showed up and City Staff as well.

Councilmember Finlay noted the large turnout of residents; stated her opinion on the EPA site designation; and expressed interest in holding a closed session regarding the topic; and thanked her colleagues, staff, and the citizens for attending the meeting.

Councilmember Kang shared his opinion on the recent events and expressed frustration as well as concern with the manner in which the EPA handled the hazardous materials processing site; shared appreciation for elected leaders who have coordinated town halls; and wished everyone a Happy Lunar New Year.

Councilmember Lewis thanked his colleagues; stated his opinion regarding the use of Lario Park as a hazardous waste sorting site; expressed concern about the unanswered questions from the EPA that has created a lack of trust between communities and organizations; and assured residents the city would continue seeking out additional information.

In response to questions posed by the City Council, City Attorney Phan stated she would not answer litigation questions in open session.

Councilmember Finlay expressed discontentment with the timeline that the EPA will occupy Lario Park.

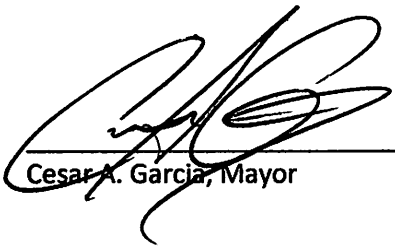
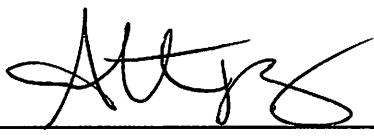
Mayor Garcia thanked the City Manager Villalobos and Assistant to the City Manager/Public Information Officer Rangel for their proactive efforts working with other cities, communicating with residents and handling the media.

Per questions made by the City Council, Director Breceda stated that the Sheriff's policy is to not participate in immigration sweeps and summarized the state penal code section that protects individuals who are a witness or victim of a crime from immigration deportation in that situation.

Mayor Garcia congratulated Barbie Bylsma-Houghton for 41 years of service; encouraged residents to attend upcoming community events; and asked the meeting be adjourned in memory of his friend, cancer fighter, and alumni of Duarte High school, Stephanie Cano.

17. ADJOURNMENT

At 9:31 p.m., the City Council adjourned the meeting in memory of Stephanie Cano.


Cesar A. Garcia, Mayor
Annette Juarez, City Clerk