

CITY OF DUARTE

**MINUTES OF THE REGULAR JOINT MEETING OF THE CITY COUNCIL,
THE DUARTE HOUSING AUTHORITY, AND THE DUARTE COMMUNITY
FACILITIES FINANCING AUTHORITY**

**TUESDAY, JUNE 25, 2024
5:30 PM – Closed Session
7:00 PM – Regular Session**

1. CALL TO ORDER

Mayor Truong called the meeting to order at 5:36 p.m.

ROLL CALL:

Councilmembers Present: Kang, Lewis, Martin del Campo, Garcia, Truong

Councilmembers Absent: Finlay, Schulz

Staff Present: Brian Villalobos, City Manager
Kristen Petersen, Assistant City Manager / Director of
Administrative Services
Annette Juarez, City Clerk

2. ADOPTION OF THE AGENDA

Moved by Mayor Pro Tem Garcia, seconded by Councilmember Martin Del Campo, and carried by the following vote of the Council to adopt the agenda.

AYES: KANG, LEWIS, MARTIN DEL CAMPO, GARCIA, TRUONG

NOES: NONE

ABSTAIN: NONE

ABSENT: FINLAY, SCHULZ

3. PUBLIC COMMENT – CLOSED SESSION ITEMS

None.

4. CLOSED SESSION

The City Council recessed into closed session at 5:37 p.m. to discuss the following:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Government Code
Section 54957(b) Title: City Manager

CONFERENCE WITH LABOR NEGOTIATOR - The Closed Session is authorized by the
Government Code Section 54957.6(a).

AGENCY NEGOTIATOR: Thai Viet Phan, City Attorney.

UNREPRESENTED EMPLOYEE: City Manager Brian Villalobos

5. STUDY SESSION

A. Interview of Candidates for Vacant Mayor's Youth Council Positions

The City Council interviewed 16 candidates to fill vacant Mayor's Youth Council positions.

B. Discussion of Interviews and Candidates

The City Council discussed the interviews and deliberated over candidates to fill Mayor's Youth Council vacancies.

REGULAR SESSION

6. CALL TO ORDER

Mayor Truong called the open session to order at 7:09 p.m.

ROLL CALL:

Councilmembers Present: Kang, Lewis, Martin Del Campo, Garcia, Truong
Councilmembers Absent: Finlay, Schulz
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
Angela Chiaromonte, Financial Services Manager
Andres Rangel, Assistant to the City Manager
Albert Nunez, Management Aide
Frances Jimenez, Deputy City Clerk
Josie Bello, Payroll Technician

7. PLEDGE TO THE FLAG

The flag salute was led by Ray Abernathy.

8. CITY ATTORNEY CLOSED SESSION REPORT

City Attorney Phan announced that no reportable action was taken.

9. SPECIAL ITEMS

A. Public Safety Department Update

Director of Public Safety Breceda provided an update on part 1 crimes for June 2024; reported on the upcoming enhancement of technology; shared details on the work of the special assignment team; and highlighted the work of the code enforcement officers and the homeless outreach team.

The City Council thanked Director Breceda and his team for being proactive and shared appreciation for their efforts.

Discussion ensued regarding the Pathway Home Program, the metro station, and other safety concerns.

10. ANNOUNCEMENTS OF UPCOMING COMMUNITY EVENTS

Joanna Gee, Duarte Library, announced upcoming library events.

Assistant to the City Manager Rangel announced upcoming city events.

Assistant City Manager Petersen introduced newly hired Payroll Technician, Josie Bello.

11. ORAL COMMUNICATIONS – ITEMS NOT ON THE AGENDA

None

12. CONSENT CALENDAR

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

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

- C. Approval of Minutes – June 11, 2024. (CC/HA/FA)
- D. Approval of Warrants – June 25, 2024. (CC/HA/FA)
- E. Receive and file the Monthly Financial Update for April 2024.
- F. Receive and file the Public Safety Department Update.
- G. Approval of a one year professional services agreement with an option for an additional year between the City of Duarte and R3 Consulting Group, Inc. for a not-to-exceed amount of \$53,114 (FY 2024-25 - \$26,100 and FY 2025-26 - \$27,014) to provide On-Call SB 1383 Support Services; and authorization for the City Manager to execute the agreement.
- H. Approval of Amendment No. 1 to the City Manager Employment Agreement.
- I. Approval of Fiscal Year 2023-2024 Year- End Appropriation Adjustments.
- J. Approval of Amendment No. 2 to the Contract Services Agreement for City Attorney Services and a fiscal year 2024/25 budget amendment of \$8,000 in account numbers 1015-7690 and 1015-7686.

Moved by Councilmember Martin Del Campo, seconded by Mayor Pro Tem Garcia, and carried by the following vote of the Council to approve Items 11A-11J of the Consent Calendar.

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

13. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION

None.

14. PUBLIC HEARINGS

A. Levy and collection of assessments within the Lighting and Landscape Assessment District - Fiscal Year 2024-25

Director of Community Development Hensley reported on neighborhood districts that are having issues in terms of negative balance due to rising utility and maintenance costs.

Director Hensley introduced City Engineer, Cody Howing, who presented the staff report discussing the levy and collection of assessments for zones within the City and reviewed the proposed increases for various zones.

Per questions posed by the City Council, Engineer Howing clarified the process of disbanding a district.

Mayor Truong opened the public hearing at 7:36 p.m.

No public testimony was received.

Mayor Truong closed the public hearing at 7:37 p.m.

Moved by Mayor Pro Tem Garcia, seconded by Councilmember Martin del Campo, and carried by the following vote of the Council to adopt Resolution No. 24-07 providing for the annual levy and collection of assessments for Fiscal Year 2024-25 within the Landscape and Lighting District.

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

15. BUSINESS ITEMS

A. Appointments to the 2024/25 Mayor's Youth Council

The City Council spoke highly of the candidates; commended them for their dedication; and recommended appointing all students that applied.

Moved by Mayor Pro Tem Garcia, seconded by Councilmember Kang, and carried by the following vote of the Council to appoint all sixteen (16) candidates that applied to serve on the 2024/25 Mayor's Youth Council.

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

B. Award of Contract - Royal Oaks Park Pickleball Court Conversion and Tennis Court Resurfacing Project (24-12)

Director of Parks and Recreation Enriquez provided an overview of the project; detailed the scope of work; and presented the staff recommendation.

Clarification was made by Director Enriquez on the first come first serve rules of the courts and rules regarding facilitating a pickleball tournament.

Moved by Councilmember Martin del Campo seconded by Councilmember Kang and carried by the following vote of the Council to 1) award the construction contract for the Royal Oaks Park Pickleball Court Conversion and Tennis Court Resurfacing Project, to Trueline Construction & Surfacing, Inc., as the lowest responsive and responsible bidder in the amount of \$116,462, in addition to a ten percent contingency; and 2) approve a total project budget amendment of \$54,109 from the Park Improvements fund.

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

C. Consideration of a Service Agreement with Train Up a Child LLC

Director of Public Safety Breceda gave background on the Gang Alternative and Prevention Program (GAP); detailed the current need for an at-risk youth program; presented the qualifications of Ray Abernathy, retired Deputy and owner of Train Up a Child LLC; shared his history with the department; and highlighted the benefits of the agreement and the program.

Ray Abernathy commented on the future of youth programs and presented the objective of his company.

In response to questions posed by the City Council, Director Breceda confirmed that there was no penalty to ending the contract with the County as it expires June 30, 2024 and is not being renewed.

Mr. Abernathy confirmed that a progress report on the program can be given to the City Council at a later date.

The City Council thanked Mr. Abernathy and shared appreciation for his passion of helping youth.

Director Breceda confirmed that there will be a search for grants to use for the program development.

Moved by Councilmember Kang seconded by Mayor Pro Tem Garcia and carried by the following vote of the Council to (1) find that waiving the competitive bidding process pursuant to Municipal Code Section 2.36.050(o) shall best serve the City due to the consultant's specialized nature of the programs and services, and (2) authorize the City Manager to execute a five-year service agreement with Train Up a Child LLC.

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

D. FY 2024/25 - 2026/27 Memorandums of Understanding

Kristen Petersen, Assistant City Manager/Director of Administrative Services provided an overview of the process to ratify the agreement with the bargaining units and outlined the key details of the MOUs.

Moved by Councilmember Martin del Campo seconded by Mayor Pro Tem Garcia and carried by the following vote of the Council to authorize the Mayor to execute the Memorandums of Understanding between the City of Duarte and SEIU Local 721 – Management & Professional Employees and General Employees; and approve a budget amendment of \$340,000 to the FY 2024/25 budget for the first year of the MOU.

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

E. Resolution Establishing the Salary Schedule and Compensation Plan for Unrepresented Regular Employees

Kristen Petersen, Assistant City Manager/Director of Administrative Services gave a summary of the compensation plan for unrepresented regular employees.

Moved by Mayor Pro Tem Garcia seconded by Councilmember Martin del Campo and carried by the following vote of the Council to adopt Resolution No. 24-11 rescinding Resolution No. 23-13 and establish a salary schedule and compensation plan for the unrepresented regular employees and approve a budget amendment of \$14,000 to the FY 2024/25 budget and amend the Citywide Salary Schedule accordingly.

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

F. Temporary Services Agreement - Interim Recreation Supervisor

Director of Parks and Recreation Enriquez detailed the need to hire temporary help given the resignation of the Senior Center Recreation Supervisor effective June 5, 2024 and the upcoming busy summer season. Director Enriquez outlined staff's recommendation to hire Peggy Diamond; reviewed her qualifications; and provided a timeline for the temporary position.

Moved by Councilmember Kang seconded by Councilmember Martin del Campo and carried by the following vote of the Council to authorize the City Manager to enter into an agreement for temporary services with Peggy Diamond to serve as an Interim Recreation Supervisor for the Duarte Senior Center.

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

G. Adoption of November 5, 2024, General Municipal Election Resolutions

City Attorney provided clarification on the slight change in language for the ballot measure which now reads “Shall a measure authorizing the City Council of the City of Duarte to adopt an ordinance to permit no more than two (2) storefront retail sales cannabis dispensaries and that taxes cannabis businesses up to 10% of gross receipts to raise up to approximately \$2,526,250 annually until ended by voters be adopted?”

City Clerk Juarez reviewed the three Resolutions and answered questions of the City Council regarding details of each Resolution, as well as the approximate cost for a special election.

Public Comment:

Damian Martin expressed support of the ballot measure as directed by city staff and encouraged the City Council to write pamphlet arguments both in support of and opposing the ballot measure so as to get an honest assessment of the community.

City Manager Villalobos further clarified what each Resolution implies.

City Attorney Phan explained the process of designating councilmembers to write ballot arguments and the logistics of how it will be presented to the voters.

Councilmember Kang nominated himself to write the ballot argument.

Per questions made by City Council, City Attorney Phan clarified that resolutions can be voted on individually based on the motion that is put on the floor.

Discussion ensued regarding the proper procedure of adopting a resolution individually or altogether as well as the designation of the author of the ballot argument.

Councilmember Martin del Campo nominated herself to also write the ballot argument.

Clarification was made by City Attorney Phan that the ballot argument would be in favor of the measure.

Moved by Councilmember Martin del Campo, seconded by Mayor Pro Tem Garcia and carried by the following vote of the Council to adopt Resolution No. 24-08 calling for a General Municipal Election to be held on November 5, 2024; Resolution No. 24-09 requesting that the Los Angeles County Board of Supervisors consolidate the General Municipal Election with the Statewide General Election; and Resolution No. 24-10 adopting regulations pertaining to candidate statements.

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

Motion carries.

Councilmember Martin del Campo, Councilmember Kang and Mayor Truong volunteered to write the ballot argument.

Moved by Councilmember Martin del Campo, seconded by Mayor Pro Tem Garcia and carried by the following vote of the Council to designate Mayor Truong, Councilmember Kang and Councilmember Martin del Campo to author the ballot measure argument.

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

Motion carries.

16. CONTINUATION OF ORAL COMMUNICATIONS

None.

17. 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 and Director of Administrative Services Petersen pointed out that the new budget books have been created and thanked Council for approval of the MOUs.

City Manager Villalobos reported he attended the virtual Duarte Community Coordinating Council meeting where discussion was had regarding the parade preparations for the Route 66 100th anniversary in 2027.

Councilmember Kang shared details on his recent personal travels and expressed his hopes for the future of Duarte.

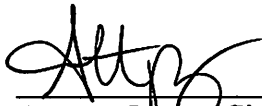
Mayor Pro Tem Garcia shared details on the recent community events he attended and commended the Parks and Recreation Department for their hard work putting on the Summer Kick-Off Event.

Mayor Truong reported he attended the North San Gabriel River Working Group along with City Manager Villalobos and Mayor Pro Tem Garcia, commended the City of Azusa for their work addressing homelessness and shared excitement over the 3rd of July event.

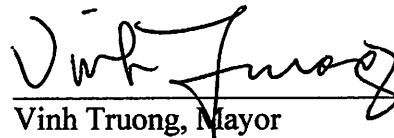
Director Breceda clarified which public safety staff will be at the third of July event.

18. ADJOURNMENT

At 8:57 p.m., the City Council adjourned the meeting.



Annette Juarez, City Clerk


Vinh Truong, Mayor