

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 11, 2024
5:30 PM – Closed Session
7:00 PM – Regular Session**

1. CALL TO ORDER

Mayor Truong called the meeting to order at 5:33 p.m.

ROLL CALL:

Councilmembers Present: Finlay, Kang, Lewis, Schulz, Martin del Campo, Garcia, Truong
Councilmembers Absent: None
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 Councilmember Finlay seconded by Councilmember Schulz, and carried by the following vote of the Council to adopt the agenda.

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

3. PUBLIC COMMENT – CLOSED SESSION ITEMS

None.

4. CLOSED SESSION

The City Council recessed into closed session at 5:54 p.m. to discuss the following:

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

AGENCY NEGOTIATOR: Kristen Petersen, Assistant City Manager and Director of Administrative Services; Sheila Delshad, Burke Williams & Sorensen, LLP, Outside Legal Counsel.

EMPLOYEE ORGANIZATION: SEIU Local 721 Management and Professional Employees and General Employee Units.

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

REGULAR SESSION

5. CALL TO ORDER

Mayor Truong called the open session to order at 7:16 p.m.

ROLL CALL:

Councilmembers Present: Finlay, Kang, Lewis, Schulz, Martin Del Campo, Garcia, Truong
Councilmembers Absent: None
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

6. PLEDGE TO THE FLAG

The flag salute was led by Ernest Jones Jr.

7. CITY ATTORNEY CLOSED SESSION REPORT

City Attorney Phan announced that no reportable action was taken.

8. SPECIAL ITEMS

A. Recognition - Ernest Jones Jr.

Mayor Truong presented a certificate of recognition to Ernest Jones. Councilmember Lewis shared a few memories of Ernest Jones' leadership and expressed gratitude for his impact on the youth of Duarte.

B. National Mosquito Awareness Week Proclamation

Mayor Truong presented a proclamation proclaiming the week of June 16-June 22 as National Mosquito Awareness Week in the City of Duarte to Anais Medina Diaz, Director of Communication of the San Gabriel Valley Mosquito and Vector Control District.

C. Community Development Department Update

Director of Community Development Hensley reported on upcoming development projects; provided the status on ongoing projects; and gave a timeline on various projects per the city council's request.

D. Parks and Recreation Department Update

Director of Parks and Recreation Enriquez announced upcoming events; highlighted the beginning of summer classes; provided a timeline for the Beardslee Restroom Replacement Project; and invited residents to attend the 3rd of July celebration.

9. ANNOUNCEMENTS OF UPCOMING COMMUNITY EVENTS

Joanna Gee, Duarte Library, announced upcoming library events.

*Councilmember Kang left the meeting at 7:43 p.m.

City Clerk Juarez announced upcoming city events.

Assistant Chief Cabrera from the LA County Fire department commended the city of Duarte for considering the safety of residents when it comes to firework usage, and thanked the City Council for considering the Law Enforcement agreement with the Sheriff's Department as they work closely with and support that department. In response to questions posed by the City Council Chief Cabrera shared the data of firework use in the past few years.

Mayor Truong shared the success of the Duarte team at the recent Third Annual City vs. City Charity Bowling Event.

10. ORAL COMMUNICATIONS – ITEMS NOT ON THE AGENDA

City Clerk Juarez shared that an emailed public comment from Lindsey Steed regarding the Pathway Home Program was received and was forwarded to the City Council.

Jay Burger shared his opinion on the need to allow four dogs in a household in Duarte and expressed support for the addition of solar lights at the Donald and Bernice Watson Recreation Trail.

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. Approval of absence(s) of City Councilmember(s) from the City Council meeting.
- C. Approval of Minutes – May 28, 2024 Special Meeting and May 28, 2024 Regular Meeting. (CC/HA/FA)
- D. Approval of Warrants – June 11, 2024. (CC/HA/FA)
- E. Receive and file the Community Development Department Update.
- F. Receive and file the Parks and Recreation Department Update.
- G. Approval of a Professional Services Agreement with Lynne Dwyer Landscape Architect was approved in the amount of \$26,000 for design services of the parking lot and trailhead for the Fish Canyon Falls Restoration Planning Project was approved.
- H. Approval of a Professional Services Agreement with Lee & Associates for real estate advisory services for Fiscal Year 2024-2025 in an amount not to exceed \$80,000
- I. Approval of City Council Expense Reimbursement

Director of Parks and Recreation Enriquez provided a status update on the Fish Canyon Falls Restoration Planning Project.

Moved by Councilmember Finlay, seconded by Councilmember Martin del Campo, and carried by the following vote of the Council to approve Items 11A-11I of the Consent Calendar.

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

12. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION

None.

13. PUBLIC HEARINGS

None.

14. BUSINESS ITEMS

A. Fiscal Year 2024/25 Budget Highlights

Assistant City Manager/Director of Administrative Services Petersen and Financial Service Manager Chiaromonte gave an overview of the budget and capital improvement plan. Details were provided on the projected general fund revenues, projected general funds expenses, projected other funds, and changes made to the Capital Improvement Plan.

Per questions posed by the City Council, City Manager Villalobos clarified the process of partnering with the Duarte Unified School District for the traffic signal project at Buena Vista Street and Kellwil Way.

Assistant City Manager Petersen responded to questions made by the City Council regarding funding sources for various projects; detailed the specifications for the Teen Center improvement projects; and gave possible timelines of projects along with their corresponding budget breakdown.

Moved by Councilmember Finlay, seconded by Councilmember Lewis, and carried by the following vote of the Council to approve the 2024/25 Budget and Capital Improvement Plan.

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

B. Adopt Resolution No. 24-06 of the City Council of the City of Duarte Approving a Five-Year Municipal Law Enforcement Services Agreement (MLESA) with the County of Los Angeles for Public Services Provided by the Los Angeles County Sheriff's Department and Authorizing the City Manager to Procure Services of the Los Angeles County Sheriff's Department Up to an Amount Authorized in the City's Operating Budget for the Period of July 1, 2024 through June 30, 2029

City Manager Villalobos highlighted changes that were made to the agreement in comparison to past years' agreements and shared the main takeaway of the negotiation process.

The City Council praised City Manager Villalobos for his work.

City Manager Villalobos commended City Manager Cook from Temple City and San Dimas City Manager Constantin for their hard work and efforts.

Moved by Councilmember Finlay, seconded by Mayor Pro Tem Garcia, and carried by the following vote of the Council to adopt Resolution No. 24-06 approving the 5-Year Agreement with the County of Los Angeles for the period of July 1, 2024, through June 30, 2029, and Authorize the Mayor to execute the 5-Year Agreement on behalf of the City.

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

C. Cannabis Retail Dispensaries and Tax Ballot Measure

City Attorney Phan presented to the City Council a report on two options for discussion regarding a potential cannabis ballot measure.

Public Comment:

Damian Martin spoke in support of staff's recommendation and gave a possible timeline of opening a cannabis dispensary if so decided by the voters and the City Council.

Steve Hernandez expressed satisfaction with the item and withdrew his public comment card.

Per questions posed by the City Council, City Attorney Phan provided clarification on the ballot measure options, the differing language and its corresponding meaning as well as the process that would result from each option.

Discussion ensued regarding the benefit of sales tax revenue, possible future election years the measure can be placed on, and the logistics of the possible implementation of both options presented by City Attorney Phan.

Councilmember Schulz moved to approve option 1 of the ballot question options which states "Shall the City Council of the City of Duarte be authorized to adopt an ordinance to permit no

more than two storefront retail sales cannabis dispensaries and that taxes cannabis businesses up to 10% of gross receipts” and place it on the November 2024 General Election ballot; Councilmember Martin del Campo seconded the motion.

Councilmember Finlay made a substitute motion for moving option one to the 2025 election which states “Shall the City Council of the City of Duarte be authorized to adopt an ordinance to permit no more than two storefront retail sales cannabis dispensaries and that taxes cannabis businesses up to 10% of gross receipts in a 2025 election”; Councilmember Lewis seconded the motion. The substitute motion failed by the following Roll Call vote:

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

Motion does not pass.

The original motion to proceed with option 1 language of the ballot question options for the 2024 election carried by the following Roll Call vote:

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

Motion passes.

Staff was directed to bring back a resolution at the next council meeting which states, “Shall the City Council of the City of Duarte be authorized to adopt an ordinance to permit no more than two storefront retail sales cannabis dispensaries and that taxes cannabis businesses up to 10% of gross receipts.”

15. CONTINUATION OF ORAL COMMUNICATIONS

None.

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 reminded the City Council to turn in any reimbursement forms due to the upcoming close of the fiscal year.

City Manager Villalobos thanked Assistant City Manager Petersen, Financial Services Manager Chiaromonte, and the entire finance department for their work on preparing the budget.

Councilmember Martin Del Campo reported she attended the Metro Foothill Goldline Extension meeting and shared the great networking opportunities between cities that occurred at the Annual Bowling Charity Event.

Councilmember Schulz thanked Assistant City Manager Petersen and Financial Services Manager Chiaromonte for their tremendous work on the budget; commended Assistant City Manager Petersen for assistance with labor union negotiations; and reported she attended the County Oversight Committee for Measure H.

Councilmember Finlay stated her experience touring the Pathway Home Program and the surrounding area; congratulated the City of Monrovia for winning the All America City Award; shared resident Lois Gaston’s praise of the 2024 State of the City; asked for updates on a few developments; and commented on the recent Scholarship Breakfast.

Councilmember Lewis thanked staff for presenting Coach Jones a certificate of recognition; thanked former Mayor of Sacramento Kevin Johnson for sponsoring his 3rd of July table, wished

Councilmember Finlay and his friend Ashely Anne a belated happy birthday as well as the other birthdays in June.

Mayor Pro Tem Garcia recognized Mrs. Browner in the audience and expressed appreciation for Mr. Jones; and asked for information regarding public safety calls in the area surrounding the Pathway Home Program location.

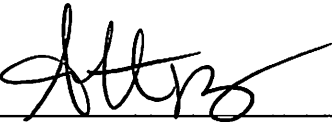
Discussion ensued between Director of Public Safety Breceda and the City Council regarding loitering.

Mayor Pro Tem Garcia wished Councilmember Finlay and his sister a happy birthday and wished everyone a Happy Father's Day.

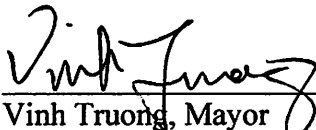
Mayor Truong reported he attended the SGVCOG Energy, Environment and Natural Resources meeting; urged residents to be aware of their insurance bills; shared the water board will dissolve into the EENR committee; reiterated Duarte's win at the annual bowling charity event; and shared appreciation for his colleagues on council.

17. **ADJOURNMENT**

At 9:15 p.m., the City Council adjourned the meeting.



Annette Juarez, City Clerk



Vinh Truong, Mayor