



City of Duarte

1600 Huntington Drive, Duarte, CA 91010 | Tel (626) 357-7931 | Fax (626) 358-0018 | accessduarte.com

July 2, 2024

Kenneth Hahn Hall of Administration
500 West Temple Street Room 383
Los Angeles, CA 90012

To whom it may concern,

Please see the following resolutions from the City of Duarte:

Resolution 24-08 calling for a General Municipal Election to be held on November 5, 2024.
Resolution 24-09 requesting that the Los Angeles County Board of Supervisors consolidate the General Municipal Election with the Statewide General Election.
Resolution 24-10 adopting regulations pertaining to candidate statements.

Sincerely,

Frances Jimenez
Deputy City Clerk

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

83 August 6, 2024

EDWARD YEN
EXECUTIVE OFFICER

RECEIVED

By Anjanette Allen at 3:47 pm, Jul 01, 2024

RESOLUTION NO. 24-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES AND FOR THE SUBMISSION TO THE VOTERS A QUESTION RELATING TO RETAIL CANNABIS SALES AND CANNABIS TAX OF UP TO 10%.

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on November 5, 2024, for the election of Municipal Officers; and

WHEREAS, the City Council held two cannabis workshops and considered whether to place a ballot measure relating to cannabis on the November 5, 2024, election; and

WHEREAS, the City engaged a third-party consultant to research and provide information regarding the potential revenue received from cannabis sales in the City of Duarte, impacts on public safety, and other issues relating to cannabis sales; and

WHEREAS, all taxes imposed by local government are deemed to be either general taxes or special taxes, pursuant to Section 2(a) of Article XIII C of the California Constitution; and

WHEREAS, Section 2(b) of Article XIII C of the California Constitution provides that a local agency cannot impose, extend, or increase any general tax unless and until that tax is submitted to the electorate and approved by a majority vote at an election that is consolidated with a regularly scheduled general election for members of the governing body of the local government, except in cases of emergency declared by a unanimous vote of the governing body; and

WHEREAS, pursuant to California Elections Code Section 9222, the City Council has authority to submit to voters a proposition for the repeal, amendment, or enactment of any ordinance, to be voted upon at any succeeding regular or special city election, and if the proposition submitted receives a majority of the votes cast on it at the election, the ordinance shall be repealed, amended, or enacted accordingly; and

WHEREAS, the City Council desires to submit to the voters at the election a question relating to whether the City Council shall be authorized to adopt an ordinance allowing up to two retail cannabis dispensaries and to tax cannabis up to 10% of gross receipts.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Duarte, California, on Tuesday, November 5, 2024, a General Municipal Election for the purpose of electing three Members of the City Council for the full term of four years.

SECTION 2. That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election the following question:

<p style="text-align: center;"><u>MEASURE []</u> <u>CANNABIS RETAIL SALES AND TAX</u></p> <p>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?</p>	YES
	NO

SECTION 3. That the vote requirement for the measure to pass is a majority (50%+1) of the votes cast.

SECTION 4. Pursuant to California Elections Code Section 9280, the City Council hereby directs the Clerk of the Council to transmit a copy of the Ordinance to the City Attorney, who shall prepare an impartial analysis of the measure, which shall not exceed 500 words in length.

SECTION 5. Pursuant to California Elections Code § 9282, the City Council, or a member or members of the City Council authorized by that body, or an individual voter who is eligible to vote on the measure, or bona fide association of citizens, or a combination of voters and associations, may file a written argument for or against any city measure, which shall not exceed 300 words in length.

SECTION 6. Pursuant to California Elections Code § 9287, if more than one argument for or more than one argument against the ballot measure is submitted to the Clerk of the Council within the time prescribed by law, the City Clerk shall select one of the arguments in favor and one of the arguments against the ballot measure for printing and distribution to the voters, giving preference and priority, in the order named, to the arguments of the following:

- (a) The City Council, or member or members of the City Council authorized by that body.
- (b) The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure.
- (c) Bona fide associations of citizens.
- (d) Individual voters who are eligible to vote on the measure.

SECTION 7. In accordance with California Elections Code § 9285, when an argument in favor and an argument against the ballot measure have been selected to be printed in the voter information guide, the City Clerk shall send a copy of the argument in favor of the measure to the authors of the argument against the measure and a copy of an argument against the measure to the authors of the argument in favor of the measure. The author or a majority of the authors may prepare and submit a rebuttal argument not exceeding 250 words. Rebuttal arguments shall be printed in the same manner as the direct arguments and shall immediately follow the direct argument which it seeks to rebut. This Section shall only apply to the election on the ballot measure to be held on November 5, 2024.

SECTION 8. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 9. That the City Clerk is authorized, instructed, and directed to coordinate with the County of Los Angeles Registrar-Recorder/County Clerk to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 10. That the vote centers for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. (8:00 p.m.) of the same day when the polls vote centers shall be closed, pursuant to Election Code § 10242, except as provided in §§ 14212 and 14401 of the Elections Code of the State of California.

SECTION 11. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 12. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

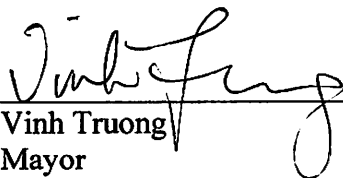
SECTION 13. That in the event of a tie vote (if any two or more persons receive an equal and the highest number of votes for an office) as certified by the County of Los Angeles Registrar-Recorder/County Clerk, the City Council, in accordance with Election Code § 15651(a), shall set a date and time and place and summon the candidates who have received the tie votes to appear and will determine the tie by lot.

SECTION 14. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.


SECTION 15. The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

SECTION 16. If any section, subsection, sentence, clause, phrase or provision of this Resolution or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other provision or applications, and to this end the provisions of this Resolution are declared to be severable. The City Council hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause, phrase, or provision thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or provisions thereof be declared invalid or unconstitutional.

PASSED, APPROVED and ADOPTED this 25th day of June 2024.


Vinh Truong
Mayor

APPROVED AS TO FORM:



Thai Viet Phan
City Attorney

ATTEST:

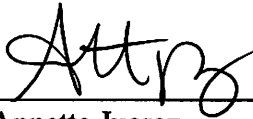


Annette Juarez
City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF DUARTE)

I, Annette Juarez, City Clerk of the City of Duarte, County of Los Angeles, State of California, hereby attest to the above signature and certify that Resolution No. 24-08 was adopted by the City Council of said City of Duarte at a regular meeting of said Council held on the 25th day of June, 2024, by the following vote:

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



Annette Juarez
City Clerk

RESOLUTION NO. 24-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024.

WHEREAS, a General Municipal Election is to be held in the City of Duarte, California, on November 5, 2024; and

WHEREAS, in the course of conduct of the election it is necessary for the City to request services of the County; and

WHEREAS, all necessary expenses in performing these services shall be paid by the City of Duarte.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the provisions of §§ 10002 and 10403 of the Elections Code of the State of California, this City Council requests the Board of Supervisors of the County to permit the County Election Department to prepare and furnish the following for use in conducting the election:

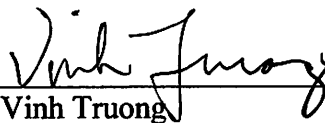
1. A listing of county precincts with number of registered voters in each, so city may consolidate election precincts into city voting precincts, and maps of the voting precincts;
2. A list of polling places(vote centers) and poll workers the county uses for their elections;
3. The voter record of the names and address of all eligible registered voters in the City in order that the City's consultant may:
 - a. Produce labels for vote-by-mail voters;
 - b. Produce labels for voter information guides;
 - c. Print Rosters of Voters and Street Indexes;
4. Voter signature verification services as needed;
5. Make available to the City election equipment and assistance as needed according to state law.

SECTION 2. That the City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill.

SECTION 3. That the City Clerk is directed to forward without delay to the Board of Supervisors and to the County Election Department, each a certified copy of this resolution.

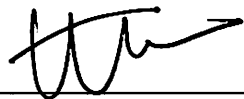
SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED and ADOPTED this 25th day of June 2024.



Vinh Truong
Mayor

APPROVED AS TO FORM:



Thai Viet Phan
City Attorney

ATTEST:

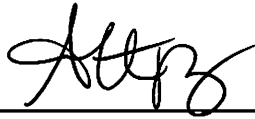


Annette Juarez
City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF DUARTE)

I, Annette Juarez, City Clerk of the City of Duarte, County of Los Angeles, State of California, hereby attest to the above signature and certify that Resolution No. 24-09 was adopted by the City Council of said City of Duarte at a regular meeting of said City Council held on the 25th day of June 2024, by the following vote:

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



Annette Juarez
City Clerk

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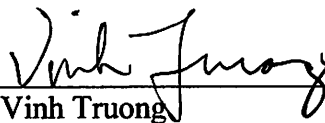
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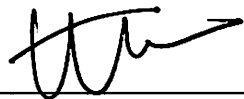
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Vinh Truong
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APPROVED AS TO FORM:



Thai Viet Phan
City Attorney

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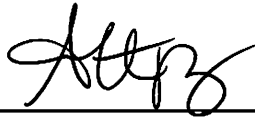


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COUNTY OF LOS ANGELES) ss.
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NOES: NONE
ABSTAIN: NONE
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Annette Juarez
City Clerk