

Agenda Memo City Manager's Office

To: Mayor and Members of the Duarte City Council

From: Karen A. Herrera, Deputy City Manager

Date: 11/5/12

Re: Amendment Three to the Gold Line II JPA Agreement Accepting the City of Montclair

RECOMMENDATION: That the Duarte City Council approve Amendment No. 3 to the Joint Exercise of Powers Agreement of the Gold Line II Joint Powers Authority for purposes of acceptance of Montclair's membership into the JPA and amending the JPA current Agreement.

BACKGROUND: On April 14, 2011, the Metro Gold Line Phase II Joint Powers Authority (JPA) Board unanimously voted to extend invitations of membership to the JPA to the cities of Montclair, Upland and Rancho Cucamonga. Letters of invitation were sent to all cities along with the proposed Amendment Three. The Cities of Upland and Rancho Cucamonga have declined the invitation to join at this time.

DISCUSSION: Below is the process for a city to join the JPA:

1. JPA Board votes to extend invitation for membership - **COMPLETED**
2. Invited City responds to invitation for membership - **COMPLETED**
3. Invited City Council approves Amendment to join JPA - **COMPLETED**
4. JPA Member City Councils approve Amendment No. 3
(must be approved by unanimous vote of all Cities)
5. Invited City becomes JPA member and pays initiation dues (\$31,455)

The City of Montclair has accepted the invitation of membership to the JPA on August 16, 2011, and their City Council has approved Amendment Three (attached). SANBAG's current Board member is Paul Eaton, who is the Mayor of Montclair. In the event that Mayor Eaton is selected as the Montclair JPA Board member, a replacement by SANBAG will be necessary. The SANBAG Alternate Board Member is currently Diane Williams, City Council Member of Rancho Cucamonga.

The JPA Board also voted to have the City of Pasadena listed as a JPA member, correcting an administrative error when the JPA expanded back in March of 2004.

FISCAL IMPACT: The JPA Board recently voted to have annual dues by members reinstated. Annual dues will be in the amount of \$3,000 per city and will commence in fiscal year 2014 (July 1, 2013).

ATTACHMENTS: Amendment Three

AMENDMENT THREE

Joint Exercise of Powers Agreement

Gold Line Phase II Joint Powers Authority

This Amendment Three to the Joint Exercise of Powers Agreement for the Gold Line Phase II Joint Powers Authority ("Amendment Three") is approved and executed by the current members of the Metro Gold Line Phase II Joint Powers Authority ("Joint Powers Authority") as set forth in Exhibit 1-B, attached hereto, and each of which must approve and execute this Amendment Three in order for Amendment Three to be effective.

WITNESSETH:

The Parties hereto agree as follows:

Section 1. Recitals. This Amendment Three is made and entered into with respect to the following facts:

- a. The Joint Powers Authority was formed pursuant to Section 6500 *et seq.* of the Government Code with the goal and intent to cooperate among members in support of the funding, planning, design and construction of the Metro Gold Line Phase II light rail project ("the Gold Line Phase II"); and
- b. The City of Montclair has demonstrated an interest to join the Joint Powers Authority in order to work cooperatively with the Joint Powers Authority and its member cities and agencies to complete the Gold Line Phase II including a possible extension to the City of Ontario; and
- c. The City of Montclair has agreed to pay initial dues and assume other required financial responsibilities as a condition of its membership in the Joint Powers Authority.
- d. The City of Pasadena was a founding member of the Joint Powers Authority and by an administrative error was removed and is at this time re-inserted and not subject to any other provisions stated below; and

Section 2. Initial Dues. The Initial Dues in the amount of Thirty-One Thousand Four Hundred Forty Five Dollars (\$31,455.00) for the City of Montclair shall be due and payable thirty-days (30) after the effective date of membership in the Joint Powers Authority.

Section 3. Terms Remain in Effect. All terms of the Joint Exercise of Powers Agreement for the Gold Line Phase II Joint Powers Authority ("Agreement") that are not deleted or amended by this Amendment Three remain fully in effect and the execution of this Amendment Three by each of the parties hereto signifies approval and acceptance of the Agreement as modified by this Amendment Two.

Section 4. Annual Dues. Section 29c (Annual Dues) of the Agreement is hereby reinstated and after a three-fourths majority vote of the JPA Board Members at its April 14, 2011 Board

Meeting. Annual Dues will be billed at the beginning of the fiscal year commencing fiscal year 2014 (July 1, 2013).

With the increase of activities along the project, it remains integral to the project planning and implementation to keep information and engagement with constituent cities. The forecast budget which includes administrative expenses, fees, legal support, etc. are expected to be approximately \$45,000 annually (\$3,000 per member city) as follows:

<u>Revenues:</u>	
<u>15 Member Cities X \$3,000</u>	<u>\$45,000</u>
Total	\$45,000

<u>Expenses:</u>	
Board Meetings Per Diem	\$18,000
Meetings	\$ 5,000
<u>Legal, Administrative, & Other</u>	<u>\$22,000</u>
Total	\$45,000

Section 5. Effective Dates. The Effective date of this Amendment Three shall be the first date on which each of the current members of the JPA, as listed in Exhibit 1-B, shall have approved and signed this Amendment Three. The effective date of Montclair's membership in the JPA shall be the first date on which each of the current members of the Joint Powers Authority as well as the respective candidate city shall have approved and signed this Amendment Three.

Section 6. Counterparts. This Amendment Three may be executed in several counterparts, and all counterparts so executed shall constitute one Amendment Three, binding on all the parties hereto, notwithstanding that all of the parties are not signatory to the original or same counterpart.

----- signature pages to follow -----

The current members of the JPA have caused this Amendment Three to be executed on their behalf, respectively, as follows:

City of Arcadia

By: Robert C. Harbicht, Mayor *Dated*

City of Azusa

By: Joseph R. Rocha, Mayor *Dated*

City of Claremont

By: Larry Schroeder, Mayor *Dated*

City of Duarte

By: John Fasana, Mayor *Dated*

City of Glendora

By: Gene Murabito, Mayor *Dated*

City of Irwindale

By: David Fuentes, Mayor *Dated*

City of La Verne

By: Don Kendrick, Mayor *Dated*

City of Monrovia

By: Mary Ann Lutz, Mayor *Dated*

City of Ontario

By: Paul Leon, Mayor *Dated*

City of Pasadena

By: Bill Bogaard, Mayor *Dated*

City of Pomona

By: Elliott Rothman, Mayor *Dated*

San Bernardino Associated Governments

By: Brad Mitzelfelt, President *Dated*

City of San Dimas

By: Curtis W. Morris, Mayor *Dated*

City of South Pasadena

By: Michael Cacciotti, Mayor *Dated*

ATTEST

By: Chris Lowe, Clerk of the Board

Exhibit 1-B

Current Members of the Gold Line Phase II Joint Powers Authority

Arcadia

Azusa

Claremont

Duarte

Glendora

Irwindale

La Verne

Monrovia

Ontario

Pasadena

Pomona

San Bernardino Associated Governments (SANBag)

San Dimas

South Pasadena

AMENDMENT NO. 7 TO CITY MANAGER EMPLOYMENT AGREEMENT

THIS AMENDMENT NO. 7 TO CITY MANAGER EMPLOYMENT AGREEMENT (“Amendment No. 7”) is made and entered into as of November 13, 2012 (“Effective Date”), by and between CITY OF DUARTE, a municipal corporation and general law city of the State of California (“City”), and DARRELL J. GEORGE, an individual (“George”), with respect to the following:

A. City and George entered into that certain City Manager Employment Agreement, dated September 14, 2004, as amended by that certain Amendment No. 1 to City Manager Employment Agreement, dated October 11, 2005, and by that certain Amendment No. 2 to City Manager Employment Agreement, dated September 26, 2006, and by that certain Amendment No. 3 to City Manager Employment Agreement, dated September 25, 2007, and by that certain Amendment No. 4 to City Manager Employment Agreement, dated October 28, 2008, and by that certain Amendment No. 5 to City Manager Employment Agreement, dated October 13, 2009, and by that certain Amendment No. 6 to City Manager Employment Agreement, dated June 13, 2010 (collectively, the “Agreement”).

B. City and George mutually desire to amend the Agreement as set forth herein.

NOW, THEREFORE, in consideration of the foregoing Recitals and the covenants and promises hereinafter contained, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Section 7(a) of the Agreement is amended in its entirety to read as follows [deletions shown in ~~strike-through~~ and addition in underline]:

(a) Subject to the termination provisions set forth in this Agreement, George’s employment as City Manager shall be renewed as of September 26, ~~2010~~ 2012 for a term of ~~three (3)~~ two (2) years, and this Agreement and his employment as City Manager shall automatically expire as of September 26, ~~2013~~ 2014 (the “Agreement Term”), unless, prior to September 26, ~~2013~~ 2014, (i) this Agreement is renewed in writing by George, and by City by a majority of the members of the City Council voting in open session at regular, adjourned regular, or special meeting of the City Council (in which case the parties shall memorialize that renewal in an agreement updated for such purpose or amendment to the then-existing agreement), or (ii) an amended agreement, replacement agreement, or amendment to the then-existing agreement is approved and signed by George and is approved by a majority of the members of the City Council voting in open session at regular, adjourned regular, or special meeting of the City Council.

2. Except for the amendments to the Agreement set forth in this Amendment No. 7, the Agreement and all of its terms, provisions, and conditions shall remain in full force and effect.

[end—signature page follows]

IN WITNESS WHEREOF, the parties hereto have executed and entered into this Amendment No. 7 as of the Effective Date.

CITY OF DUARTE

DARRELL J. GEORGE

By: _____
Mayor

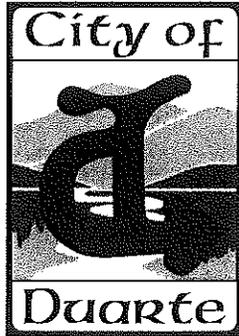
By: _____
Darrell J. George

Attest:

Marla Akana, City Clerk

Approved As To Form:

Dan Slater, City Attorney



Proclamation

ENTREPRENEURSHIP WEEK

WHEREAS, entrepreneurship is vital for a City's growth and prosperity, and according to the Department of Labor, most of the new jobs created in the past decade have come from the creative efforts of entrepreneurs, innovators, and small businesses engaged in endeavors ranging from micro-businesses to large-scale ventures; and

WHEREAS, throughout the history of the United States, entrepreneurs have been the source of economic innovation, and our entire society has been improved because of the new ways of doing things that have been brought about by people who market their ideas; and

WHEREAS, entrepreneurs are engaged citizens who work to improve their local communities by providing better opportunities for businesses to operate and a better overall environment for the human resources they need to advance their innovative ideas; and

WHEREAS, more than 70% of young people envision starting a business or doing something entrepreneurial as adults, and entrepreneurial awareness assists them in the future, regardless of whether they run their own business or work in a business owned by others; and

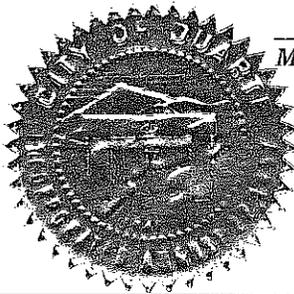
WHEREAS, the Small Business and Entrepreneurship Institute, Inc., in Irvine, California, has partnered with hundreds of organizations to promote awareness of the contributions of entrepreneurs as innovators, positive forces in the economy, and important resources for improving communities as places to live and work, and will celebrate Global Entrepreneurship Week with millions of entrepreneurs and students across six continents during the week of November 12-28, 2012;

NOW, THEREFORE, BE IT RESOLVED that the City of Duarte proclaims the week of November 12-18, 2012, **ENTREPRENEURSHIP WEEK**, and encourages all residents, companies, and organizations to celebrate our great entrepreneurial spirit by encouraging our youth to begin a journey to explore their big idea, and take it on.

Mayor John Fasana

ATTEST:

City Clerk Marla Akana
Duarte, California
November 13, 2012



From: "Jennifer Penn" <Jennifer@SBEuniversity.org>
Subject: RE: [Fwd: Global Entrepreneurship Week]
Date: October 24, 2012 10:00:51 AM PDT

Honorable Mayor,

It was a great pleasure speaking with City of Duarte staff and getting the process for the Mayor to proclaim this year's Entrepreneurship Week for the City of Duarte.

As we conclude the worst financial crisis in decades, entrepreneurs are once again leading the economic recovery. In 2011 business start-ups reached leveled-off from their highest level in twenty years. Given that almost all new job growth over the past twenty-five years has come from firms less than five years old, Global Entrepreneurship Week promises to inspire the next generation of entrepreneurs who will be tomorrow's job creators.

For one week (November 12-18), millions of entrepreneurs, small businesses and students across six continents will come together to celebrate Global Entrepreneurship Week (GEW), an initiative to inspire young entrepreneurs to embrace innovation, service and wealth creation. Global Entrepreneurship Week is driven by a global network of entrepreneurs, experts, policymakers, educators who come together once a year to inspire the next generation of business innovators.

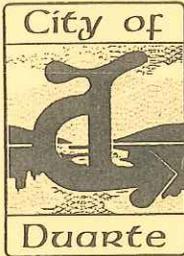
We have contacted the Chamber of Commerce, SBDCs and other non-profit organizations so that we can successfully create a positive impact in our community.

Please find the attached proclamation for your review and the Mayor's execution. The Proclamation can be mailed to Small Business & Entrepreneurship Institute, Inc., 18662 MacArthur Blvd., Ste 101, Irvine, CA 92612. Additionally, we would like to receive a confirmation if the City of Duarte will be proclaiming the week so that we can include you in our daily press releases. If you have any questions, please do not hesitate in contacting me directly at 949-333-0195 or 800-497-7597 or you are welcome to visit our California Global Entrepreneurship Week Site at <http://gew-california.org/>.

Jennifer Penn
Communications & Community Development

Direct: (949) 333-0195
Office: (800) 497-7597
Fax: (949) 502-5525

Unleashing Ideas | Global Entrepreneurship Week 2012 (Nov 12-18) |
California | USA



MEMORANDUM

TO: CITY COUNCIL
FROM: COMMISSIONER Barbie Bylsma
SUBJECT: NOTICE OF ABSENCE FROM Houghton Park & Rec COMMISSION MEETING
DATE: 10-25-2012

REASON FOR ABSENCE

_____ ACCIDENT

_____ VACATION

_____ SICKNESS

OTHER * parents

_____ DEATH IN FAMILY

DATE OF MEETING ABSENCE Nov. 12, 12

* EXPLANATION OF ABSENCE Taking care of folks in OHIO - Alzheimers

[Signature]
Signature

* * * * *

Absence noted by City Council

Date

RECEIVED

NOV - 7 2012

CITY OF DUARTE

November 7, 2012

Marla Akana
City of Duarte
1600 Huntington Drive
Duarte, California 91010
Phone (626) 357-7931
FAX (626) 358-0018
akanam@accessduarte.com

Dear Ms. Akana,

It is with regret that I am writing to inform you of my decision to resign my position on the Public Safety Commission, effective immediately.

My other commitments have become too great for me to be able to fulfill the requirements of my position on the Commission, and I feel it is best for me to make room for someone with the time and energy to devote to the job.

If I can be of any assistance during the time it will take to fill the position, please don't hesitate to ask.

Best Regards,

Hank Chapjian
518 Greenbank Avenue
Duarte, CA 91010
626-825-4881
hazachapjian@hotmail.com

MEMORANDUM

TO: Mayor and Councilmembers

FROM: Darrell J. George, City Manager

DATE: November 8, 2012

SUBJECT: Conference Attendance – City Council Meeting of November 13, 2012



League of California Cities
City Manager's Department Meeting
January 30 – February 1, 2013
San Francisco
Registration: \$625



2018

City Manager's Department Meeting

Wednesday, January 30 – Friday, February 1

PARC 55 WYNDHAM HOTEL
San Francisco

Registration and Housing Deadline:
Tuesday, January 8

www.cacities.org/events

 www.facebook.com/leagueofcities

 Follow @CaCitiesLearn

Wednesday, January 30

REGISTRATION OPEN

> 10:00 am – 6:00 pm

New and First-Timer's Orientation

> 1:00 – 1:30 pm

Is this your first city manager's conference? Are you a new city manager? Learn about the League organization and what it has to offer managers. Get tips on getting the most out of your first conference experience.

For speaker information, go to
www.lcibusiness.org/citymanagers/

OPENING GENERAL SESSION

> 1:30 – 3:00 pm

Blind Spots



When confronted with an ethical dilemma, we like to think we would stand up for our principles. Examine ways we overestimate our ability to do what is right, unintentionally acting in an unethical manner. Understand why traditional ethical approaches don't work; how blind spots like ethical fading — the removal of ethics from the decision-making process — have led to tragedies and scandal.

Speaker: Ann E. Tenbrunsel, Professor, Mendoza College of Business, University of Notre Dame, Co-Author, "Blinds Spots: Why We Fail to Do What's Right and What to Do about It"

CONCURRENT SESSIONS

> 3:15 – 4:45 pm

Beyond Bell: An Ethical Journey

From the rare occurrence and deep trenches of corruption, we can now reflect on the importance of strengthening and reclaiming good, open and transparent government. Identify the red flags within an unhealthy environment. Hear how to avoid the slippery slope and institutionalize good government ethics.

Friending Facebook: How to Get New Business to Like Your City

City managers try to attract marquee companies to enhance their city's reputation. Many companies bring status but generate little or no local tax revenue. Evaluate process, conversations, contracts and strategies in working out agreements. Gain economic development tools from your peer's toolbox.

Late-Breaking Issues

GENERAL SESSION

> 5:00 – 6:00 pm

League Strategic Initiatives for 2013-2014:

A Conversation with City Managers

Report on the preliminary recommendations of the League Strategic Initiatives Task Force. Most of the session devotes time for interactive discussions, facilitated by League Regional Public Affairs Managers. The group's summarized input will provide feedback to the League Board of Directors.

Speaker: Chris McKenzie, Executive Director, League of California Cities

Networking Reception

> 6:00 – 6:30 pm

Network with your colleagues, meet and connect with conference sponsors before heading out for an evening on your own.

Thursday, January 31

REGISTRATION OPEN

> 7:30 am – 4:00 pm

GENERAL SESSION

> 9:00 – 10:15 am

Unique Power of Compelling Stories



Learn how narrative and storytelling can motivate your audiences and advance your cause. Learn the elements of a good story and how to build a storytelling culture within your organization. Develop your ability to communicate in "story packages" — combining a compelling story, a great piece of data, and a clear call to action. Finally, learn to find your roles in the many interconnecting narratives in which you work — from stories of staff or individual clients to the overarching narrative of transforming society.

Speaker: Terrence McNally, Consultant, Speaker, Writer and Coach, Los Angeles

Thursday, January 31, Continued

CONCURRENT SESSIONS

➤ 10:45 am – 12:00 pm

Becoming a Better Storyteller

As a follow-up to the keynote address, learn to uncover and develop your inner storyteller. Understand why storytelling is important and how to do it effectively.

Senior Assistants: Preparing You to Manage the Cities of Tomorrow
What skills, traits and opportunities do senior assistants need to become the next generation of city managers? Explore best practices and relationships needed to lead council meetings and make difficult staffing decisions. Define more current opportunities to grow and mentor up and coming leaders within your city.

Designing Effective Public Engagement Processes:

When Values and Beliefs Collide

No matter the issue, citizens with strong views and competing beliefs challenge the ability of cities to hold productive, civil public hearings and meetings. Public engagement processes that anticipate and respond to difficult situations are possible. Learn from others experience, hear best practices and receive tips for designing processes that are effective, responsive, factual and civil. *(Planned with the Institute for Local Government)*

GENERAL LUNCHEON

➤ Noon – 1:30 pm

CONCURRENT SESSIONS

➤ 2:00 – 3:15 pm

There's An App For That

Explore smart phone and tablet apps that assist you in your personal and professional life, as well as those that can be useful for your organization. Learn about apps that can save you time, money and your sanity, all while building community, leveraging content and improving your competitive edge. Be sure to BYOD (Bring Your Own Device). This is one user-friendly session where you don't have to turn off your phone or tablet.

CONCURRENT SESSIONS

➤ 2:00 – 3:15 pm, Continued

Creating Community Value through Employee Development:

Why it's a Priority

Do your existing employees help streamline, change and fundamentally improve your organization? Is there a gap between current and potential capacity, both individually and organizationally? In times of constrained resources, managers have to ensure they are generating maximum value for their communities. Explore concepts and tangible benefits of employees who work at full capacity.

Special District Financing for Economic Development

Review classic alternative funding sources for economic development activities such as: Business Improvement Districts (BID), Property Business Improvement Districts, and Development Corporations. Learn what new funding mechanisms such as Tourism, Restaurant and Wine Business Improvement Districts are available to support economic development. Hear best practices and policies for local governments working with BIDs.

CONCURRENT SESSIONS

➤ 3:45 – 5:00 pm

Best Strategies for Survival as a Manager

Explore the roots of new problems and strategies for surviving these times. Create practical steps to enhance the health and extend the warranty on a manager's career success within any given city. Develop outreach to citizens to protect your efforts against a media attack.

Public Safety Restructuring:

Making Changes While Minimizing Service Impacts

Examine methods developed for successful non-traditional public safety operational models. Hear where to start, how it was done, what worked, what didn't work and how to move concepts forward to success. Identify restructured combinations that control administrative costs while maintaining high service levels.

For speaker information, go to
www.catties.org/citymanagerset

Friday, February 1

CONCURRENT SESSIONS

> 8:15 – 9:30 am

California Pension Reform: Hit or Myth?

The first Statewide pension reform law in decades is now six months old. What is working, what is not and what more needs to be done? Some cities and their voters are choosing to go beyond what is set forth by the State, sometimes with legal consequences. Take stock of these municipal efforts and where they may be leading.

There Will Always Be a Few Curds in Your Whey

As the chief executive or assistant, the city manager is often the final stop on the personnel problem path. Personnel issues consume an inordinate amount of time. How do you manage your role? How do you structure your policies and practices to most effectively use your time and talent? How do you prevent the few problem employees from draining the energy of an entire organization?

Realities in City Manager Employment

Employment agreements and compensation packages for city managers are facing new realities as the law, regulations, and the local political climate have changed. Share recent manager experiences and professional observations in professional placement. Identify current trends and results in what city councils are approving and how to update a template employment contract.

CLOSING GENERAL SESSION:

> 9:45 – 11:00 am

Managing the 21st Century City



Speaker: Dr. Lowell Cattlett, Futurist and Regent's Professor/Dean & Chief Administrative Officer, New Mexico State University

The 21st century will be the first in centuries of history where humans will begin to reach their full potential and cities will be at the heart of this revolution. Hear how cities may evolve. Urban cities will have rural components. Cities will have wireless smart grids for everything from police, transit, healthcare, and self-contained energy production. Plus, taxes and pensions will be mobile, reflecting a different type of labor force in cities focused on lifestyles. Are we ready for the future?

General Information

Register for the conference

All attendees must register for the conference online prior to reserving a hotel room. Registration is not complete until full payment is received. The League is unable to accept purchase orders. Once registration is complete, you will be directed to the housing reservations page.

- For online registration, go to www.cacities.org/events and select "City Managers Department Meeting".

Registration must be received by Tuesday, January 8. After this date, please register onsite.

Costs/Fees

(Registration fees subsidize the following: \$50 for CalCMA and \$50 for COMF.)

- The value of your registration includes:
- Electronic access to all program materials
 - Admission to all sessions
 - Wednesday reception, Thursday lunch, Friday breakfast

FULL CONFERENCE (One day registration is not available.)

City/County Managers	\$625
MMANC/MMASC Members (active Asst. City Managers ONLY)	\$480
All Others – company, consultant, League Partners	\$750
Non-Member City	\$1625
Spouse (badge required for all meals)	\$175

The spouse fee is restricted to persons who are not city or public officials, are not related to any Partner or sponsor, and would have no professional reason to attend the conference. It includes admission to meals/reception only. Conference session seats are reserved for full conference registrants. There is no refund for the cancellation of a spouse registration.

CANCELLATIONS

Advance registrants unable to attend will receive a refund of rate paid, minus a \$75 processing charge, only when a written request is submitted to the Conference Registrar at mdlunn@cacities.org and received before 5:00 p.m. on Friday, January 18. Absolutely no refunds will be provided after this date. Sending an alternate/substitute onsite will avoid financial penalty.

If you require special accommodations related to facility access, transportation, communication and/or diet, please contact our Conference Registrar before Tuesday, January 8.

Hotel Information & Reservations

Hotel reservation changes, date modifications, early check-outs or cancellations must be done directly through the hotel prior to Tuesday, January 8. After this date, all changes will incur a financial penalty, a minimum of a one-night room charge and attrition fees.

Parc 55 Wyndham, San Francisco – Union Square

55 Cyril Magnin Street, San Francisco, CA 94102

Event Rate (per night): \$179 (plus tax and fees)

Valet parking: \$49 per day (subject to change without notice)

*Please DO NOT book outside of the League hotel block. This will cause an increase in event costs, liabilities and higher registration rates.



MEMORANDUM

To: Honorable Mayor and City Council
From: Irma Hernandez, Senior Planner
Date: November 13, 2012
Subject: Adoption of City of Duarte Energy Action Plan; Resolution 12-R-35

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution 12-R-35, approving and adopting the City of Duarte Energy Action Plan (EAP).

SUMMARY

The purpose of the EAP is to identify the City of Duarte's long-term vision and commitment to achieve energy efficiency in the community and in municipal operations. The EAP demonstrates the City's commitment to pursue energy efficiency and reduce greenhouse gas (GHG) emissions consistent with AB 32. The City of Duarte Energy Action Plan identifies strategies the City of Duarte may take to achieve energy efficiency throughout the community and in municipal operations. The Plan contains a comprehensive GHG emissions inventory and forecast, provides recommendations for community wide strategies and municipal programs to achieve cost savings through energy reductions and more efficient practices, while achieving State recommended GHG reduction goals.

BACKGROUND

Assembly Bill AB 32, the Global Warming Solutions Act of 2006, requires greenhouse gas emissions to be reduced to 1990 levels by 2020. In October 2007, the California Public Utilities Commission created framework to make energy efficiency a way of life for California by refocusing ratepayer-funded energy efficiency programs on achieving long-term savings through structural changes in the way Californians use energy. To help achieve savings, the CPUC, in partnership with utilities, such as Southern California Edison (SCE) and more than 500 individuals and organizations, developed the California's Long-term Energy Efficiency Strategic Plan (CEESP) as the State's roadmap for achieving energy efficiency through 2020. To assist in achieving the CEESP goals specific to local government, SCE developed a funding opportunity through local energy partnerships. In 2010, through the San Gabriel Valley Energywise Partnership (SGVEWP), the San Gabriel Valley Council of Governments (SGVCOG), in partnership with 27 cities was awarded \$4.6 million dollars from SCE for project in support of the CEESP. The City of Duarte Energy Action Plan was prepared as part of a coordinated effort among the SGVCOG, SCE, the City of Duarte, and PMC, the consultant, hired to prepare the EAP and provide technical assistance.

This regional project included the preparation of customized EAPs for 27 participating cities, including a comprehensive greenhouse gas emissions inventory, forecast of community-wide activities and municipal operations, and longer-term goals, policies, and actions. The project was completed in four phases, with approximately seven cities per phase. The City of Duarte was part of Phase I. The 15-month project initiated in July 2011, a project team kick-off meeting was held in September 2011, and the final draft of the EAP was completed in October 2012.

Each participating city, including the City of Duarte, took a part in the creation of tailored greenhouse gas inventories and energy efficiency chapters of climate action plans, also called Energy Action Plans. In addition, each city benefitted from participation in monthly project steering committee meetings, the development of a regional framework, assessment of best practices, stakeholder engagement, and a regional climate change conference held in September 2012. Duarte staff also participated in the consultant selection process.

ANALYSIS

The role of this EAP is to serve as a strategic plan to achieve electricity efficiency in the Duarte. This is a unique plan that identifies the City's role in reducing electricity use, both as a steward of the community and a leader through its own operations.

The local responsibility was identified in the Assembly Bill (AB) 32 Scoping Plan, which clarified the 1990 target is equivalent to a 15% reduction below baseline emissions by 2020. The Scoping Plan also identified a variety of measures, including regulations, incentives, voluntary actions, and market-based approaches, to achieve the target reduction. The California Natural Resources Agency has also directed local governments to assess GHG emissions through the California Environmental Quality Act review process. The GHG inventory in this EAP allows the City to identify the local equivalent of the State-recommended reduction target. The EAP also allows the City understand the GHG mitigation potential of the strategies outlined in this Plan.

Due to the parameters of the grant funding under which the Plan was developed, the EAP's primary focus is electricity efficiency. While this EAP presents a comprehensive GHG emissions inventory and forecast, unlike more comprehensive climate action plans or GHG reduction strategies, mitigation strategies in the EAP focus only on electricity efficiency. However, this EAP lays out the City's role in achieving State-recommended GHG reduction targets.

The policies and actions in this plan are meant to serve as a roadmap for reducing electricity use in the community and municipal facilities. While the primary focus of this EAP is on reducing electricity and related greenhouse gas emissions, the policies and actions in this Plan also provide the ancillary benefits of improving the quality of the local built environment, reducing household electricity costs, and stimulating the local economy through energy efficiency investments.

The City will use the EAP as a tool to facilitate electricity efficiency while achieving other local economic and planning objectives, refining the EAP as programs are implemented and tested over time.

CONCLUSION

The EAP is a stand-alone document that meets multiple objectives of the City and SCE. The EAP supports the City's status in the Energy Leader Partnership with SCE. In addition, the EAP serves as the equivalent of an electricity efficiency chapter of a climate action plan (EECAP). It is designed to be integrated into a comprehensive climate action plan when the City's resources support the preparation of a plan to address the reduction of greenhouse gas (GHG) emissions from electricity, natural gas, waste, transportation, and other sectors.

One component to the successful implementation of the City's EAP will be the sharing of resources through continued communication and collaboration with other cities in the region facilitated through the SGVCOG. The City will continue to participate in SGVCOG discussions and events related to energy efficiency such as the SGVEWP, the Energy Environment and Natural Resource Committee, and other SGVCOG-sponsored events to help meet the goals described in this EAP.

Staff recommends the City Council adopt Resolution 12-R-35, approving and adopting this EAP which identifies municipal and community-wide strategies to achieve the City's longer-term electricity efficiency goals. This integration of municipal and community-wide strategies will allow the City to lead by example.

Attachments

Resolution 12-R-35
Energy Action Plan



RESOLUTION NO.**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE APPROVING AND ADOPTING THE CITY OF DUARTE ENERGY ACTION PLAN**

WHEREAS, the California State Legislature enacted, and Governor Arnold Schwarzenegger signed into law, Assembly Bill 32, the Global Warming Solutions Act of 2006, which set a 2020 greenhouse gas emissions reduction goal; and

WHEREAS, the California Public Utilities Commission (CPUC) authorized Southern California Edison (SCE) to conduct strategic plan activities focused on energy efficiency to help implement the CPUC's California Long-Term Energy Efficiency Strategic Plan (CEESP), and

WHEREAS, SCE's strategic plan activities include funding and technical support of the San Gabriel Valley Council of Governments' (SGVCOG) Energy Efficiency Climate Action Plan (EECAP) and the development of an Energy Action Plan (EAP) with consultant PMC; and

WHEREAS, the City Council of the City of Duarte considered the community-wide and municipal energy use reduction policies of the Energy Action Plan, and

WHEREAS, the City Council of the City of Duarte recognizes the impact of energy use for residential, commercial, industrial and municipal buildings and facilities on the environment; and

WHEREAS, the City of Duarte has developed an Energy Action Plan for more sustainable energy usage so that the City and community can reduce electricity use and greenhouse gas emissions through the adoption and implementation of the Energy Action Plan, attached hereto.

NOW, THEREFORE, the City Council of the City of Duarte resolves as follows:

Section 1. The Energy Action Plan, dated November 2012, presented to the City Council concurrent with this Resolution, is hereby approved and adopted.

Section 2. The City Council finds and determines the adoption of the Energy Action Plan is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of Title 14 of the California Code of Regulations, in that implementation of the Energy Action Plan will result in alterations to existing facilities, and pursuant to Section 15306 of Title 14 of the California Code of Regulations because information and analysis in the plan will not result in a disturbance to an environmental resource.

PASSED, APPROVED, AND ADOPTED this 13th day of November, 2012.

Mayor John Fasana

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

I, Marla Akana, 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. 12-35 was adopted by the City Council of said City of Duarte at a regular meeting of said Council held on the 13th day of November, 2012, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk Marla Akana
City of Duarte, California

The Draft Energy Action Plan is a separate document, and is available at Duarte City Hall and Duarte Public Library during normal business hours, on the City's website under the "Agenda" menu bar, and at the Duarte City Council Meeting on 11/13/12.

CITY OF DUARTE

DRAFT ENERGY ACTION PLAN

Funded by:
Southern California Edison Company

Local Government Strategic Plan Strategies Program
2010–2012 Program Period
under the auspices of the California Public Utilities Commission

Prepared for:

City of Duarte
1600 Huntington Drive
Duarte, CA 91010

San Gabriel Valley Council of Governments
1000 S. Fremont Ave., Unit #42
Building A-10, Suite 10210
Alhambra, CA 91803

Prepared by:

PMC
860 Walnut Street, Suite B
San Luis Obispo, CA 93401

In association with Fehr & Peers and DNV KEMA

NOVEMBER 2012



MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: CESAR MONSALVE, PARKS AND RECREATION DIRECTOR

SUBJECT: REQUEST FOR APPOINTMENTS TO THE YOUTH AND FAMILY COMMITTEE INTERVIEW PANEL

DATE: NOVEMBER 12, 2012

Recommendation: That the City Council appoint two council members to sit on an interview panel responsible for interviewing the Youth & Family Committee applicants, and based on the interviews, offer recommendations to fill the committee seats. Recommendations will be submitted to the City Council for approval at the December 11, 2012 regular meeting.

Staff suggests that the members of the Interview Panel once again match the previously used format for reviewing Youth & Family Committee applications: Two City Council members, two Duarte Unified School Board members, and a MAD Town Council member. Staff will approach the DUSD Board and MAD Town Council for panel members. A staff member will be available to assist the Interview Panel during the interviews.

Background: In September of 2010, the Duarte City Council endorsed The Youth and Family Master Plan and a resolution was subsequently adopted by the City Council. Part of the resolution included the formation of a Youth and Family Committee responsible for overseeing the implementation of the Youth and Family Master Plan, to be made up of up to but not exceeding 12 members, each of who would serve for a two-year term. Those terms will end in December 2012.

Applications for the Youth & Family Committee were made available on-line and at City Hall. The deadline for submitting an application was November 8, 2012. Interviews are scheduled to be held during the first week of December at a day and time to be agreed upon by the Interview Panel.

Discussion: The appointment of a Youth & Family Committee is critical to the implementation of Duarte's Youth and Family Master Plan, and will mark the completion of action step #66.

MEMORANDUM

TO: Darrell George, City Manager
FROM: Kristen Petersen, Assistant City Manager
DATE: November 13, 2012

SUBJECT: ANNUAL REFUSE COLLECTION & RECYCLING RATE ADJUSTMENT

Burrtec Waste Services began providing franchised refuse collection and recycling services in the City of Duarte on November 1, 1996, with the most recent contract extension taking place in 2009. In recent years Burrtec completed the conversion of existing diesel fleet to new alternative fuel trucks, implemented a new household sharps collection program, a new used oil curbside collection program, a new low volume commercial recycling program, a new e-waste collection feature in the Community Cleanup program, a new construction and demolition processing option and most recently a multi family recycling program.

The Burrtec contract sets forth a specific formula by which rates are to be adjusted over time. The City's responsibility is to review the rates proposed by Burrtec and confirm that the calculations are correct. The basic contract provisions are as follows:

- Rates are to be adjusted annually effective each January 1.
- Rates are adjusted up or down based on the contract formula that accounts for various cost factors, including Consumer Price Index (CPI), fuel prices and tipping fees.
- Burrtec may request an adjustment in excess of 4%, when justified.

On October 4, 2012 Burrtec submitted its request for adjustments to its refuse collection and recycling rates, to become effective January 1, 2013. The rates have not been increased in two years because Burrtec did NOT request a fee increase in 2012.

Included in their letter was information that the Puente Hills landfill closure is scheduled for the end of October 2013. This is definitely an extraordinary event given that Puente Hills landfill has been the main disposal location for the City of Duarte and most of San Gabriel Valley for over 50 years. Given this closure the LA County Sanitation District has indicated that there will be tipping fee increases due to transportation costs inherent in its Puente Hill Material Recovery Facility and Transfer Station operations that will become the main alternative locations. One of the areas that will see the greatest cost increase is green waste disposal, since Puente Hills Landfill has always used green waste as alternative daily cover (ADC) which resulted in a much lower cost. Burrtec will continue to evaluate and monitor cost effective alternatives in reference to the Puente Hills landfill closure in an effort to minimize the impact to Duarte residents and businesses.

Besides the change in tipping fees the other main components included in the rate calculation include, the CPI, which over the last two years totals 4.3% and the change in the average price per

gallon of fuel based on the US Dept of Energy Alternative Fuel Pricing Report, which increased by 8.3%.

Since receiving Burrtec's request, City Staff has been reviewing the cost data supplied by Burrtec and the cost increases calculated by Burrtec have been confirmed. There will be no increase of Residential Service rates for the second year in a row. The most commonly used Commercial Refuse Service rate will increase by 3.95%, Commercial Recycling Service rate will increase by 5.26% and Commercial Green Service rate will increase by 6.9%. However taking into account that there was not an increase to any of the rates last year, all of these increases are well below 4% per year.

Attachment 1 to this report contains a table that lists all of the refuse collection and recycling rates currently being charged by Burrtec Waste Services and what those rates become when adjusted based on the contract formula. As mentioned above this formula is based on three main elements, 1) the contractor service fee, 2) the tipping fees for waste disposal and 3) the cost of fuel. The contractor service fee is to be adjusted by the percentage change in the consumer price index in July. The tipping fees are to be adjusted by the change in actual cost for disposal, recycling and green waste. The refuse disposal rate is being increased from \$38.26 to \$39.03, the C&D disposal rate is being increased from \$56 to \$57.68 and the green waste disposal rate is being increased from \$19.95 to \$23.52 per ton.

As proposed, rates for residential waste services would not increase and the most commonly used commercial waste services would increase by less than four percent (3.95%). To put this in perspective, the most commonly used commercial waste service would pay about \$5.43 more per month.

Historically Duarte has maintained some of the lowest rates in Los Angeles County. As shown on Attachment 2, Duarte's most commonly used residential rate is the lowest of all the cities surveyed and our most commonly used commercial service rate continues to be lower than the average, compared to surrounding cities.

Recommendation

It is recommended that the City Council approve the refuse collection and recycling rates set forth in the attached schedule, to become effective January 1, 2013.

City of Duarte
 Burrtec Waste Services
 Annual Refuse Collection and Recycling Rate Adjustment
 Effective January 1, 2013

	Current Rates	Proposed New Rates	Change	
Residential Service:				
90/60/60	19.57	19.57	0.0%	
60/60/60	17.00	17.00	0.0%	
40/60/60	15.67	15.67	0.0%	
40/60/60 - Senior and/or handicapped	14.83	14.83	0.0%	
Additional 90 gallon refuse container	6.55 each	6.83 each	4.27%	
Additional 60 gallon refuse container	5.10 each	5.32 each	4.31%	
Extra refuse container collection/service				
Additional recycling container - one	no charge	no charge		
Additional recycling containers - two or more	1.18 each	1.23 each	4.24%	
Additional green waste container	1.22 each	1.27 each	4.10%	
Wildlife deterrent barrel	6.34 + base fee	6.61 + base fee	4.26%	
Container exchange (1 free/year)	17.73 each	18.49 each	4.29%	
Additional bulky waste pickup including CRT (2 free)	22.19 each	23.14 each	4.28%	
Backyard collection:				
Resident requested convenience	19.17 + base fee	19.99 + base fee	4.28%	
Manual collection	24.58 + base fee	25.64 + base fee	4.31%	
Senior and/or handicapped	base fee only	base fee only		
Residential Street Sweeping Service	1.35	1.41	4.44%	
Commercial Service:				
Wheeled toter (90/60 - once per week)	24.46	25.51	4.29%	
Wheeled toter (60 recycling only - once per week)	10.48	10.93	4.29%	
Refuse bin collection:				
<u>Bin Size</u>	<u>Times per Week</u>			
1	1	86.62	90.35	4.31%
1	2	145.20	151.34	4.23%
1.5	1	97.04	101.08	4.16%
1.5	2	161.04	167.58	4.06%
2	1	122.61	127.69	4.14%
2	2	197.35	205.26	4.01%
3	1	137.41	142.84	3.95%
3	2	220.08	228.36	3.76%
3	3	322.51	334.56	3.74%
3	4	414.96	430.33	3.70%
3	5	507.45	526.12	3.68%
3	6	599.94	621.93	3.67%
4	1	183.29	190.54	3.96%
4	2	290.32	301.21	3.75%
4	3	397.32	411.85	3.66%
4	4	504.28	522.46	3.61%
4	5	611.29	633.12	3.57%

4	6	718.27	743.74	3.55%
6	1	275.05	285.92	3.95%
6	2	409.40	424.51	3.69%
6	3	543.74	563.09	3.56%
6	4	678.12	701.71	3.48%
6	5	812.49	840.32	3.43%
6	6	946.85	978.92	3.39%

Recycling bin collection:

<u>Bin Size</u>	<u>Times per Week</u>			
1.5	1	62.92	66.14	5.12%
2	1	78.45	82.49	5.15%
2	2	104.20	110.91	6.44%
3	1	94.14	99.09	5.26%
3	2	131.85	142.42	8.02%
3	3	189.86	205.93	8.46%
3	4	237.68	259.40	9.14%
3	5	285.51	312.89	9.59%
3	6	333.29	366.32	9.91%

Green waste bin collection:

<u>Bin Size</u>	<u>Times per Week</u>			
1.5	1	59.05	63.09	6.84%
2	1	83.87	89.48	6.69%
2	2	167.73	178.99	6.71%
3	1	114.91	122.84	6.90%
3	2	177.82	191.22	7.54%
3	3	257.82	277.51	7.64%
3	4	329.24	354.79	7.76%
3	5	400.65	432.08	7.84%
3	6	472.11	509.42	7.90%

Split bin*:

<u>Bin Size</u>	<u>Times per Week</u>		
3	1	-	178.44
3	2	-	265.88
3	3	-	386.13
3	4	-	489.82
3	5	-	593.54
3	6	-	697.29

Bin push rates:

<u>Distance</u>	<u>Times per Week</u>			
0'-25'	1	0.00	0.00	
0'-25'	2	0.00	0.00	
0'-25'	3	0.00	0.00	
26'-50'	1	5.51	5.75	4.36%
26'-50'	2	11.00	11.47	4.27%

26'-50'	3	16.51	17.22	4.30%
51'-75'	1	8.25	8.60	4.24%
51'-75'	2	16.51	17.22	4.30%
51'-75'	3	24.75	25.81	4.28%
76'-100'	1	11.00	11.47	4.27%
76'-100'	2	22.00	22.95	4.32%
76'-100'	3	30.68	32.00	4.30%
101'-125'	1	13.75	14.34	4.29%
101'-125'	2	27.51	28.69	4.29%
101'-125'	3	41.27	43.04	4.29%
126'-150'	1	16.51	17.22	4.30%
126'-150'	2	33.01	34.43	4.30%
126'-150'	3	49.52	51.65	4.30%
151'-175'	1	19.26	20.09	4.31%
151'-175'	2	38.51	40.17	4.31%
151'-175'	3	57.76	60.24	4.29%
176'-200'	1	22.00	22.95	4.32%
176'-200'	2	44.24	46.14	4.29%
176'-200'	3	66.01	68.85	4.30%
200'+	1	0.12/foot	0.13/foot	8.33%
200'+	2	0.22/foot	0.23/foot	4.55%
200'+	3	0.34/foot	0.35/foot	2.94%
Refuse rolloff containers:				
<u>Size</u>	<u>Tonnage</u>			
20	5	421.69	435.49	3.27%
30	5	421.69	435.49	3.27%
40	5	421.69	435.49	3.27%
Compactor	5	475.38	491.71	3.44%
Green waste rolloff containers:				
<u>Size</u>	<u>Tonnage</u>			
40	5	322.64	353.35	9.52%
Construction & Demolition containers				
<u>Size</u>	<u>Tonnage</u>			
20/40	5	542.05	561.96	3.67%
Extra Bin Services:				
Extra refuse bin collection/service		40.02	41.74	4.30%
Lock installed		4.42	4.61	4.30%
Lock removed - damaged by customer		24.33	25.38	4.32%
Recycling contamination (1 grace per year)		40.02	41.74	4.30%
Temporary Bin Services:				
3 Cubic Yd (7 day use)		121.19	126.40	4.30%
Dump & Return		121.19	126.40	4.30%
Commercial Street Sweeping Service		2.61	2.73	4.60%

* The split bin is offered on an exception basis only.

**RESIDENTIAL & COMMERCIAL
MONTHLY RATES
RATE SURVEY - NOVEMBER 2012**

<u>Automated</u>	<u>City</u>	<u>Hauler</u>
\$ 19.57	Duarte	Burrtec
\$ 20.70	Walnut	Valley Vista
\$ 21.07	Alhambra	Allied Waste
\$ 21.33 (90 gallon); \$17.65 (60 gallon)	Monrovia	Athens
\$ 21.67	Arcadia	Waste Mgmt.
\$ 21.93	Azusa	Athens
\$ 22.10 (96 gallon); \$20.10 (64 gallon); \$18.22 (35 gallon)	LaVerne	Waste Mgmt.
\$ 23.09	Monterey Park	Athens
\$ 23.73	La Puente	Valley Vista
\$ 24.06 (96 gallon); \$20.92 (64 gallon); \$17.55 (35 gallon)	Baldwin Park	Waste Mgmt.
\$ 25.11	El Monte	Valley Vista
\$ 26.26	Covina	Athens
\$ 26.37	Pomona	City
\$ 27.30 90/90 2 cans; \$23.20 60/90 2 cans	West Covina	Athens
\$ 27.35	Glendora	Athens
\$ 29.72	San Gabriel	Athens
\$ 29.75	Temple City	Athens New
\$ 30.04	San Dimas	Waste Mgmt.
\$ 30.22	Claremont	City
\$ 30.64 (96 gallon); \$25.35 (64 gallon); \$20.72 (35 gallon)	Diamond Bar	Waste Mgmt.
\$ 31.01	Sierra Madre	Athens
\$ 37.31	San Marino	Athens
\$ 40.79 Basic service is backyard collection, once a week	South Pasadena	Athens
\$ 40.99 (100 gallon); \$26.44 (60 gallon); \$16.29 (32 gallon)	Pasadena	City

**3 yard bin /
1x week**

	<u>City</u>	<u>Hauler</u>
3 permitted haulers (Consolidated, Waste Mgmt & Valley Vista)	Arcadia	-
\$ 116.40	Claremont	City
\$ 122.10	La Puente	Valley Vista
\$ 123.58	Azusa	Athens
\$ 124.90	Monrovia	Athens
\$ 125.45	Diamond Bar	Valley Vista
\$ 126.56	Alhambra	Allied Waste
\$ 127.17	Walnut	Valley Vista
\$ 137.27	La Verne	Waste Mgmt.
\$ 137.41	Duarte	Burrtec
\$ 142.54	South Pasadena	Athens
\$ 142.63	El Monte	Valley Vista
\$ 149.18	Sierra Madre	Athens
\$ 149.78	Covina	Athens
\$ 157.34	Pasadena	City
\$ 158.81	San Dimas	Waste Mgmt.
\$ 160.94	Glendora	Athens
\$ 161.53	Monterey Park	Athens
\$ 163.43	Baldwin Park	Waste Mgmt.
\$ 167.79	West Covina	Athens
\$ 174.22	San Gabriel	Athens
\$ 182.74	Temple City	Athens New