

AGENDA
REGULAR JOINT MEETING OF THE CITY COUNCIL OF THE
CITY OF DUARTE, SUCCESSOR AGENCY TO DISSOLVED REDEVELOPMENT
AGENCY OF THE CITY OF DUARTE, THE DUARTE HOUSING AUTHORITY, AND
THE DUARTE COMMUNITY FACILITIES FINANCING AUTHORITY

TUESDAY, APRIL 9, 2013

6:00 p.m. – Closed Session
7:00 p.m. – Regular Session

COUNCIL CHAMBERS, 1600 HUNTINGTON DRIVE, DUARTE, CALIFORNIA 91010

MISSION STATEMENT

With integrity and transparency, the City of Duarte provides exemplary public services in a caring and fiscally responsible manner with a commitment to our community's future

MARGARET FINLAY, MAYOR
LIZ REILLY, MAYOR PRO TEM
JOHN FASANA, CITY COUNCILMEMBER
TZEITEL PARAS-CARACCI, CITY COUNCILMEMBER
PHIL REYES, CITY COUNCILMEMBER

City/Agency/Authority Staff:

Darrell George, City Manager
Kristen Petersen, Assistant City Manager and Director of Administrative Services
Craig Hensley, Community Development Director
Cesar Monsalve, Director of Parks and Recreation
Brian Villalobos, Director of Public Safety Services
Dan Slater, City Attorney & Successor Agency/Housing Authority General Counsel
Marla Akana, City Clerk

ADDRESSING THE CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AND FINANCING AUTHORITIES:

If you wish to address the City Council, Successor Agency, Housing Authority, or Financing Authority on any item on the Agenda, you should fill out a Speaker Card indicating which item or items on the Agenda you wish to speak about, and hand the card to the City Clerk. You will be called to the Podium when that item is heard by the City Council/Successor Agency/Housing Authority/Financing Authority. If you wish to address the City Council, Successor Agency, Housing Authority, or Financing Authority on any item that is not on the Agenda, but that is within the subject matter jurisdiction of the City/Agency/Housing Authority/Financing Authority, you may do so under the "Oral Communications" portion of the Agenda. At the podium, before starting your remarks, please state your name and city of residence for the record.

ADA ACCESSIBILITY NOTICE:

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, you should contact the City Manager's office at (626) 357-7931. Notification no later than 1:00 p.m. on the day preceding the meeting will enable the City to make reasonable arrangements to assist your accessibility to this meeting.

Note: Any documents distributed by the City/Agency/Authorities to a majority of the City Council/Successor Agency/Housing Authority/Financing Authority Board less than 72 hours prior to the City Council/Successor Agency/Housing Authority/Financing Authority meeting will be made available for public inspection at City Hall, 1600 Huntington Drive, Duarte, CA 91010, during normal business hours, except such documents that relate to closed session items or which are otherwise exempt from disclosure under applicable law.

THE FOLLOWING ITEMS WILL BE HEARD AT 6:00 P.M.

1. CALL TO ORDER OF CITY COUNCIL, SUCCESSOR AGENCY TO DISSOLVED REDEVELOPMENT AGENCY, HOUSING AUTHORITY, AND COMMUNITY FACILITIES FINANCING AUTHORITY, AND NOTATION OF ANY ABSENCES
2. ADOPTION OF THE AGENDA
3. CLOSED SESSION
 - A. Public Input – *Members of the public wishing to speak concerning the closed sessions listed below may do so at this time. Each person may speak once for no more than 3 minutes.*
 - B. Conference with Legal Counsel – Anticipated Litigation/Initiation of Litigation, pursuant to Government Code Section 54956.9(d)(4). Number of potential cases: 1
 - C. Conference with Labor Negotiators – Pursuant to Government Code Section 54957.6; Negotiators: Darrell George, Kristen Petersen; Regarding SEIU Local 721 Management and Professional Employees and General Employee Units
 - D. Conference with Legal Counsel—Existing Litigation, pursuant to Government Code Section 54956.9(d)(1); *City of Duarte, Appellant and Petitioner/Plaintiff, v. City of Azusa, Respondent and Respondent/Defendant; Azusa Rock, Inc., a California corporation; Calmat Co., a Delaware corporation, D.B.A. Vulcan Materials Company, Western Division; Vulcan Materials Company, Western Division, an unknown business entity, Respondents and Real Parties in Interest; Court of Appeal of The State of California, Second Appellate District, Division Four, Case No. B235097*

THE FOLLOWING ITEMS WILL BE HEARD NOT EARLIER THAN 7:00 P.M.

4. PLEDGE TO THE FLAG
5. MOMENT OF REFLECTION
6. FITNESS/MENTAL WARM-UP
7. PUBLIC REPORT OF CLOSED SESSION ITEMS
8. SPECIAL ITEMS – Page 1
 - A. Presentation – City of Hope Blood Donor Center
 - B. Proclamation – DMV/Donate Life California Month
 - C. Presentation by AQMD – Monitoring Station
9. ANNOUNCEMENTS OF UPCOMING COMMUNITY EVENTS
Any person who wishes to make a brief announcement of a future community event that is open to the general public may do so at this time.
10. ORAL COMMUNICATIONS—ITEMS NOT ON THE AGENDA (30 MINUTES)
Any person wishing to speak on any issue that is not on the Agenda, but that is within the subject matter jurisdiction of the City/Agency or Authorities, may do so at this time. The opportunity to speak is on a first come, first serve basis. Each person may speak once for no more than 3 minutes and there is a maximum of 30 minutes for all Oral Communications at this time. Under the Brown Act, members of the City Council/Successor Agency/Housing Authority/Financing Authority, and staff can respond only with a brief reply to issues raised in Oral Communications, and no action on such matters may take place at this meeting.
11. ITEMS TO BE ADDED TO THE CONSENT CALENDAR
12. CONSENT CALENDAR – Page 7
All matters listed on the Consent Calendar are to be approved with one motion unless a member of the City Council/Successor Agency/Housing Authority/Financing Authority removes an item for separate action. Any consent calendar item for which separate action is requested shall be heard as the next Agenda item. The respective entity's consent items are shown in parentheses at the end of each item as "CC" for City Council, "SA" for Successor Agency, "HA" for Housing Authority, and "FA" for C.F. Financing Authority.
 - A. Approval of Minutes – March 26, 2013 (CC/HA/SA/FA)
 - B. Approval of Warrants –April 9, 2013 (CC/HA/SA/FA)

- C. Motion to introduce and/or adopt all resolutions and ordinances presented for consideration by title only and waive further reading (CC/HA/SA/FA)
 - D. Notice of absence by Ana Lisa Hernandez from Planning Commission meeting of March 18, 2013 (Receive and File) (CC)
 - E. Authorization for the Successor Agency's Executive Director (City Manager) to execute a Professional Services Agreement (using the City's standard form agreement with authority to the City Manager and City Attorney to make any technical modifications to the agreement) with Keyser Marston Associates (KMA) in an amount not to exceed \$24,500, and \$5,000 contingency (if necessary), and materially consistent with the KMA proposal for preparation of the Successor Agency's Long-Range Property Management Plan (SA)
 - F. City Council/City Manager Conference Attendance – Los Angeles County Economic Development Corporation/World Trade Center Association International Trade Outlook, May 15, 2013, Long Beach (CC)
13. ITEMS REMOVED FROM CONSENT CALENDAR
14. BUSINESS ITEM – Page 22
Determination of City of Duarte's vote regarding League of California Cities' two proposed amendments to its bylaws (Continued from March 26, 2013)
15. CONTINUATION OF ORAL COMMUNICATIONS
*Any person who did **not** speak during the initial 30 minute Oral Communications period earlier in the meeting, who wishes to speak on any issue that is not on the Agenda but that is within the subject matter jurisdiction of the City Council/Successor Agency/Housing Authority/Financing Authority, may do so at this time. Each person may speak once for no more than 3 minutes. Under the Brown Act, members of the City Council/Successor Agency/Housing Authority/Financing Authority, and staff can respond only with a brief reply to issues raised in Oral Communications, and no action on such matters may take place at this meeting.*
16. ITEMS FROM CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY/FINANCING AUTHORITY MEMBERS AND CITY MANAGER/EXECUTIVE DIRECTOR (AB 1234 reports on trips, conference attendance, and meetings)
17. ADJOURNMENT

MEMORANDUM

TO: City Council
FROM: City Manager
DATE: April 4, 2013
SUBJECT: Comments on Agenda Items, Meeting of April 9, 2013

ITEM 8.A. Latascha Johnson from the City of Hope will provide a presentation on the efforts and success of the Whole Blood and Platelet Outreach Donor Apheresis Center.

ITEM 8.B. A proclamation will be read declaring April 2013 as DMV/Donate Life California Month. Donate Life Ambassador Mason Sommers, Ph.D, will be in attendance to receive the proclamation and make a few remarks about the value of organ and tissue donation.

ITEM 8.C. Representatives from AQMD will provide a presentation on the various monitoring systems it utilizes to measure particulate matter being released in the atmosphere – in particular, what is being called for in the Vulcan Mining operation. Features such as quality, cost, and maintenance will be addressed, along with the different factors associated with a “real-time” measuring system.

ITEM 12.E (Consent). This item authorizes the execution of a professional services agreement with Keyser Marston Associates (KMA) to prepare the Successor Agency’s Long-Range Property Management Plan (PMP). The contract is in an amount not-to-exceed \$24,500, with a \$5,000 contingency. The PMP is required by the State Department of Finance (DOF) with the purpose of addressing the disposition and use of the real properties of the former Redevelopment Agency. The PMP is outlined in the requirements set forth in AB 1484.

The PMP will provide an inventory of properties, summarize the property disposition proposal, address constraints to development, and set forth objectives. The fiscal impact analysis will provide a report on the economic impacts related to the project. The purpose of this information is to assist in establishing a fair reuse value of the property, estimate land sale proceeds, future property, and sales tax revenue, and other related information necessary to convince the DOF that a property sale is appropriate.

ITEM 14. This item was continued from the March 26, 2013, Council meeting. At the request of the Council, staff was able to contact the staff of the League of California Cities to get more detailed clarification on the two amendments being proposed. Essentially, the League is attempting to ensure that support for any resolution is likely to secure a consensus before League resources (and member cities) are directed to review and analyze the proposed resolutions. Thus, the change requiring at least five cities concur in the resolution is being proposed. As for taking positions on Statewide ballot measures, requiring a two-thirds vote of the Board Members provides a stronger support. In the past, narrow vote margins did not provide a strong consensus of the League Board on any position.

Respectfully submitted,



Darrell J. George
City Manager

Did You Know...



All blood products collected at City of Hope are used **ONLY** at City of Hope?

In fact, within a few days, your donation will go directly to a patient at City of Hope.

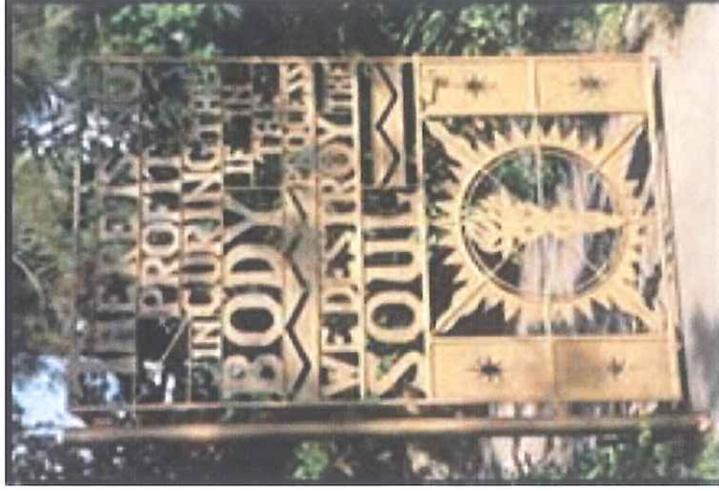
Why Donate at City of Hope?



When City of Hope does not collect enough blood or platelets it must buy them from other sources.

Sometimes as much as 50% of what we need has to be purchased elsewhere. And, unfortunately, they don't always have what we need.

Did You Know...



City of Hope is the **ONLY** hospital in Southern California where you can join the **National Marrow Donor Registry.**

70% of Bone Marrow Transplant patients rely on unrelated volunteer donors registered with the NMDP.

How You Can Help

Join the National Marrow Donor Registry with



There is a special need for people of mixed or minority ethnic groups. **Give the Gift of Life!**

Blood Drive Referrals



- Who do you know?

 - Spouse's employer

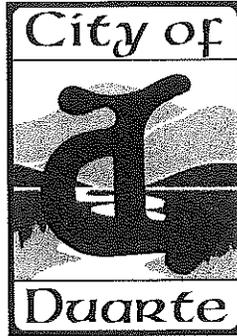
 - Temple or church group

 - Child's school

 - Scouts or fraternal organizations

- Hosting your own Community Drive

We are always looking for groups to host community blood and marrow drives.



Proclamation

DMV/DONATE LIFE CALIFORNIA MONTH

WHEREAS, organ, tissue, marrow, and blood donation are life-giving acts recognized worldwide as expressions of compassion to those in need; and

WHEREAS, more than 116,000 individuals nationwide and more than 20,000 in California are currently on the national organ transplant waiting list, and every ninety minutes one person dies while waiting, due to the shortage of donated organs; and

WHEREAS, more than 600,000 units of blood per year are needed to meet the need in California, and at any given time, 6,000 patients are in need of volunteer marrow donors, and the need for donated organs is especially urgent in Hispanic and African American communities; and

WHEREAS, a single individual's donation of the heart, lungs, liver, kidneys, pancreas, and small intestine can save up to eight lives; donation of tissue can save and heal the lives of up to 50 others; and a single blood donation can help three people in need; and

WHEREAS, the spirit of giving and decision to donate are not restricted by age or medical condition; and

WHEREAS, California residents can sign up to be organ and tissue donors with the state-authorized Donate Life California Registry when applying for or renewing their driver's licenses or ID cards at the California Department of Motor Vehicles;

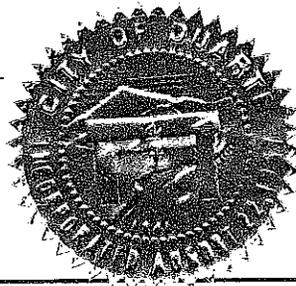
NOW, THEREFORE, BE IT RESOLVED that the City of Duarte hereby proclaims April 2013 as DMV/DONATE LIFE CALIFORNIA MONTH in the City of Duarte, and encourages all residents to check "YES" when applying for or renewing their driver's license or I.D. card, or sign up at www.donateLIFEcalifornia.org or www.doneVIDAcalifornia.org.

Mayor Margaret Finlay

ATTEST:

City Clerk Marla Akana
Duarte, California

April 9, 2013



MINUTES

JOINT CITY COUNCIL/CITY COUNCIL AS SUCCESSOR AGENCY TO DISSOLVED REDEVELOPMENT AGENCY/HOUSING AUTHORITY/COMMUNITY FACILITIES FINANCING AUTHORITY OF THE CITY OF DUARTE REGULAR MEETING – MARCH 26, 2013

CALL TO ORDER The City Council/City Council as Successor Agency to Dissolved Redevelopment Agency/Housing Authority/Community Facilities Financing Authority of the City of Duarte met in a regular meeting in the Council Chambers, 1600 Huntington Drive, Duarte, California. Mayor Finlay called the meeting to order at 6:00 p.m.

RECORDATION OF ATTENDANCE The following were in attendance:
PRESENT: Fasana (arrived at 6:05 p.m.), Paras-Caracci, Reilly, Reyes, Finlay
ABSENT: None
ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Slater

ADOPTION OF AGENDA Finlay moved, Reyes seconded to adopt the Agenda, as amended to adjourn in memory of Lucille Tye, and carried unanimously.

CLOSED SESSIONS There was no public input. Slater stated the first closed session was pursuant to Government Code Section 54956.9(d)(1); Conference with Legal Counsel; *In the Matter of The California Regional Water Quality Control Board, Los Angeles Region's Adoption of Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges Within The Coastal Watersheds of Los Angeles County, Except Those Discharges Originating from the City of Long Beach MS4, Order No. R4-2012-0175, NPDES No. CAS004001, State Water Resources Control Board.* The second closed session was pursuant to Government Code Section 549-56.9(d)(1); Conference with Legal Counsel; Existing Litigation, *City of Duarte, Appellant and Petitioner/Plaintiff, v. City of Azusa, Respondent and Respondent/Defendant; Azusa Rock, Inc., a California corporation; Calmat Co., a Delaware corporation, D.B.A. Vulcan Materials Company, Western Division; Vulcan Materials Company, Western Division, an unknown business entity, Respondents and Real Parties in Interest; Court of Appeal of The State of California, Second Appellate District, Division Four, Case No. B235097.* The Closed Sessions concluded at 6:50 p.m. City Council reconvened at 7:05 p.m., with all members present.

PLEDGE TO THE FLAG Sister Rosario Terese led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION A moment of reflection was observed.

FITNESS/MENTAL WARM-UP Paras-Caracci and Finlay provided the warm-up.

PUBLIC REPORT OF CLOSED SESSION

Slater reported that during the first Closed Session, City Council unanimously authorized the City Manager to enter into a joint defense agreement with 23 other cities so that the cities could confidentially share litigation strategies concerning the petitions the cities have filed challenging the requirements of the State Water Resources Board municipal stormwater permit. During the second Closed Session, City Council held a discussion on the matter of the further appeal, with no reportable action taken. Steve Hernandez stated mining has been delayed until the dry season, the community needs to use cameras and log violations of rules, and thanked the Council for having the courage to proceed with the lawsuit.

SPECIAL ITEMS
Redevelopment Dissolution
Status Update

Dan Slater provided an update on the status of dissolution of the former Redevelopment Agency, including effect on the City, discussions with the Department of Finance, due diligence review, effect on taxing agencies, and property management plan.

Public Safety Update

Larry Breceda, Code Compliance Manager, presented the Public Safety update about recent incidents.

Steve Hernandez stated the pedestrian accident on Huntington closed the street for a while, a senior citizen was jaywalking, and we need to have outreach to other senior facilities.

Mayor Finlay suggested the pedestrian safety program be provided to every senior center, and even the schools.

Fasana stated the jaywalking message should go to others beyond seniors, and suggested that the notification of the arrest for the hate crime incident be included on our website and in the press. Mayor Finlay suggested the information be sent out through Nextdoor.

ANNOUNCEMENTS

Sister Rosario Terese, Santa Teresita, thanked all who supported the 5K event, and presented the City with an honorary first place medal.

Russ Decker, Mentoring Council, announced classical music program on April 14 in San Gabriel.

Brian Baretto, Duarte Chamber of Commerce, announced upcoming events and programs sponsored by the Chamber.

Joanna Gee, Duarte Library, announced upcoming events and programs in the months of March and April.

Karen Herrera announced upcoming community events and programs in the months of March and April.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda.
John Fincher – Citrus College trustee.

ITEMS ADDED TO CONSENT

Fasana moved, Reyes seconded to add Council Bill 13-R-04 as Item 12.H, and carried unanimously.

CONSENT CALENDAR

Reyes moved, Reilly seconded to approve the Consent Calendar as amended, as follows, and carried unanimously.

Approve Items A, B, C, G, H.

Remove Items D, E, F.

RESOLUTION NO. 13-04

Grant Application – Community Gardens

Item H. Council Bill 13-R-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR GRANT FUNDS FOR THE URBAN GREENING PROJECT GRANT PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84)

ITEMS REMOVED

Item D – Obesity Prevention

Cesar Monsalve presented a staff report about the obesity prevention programs and activities that have been implemented.

Reyes suggested looking at community transformation grants, and requested a report from the School District related to wellness, nutrition, and obesity.

Item D – Approved

Fasana moved, Reilly seconded to approve the update on the obesity prevention resolution, and carried unanimously.

Item E – Contract – Karen Warner Housing Element Preparation

Craig Hensley provided a staff report about the proposed contract for preparation of the Housing Element.

Item E – Approved

Fasana moved, Reilly seconded to approve the contract with Karen Warner Associates in the amount of \$46,570 for the preparation of the 2013-2021 Housing Element, and carried unanimously.

Item F – Elizabeth Thaller Resignation

Cesar Monsalve stated Mrs. Thaller will be invited to a future meeting for recognition. Paras-Caracci suggested if she cannot attend a meeting, some Councilmembers and staff could deliver the plaque to her in person.

Item F – Received and Filed

Fasana moved, Paras-Caracci seconded to receive and file the notice of resignation by Elizabeth Thaller from the Parks and Recreation Commission, and carried unanimously.

BUSINESS ITEMS

League of California Cities Amendments to Bylaws (Continued to 4/9/13)

There was discussion about the two proposed amendments to the League of California Cities Bylaws being more restrictive, and the need for more clarification.

Fasana moved, Reyes seconded to continue this item to the next meeting, with the request for clarification of the amendments from the League, and carried unanimously.

Discussion/Direction – Mayor Nomination/Selection Process

George presented a summary of the staff report regarding processes for selecting the Mayor, including a resolution previously considered in 2002, and results of a survey of other cities.

There was discussion about equity, ceremonial position, nine-month term, one-year term, and automatic rotation.

Steve Hernandez stated he was present when this item was previously discussed, Mayors represent the City, there is a need for responsibility and thinking of the community first, and animosity needs to end.

There was further discussion about directly-elected Mayor, top vote getter, holding a grudge, and accountability.

Fasana moved, Paras-Caracci seconded to receive and file the report regarding the Mayor nomination and selection process, and carried by the following Roll Call vote:

AYES: Paras-Caracci, Fasana, Reilly, Finlay

NOES: Reyes

Discussion/Recommendation
"Duarte/City of Hope Station"

George provided a staff report about the recommendation to name the Gold Line Station "Duarte/City of Hope Station."

Fasana moved, Reyes seconded to approve naming the Duarte Gold Line Station "Duarte/City of Hope Station," for recommendation to the Metro Board, and carried unanimously.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

REILLY: Thanked staff for keeping the pool open longer during lunch for lap swim, attended the Well Conference about water, provided information she received from LA County Department of Public Works about what to flush and suggested that it be included on our website, and stated the talent show was magical.

FASANA: Attended Tri-Council of Governments meeting where SCAG made a presentation about community profiles, inquired about Duarte's data (Hensley responded), and regarding cap-and-trade markets, asked staff to research potential opportunities for funding, grants, and energy/transportation credits.

PARAS-CARACCI: Thanked Leven Oaks for sponsoring the Americorps fellows luncheon, thanked the volunteers, and asked for clarification about Sheriff cars parking in driveways rather than on the street on Royal Oaks and other areas.

REYES: Thanked all involved with the César Chávez event, attended the Well Conference which included a great history of water, he is waiting for Edison's outreach list, landscape plan, and how they are compensating our residents, requested the immigration resolution adopted by NALEO be on an upcoming Agenda, requested a report or presentation on our entitlement process, to include what it takes to get a CUP, cost, process, and timeline, appreciated the report on obesity prevention and hopes the School District can present what they are doing, stated he was visited by the gentleman from China who hosted Council-member Reilly and himself and inquired about the status of the policy pertaining to a friendship committee and when it will come to Council (Hensley stated it is on the current Economic Development Commission agenda), attended Foothill Workforce

Investment Board session regarding partnership with economic development and creating a workforce advantage, and stated he hopes we can work with the WIB and look at 21st century skill development.

FINLAY: Stated we should get a new City picture for the SCAG offices, inquired if information is continually provided about not taking trash from residents' receptacles (Karen Herrera responded), attended Angeles National Forest meeting and New Jerusalem Baptist Church 50th anniversary event, stated there was a discussion at the water summit about co-equal goals with regard to mining and making sure the air is clean, this is something we can work on with our adjacent city, and attended the Neighborhood Watch meeting, Community Mediation Team meeting, and Santa Teresita career fair.

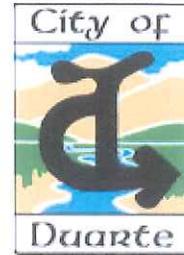
ADJOURNMENT

Reilly moved, Paras-Caracci seconded to adjourn the meeting at 9:20 p.m., in memory of Alma Caresio, Laura Muñoz, and Lucille Tye, and carried unanimously.

Mayor Margaret Finlay

ATTEST:

City Clerk



Memorandum

RECEIVED

APR - 3 2013

CITY OF DUARTE

To: City Council

From: Planning Commission - A. Hernandez

CC: File

Date: March 18, 2013

Subject: Notice of Absence - Date: March 18, 2013

Reason for Absence:

_____ Accident _____ Vacation _____ Other**
_____ X Sickness _____ Death in Family

Date of Meeting Absence Monday 3.18.2013

** Explanation of Absence Class for upcoming surgery.

A. Hernandez
Signature

Absence noted by City Council

Date



MEMORANDUM

TO: Mayor and City Council
FROM: Craig Hensley, Community Development Director 
DATE: April 9, 2013
SUBJECT: Award Contract for the Preparation of a Property Management Plan and an Associated Fiscal Impact Analysis to Keyser Marston Associates and a General Fund Budget Amendment of \$29,500

Staff recommends that the City Council award a contract to Keyser Marston Associates for the preparation of a Property Management Plan (PMP) and an associated Fiscal Impact Analysis in the amount of \$24,500 and authorize the City Manager to approve up to \$5000.00 in additional work associated with the fiscal impact analysis as a contingency to be used if additional data generation is needed to address the fiscal impact to all successor agency owned properties.

The proposal from Keyser Marston Associates is essentially a two part proposal: 1) development of a PMP; and 2) a fiscal impact analysis of the proposed Charles Company project that has been proposed along Huntington Drive in and adjacent to the Big Lots Shopping Center. This proposed project included several former redevelopment agency properties.

The PMP is required by the State Department of Finance (DOF) with the purpose of addressing the disposition and use of the real properties of the former redevelopment agency. The PMP is outlined in the requirements set forth in AB1484. The PMP will provide an inventory of properties, summarize the property disposition proposal, address constraints to development and set forth objectives.

The fiscal impact analysis will provide a report on the economic impacts related to the project. The purpose of this information is to: assist in establishing a fair reuse value of the property, estimate land sale proceeds, future property and sales tax revenue and other related information necessary to convince the DOF that a property sale is appropriate.

At this point, Staff does not anticipate needing to expand the contract to cover additional research, but Staff does request the flexibility to add up to \$5,000.00 in additional work if the Charles Company can not provide adequate fiscal impact data for all properties.

This document is the key to meeting State mandates and to moving the proposed mixed use project by the Charles Company forward.



KEYSER MARSTON ASSOCIATES
ADVISORS IN PUBLIC/PRIVATE REAL ESTATE DEVELOPMENT

March 27, 2013

ADVISORS IN:
REAL ESTATE
REDEVELOPMENT
AFFORDABLE HOUSING
ECONOMIC DEVELOPMENT

SAN FRANCISCO
A. JERRY KEYSER
EMOCHY C. KELLY
KATH EARTH FUNK
DEBBIE M. KEHN
REID T. KAWAHARA
DAVID DOUZEMIA

LOS ANGELES
KATHLEEN H. HEAD
JAMES A. RABE
GRIGORY D. SOO-HOO
KEVIN E. ENGSTROM
JULIE L. ROMBY

SAN DIEGO
GERALD M. TRIMBLE
PAUL C. MARRA

Craig Hensley
Community Development Director
City of Duarte
1600 Huntington Drive
Duarte, California 91010-2592

Dear Craig:

Keyser Marston Associates, Inc. (KMA) is pleased to submit the following proposal to provide selective consulting services to the City of Duarte Redevelopment Agency Successor Agency (Successor Agency). Specifically, KMA is proposing to assist the Successor Agency staff in preparing the long-range Property Management Plan (PMP) required by AB 1484.

As an adjunct to the preparation of the PMP, KMA is proposing to prepare an analysis of a mixed-use project that is key to the City of Duarte (City) economic development goals and objectives. It is our understanding that this analysis will be included in as part of a submission to the California Department of Finance (DOF) requesting that the mixed-use project be approved for implementation.

PROPOSED SCOPE OF SERVICES

PMP Preparation

The PMP is broken into five tasks. KMA is proposing to assist the Successor Agency with the following components of the analysis:

Inventory of Properties

AB 1484 requires Successor Agencies to identify and describe all Successor Agency owned properties. The submission for each property must include the following information:

1. The date on which the property was acquired, the value of the property when it was acquired, and an estimate of the property's current value;

500 SOUTH GRAND AVENUE, SUITE 1480 > LOS ANGELES, CALIFORNIA 90071 > PHONE 213 622 8095 > FAX 213 622 5204

WWW.KEYSERMARSTON.COM

1303011; KMA:KHH
99900.900

2. The purpose for which the property was acquired;
3. Information describing the parcel, including the address, the lot size, current zoning designation, and any plans for the property's development that are identified in the Redevelopment Plan, the City's General Plan, and any Specific or Community Plans;
4. Estimate of current value including any available appraisal information for the property;
5. An estimate of lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the use of those funds;
6. An identification of any enforceable obligations in place on the property, and the status of the obligation;
7. The history of environmental contamination on the property, including any related environmental studies, and history of remediation;
8. A description of the property's potential for transit-oriented development, and the advancement of the planning objectives of the successor agency; and
9. A summary of development proposals and activity related to the property.

KMA assumes that the City will provide us with all the requisite data related to each property. In addition, Item #1 requires the Successor Agency to identify the value of the properties at the time of acquisition. It is KMA's opinion that this information should be disaggregated to identify the value of the vacant property at acquisition, and all the other costs the redevelopment agency incurred to assemble the site.

KMA proposes to assist the Successor Agency with the following tasks related to the property inventory:

1. KMA will assist the Successor Agency in identifying and describing the properties that have potential for transit-oriented development; and
2. KMA will also assist the Successor Agency in identifying and describing properties that have the potential to advance City's planning objectives.

Summary of Proposed Property Disposition

KMA will assist the Successor Agency in designing disposition strategies for the following property types:

1. Properties that will be retained for governmental use;
2. Properties that will be retained for future disposition and development;
3. Properties that will be sold in the near term; and
4. Properties that will be used to fulfill enforceable obligations.

Constraints to Development

KMA will assist the Successor Agency in identifying constraints to developing Successor Agency controlled properties such as:

1. Land use and zoning requirements;
2. Existing agreements with outside jurisdictions;
3. Deed restrictions; and
4. Market and financial feasibility.

Successor Agency Objectives

KMA will provide the following services related to the objectives for the Successor Agency controlled properties:

Property Disposition

KMA will assist the Successor Agency in preparing a document that summarizes the disposition strategy for the Successor Agency properties. This summary will identify the critical path issues associated with implementing the strategy.

Public Revenue Projections

KMA will estimate the sales proceeds that that will be generated by the disposition of each Successor Agency property. KMA will also project the property tax revenues that will be generated by the prospective development. As required by ABX1 26, these revenues will be used first to fulfill enforceable obligations, and then any remaining revenues will be distributed to the taxing entities.

Timeline of Activities

KMA will assist the Successor Agency in creating a timeline for implementing the PMP. The timeline will identify actions to be undertaken during the current fiscal year, actions to be taken over the following two- to three-fiscal years, and any actions to be taken over the long term.

Mixed-Use Project

The City has a particular interest in preserving the right to implement a major mixed-use project that is proposed to include the renovation of an existing shopping center, the development of 135 residential units, and the development of new commercial space. A portion of this site is owned by the Successor Agency and a portion is owned by the Duarte Housing Authority (the Housing Successor to the former Duarte Redevelopment Agency).

The disposition of the property is complicated by the multiple ownerships, and by the desire to implement a project that includes both a housing component and a commercial component. The Successor Agency must obtain Oversight Board and DOF approval to pursue the development.

KMA proposes to segregate the project into a commercial component and a housing component. For the commercial component, KMA will estimate the land sales proceeds, the property tax revenues and the sales tax revenues that could be generated. For the housing component, KMA will estimate the number of units that can potentially be produced. KMA will summarize this analysis in a summary that describes the role the mixed-use project will play in fulfilling the City's economic development and housing goals.

DELIVERABLES

1. KMA will complete the form the DOF has devised for PMP's, and we will prepare a narrative summary of the components of the PMP; and
2. The analysis of the proposed mixed-use project will be summarized in memorandum form.

BUDGET

KMA proposes to undertake the proposed scope of services on a time and materials basis with a fee not to exceed \$24,500. This fee includes KMA attendance at one meeting with the DOF in Sacramento.

If the scope of services changes materially, the budget will need to be adjusted accordingly. KMA will obtain Successor Agency approval prior to undertaking any services in excess of the defined budget.

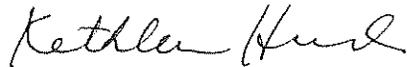
The KMA hourly billing rate schedule that will be applied to this engagement follows:

Managing Principals	\$280.00
Senior Principals	\$270.00
Senior Associates	\$187.50
Administrative Staff	\$80.00

KMA appreciates the opportunity to present this proposal. If there are any modifications that will make the proposal more responsive to your needs, or if you require any additional information, please do not hesitate to call us

Sincerely,

KEYSER MARSTON ASSOCIATES, INC.



Kathleen Head

MEMORANDUM

TO: Mayor and Councilmembers

FROM: Darrell J. George, City Manager

DATE: April 4, 2013

SUBJECT: Conference Attendance – City Council Meeting of April 9, 2013



Los Angeles Economic Development Corporation and
World Trade Center Association
International Trade Outlook
May 15, 2013
Renaissance Hotel – Long Beach
\$60 per person

Emerging Markets and how they are transforming the Global Economy

Join us as we discuss the growth markets with the best potential for your business.

The Los Angeles County Economic Development Corporation and the World Trade Center Association Los Angeles-Long Beach celebrate Los Angeles County, America's international trade capital and gateway to the global economy.

- Which emerging economies offer the best opportunities for the U.S. and Southern California?
- Is your business taking advantage of the National Export Initiative (NEI)?
- What is the outlook for the international trade in Southern California?

REGISTER NOW

Event Details

- Wednesday, May 15, 2013
- 7:30 a.m. to 8:30 a.m. – Breakfast & Networking
- 8:30 a.m. to 10:15 a.m. – Program

Renaissance Long Beach Hotel
111 East Ocean Blvd.
Long Beach, CA 90802

Ticket Prices* – (Early Bird pricing ends on April 26, 2013)

Member, Student, Non-profit	\$60.00
Member, Student, Non-profit – Table of Ten	\$550.00
Early Bird General Ticket	\$75.00
Early Bird – Table of Ten	\$700.00
General Price Ticket (non-Early Bird pricing)	\$90.00
General Price – Table of Ten	\$850.00

*No refunds will be given after May 10, 2013.

International Trade Outlook

WTCA LA-LB and LAEDC
Wednesday, May 15, 2013 from 7:30 AM to 10:15 AM (PDT)
Long Beach, CA 90802



Event Details

Emerging Markets and how they are transforming the Global Economy

Join us as we discuss the growth markets
with the best potential for your business.

Which emerging economies offer the best opportunities for the U.S. and Southern California?

What is the outlook for the international trade in Southern California?

KEYNOTE SPEAKER - The Honorable James Bacchus

Chair, Global Practice Group, Greenberg Traurig

Chair, International Chamber of Commerce - Commission on Trade and Investment Policy

Chair, World Economic Forum - Global Agenda Council on Governance for Sustainability

Former Chair, World Trade Organization - Appellate Body

Former Member of the Congress of the United States

SPEAKERS

Bill Allen, President & CEO - LAEDC

Dr. Robert A. Kleinhenz, Chief Economist - Kyser Center for Economic Research, LAEDC

Ferdinando Guerra, International Economist - Kyser Center for Economic Research, LAEDC

Ticket price includes continental breakfast and the *International Trade & Trends Reports*.

7:30am to 8:30am - Breakfast & Networking: Renaissance Foyer

8:30am to 10:15am - Program: Renaissance Ballroom

NOTE: LAEDC member representatives receive complimentary registration subject to membership level. Please check your membership benefits.

Please contact Marilyn McPoland for more information (213) 236-4812.

Register at <http://laedc.org/events-page/trade-outlook/>

MEMORANDUM

TO: Mayor and City Councilmembers
FROM: Darrell J. George, City Manager
DATE: April 2, 2013
SUBJECT: Proposed Amendments to League Bylaws

Background

The City has been contacted by the League of California Cities to seek concurrence on two amendments to the League's Bylaws to the membership. The proposed amendments would amend the Bylaws to provide that: 1) Resolutions submitted to the League for presentation to the General Assembly must be concurred in by at least five or more cities, or by city officials from at least five or more cities. 2) The League Board may take a position on a Statewide ballot measure by a 2/3 vote of those Directors present. Currently, the Board may take positions with a simple majority vote. As provided in the League's Bylaws, the Board of Directors is submitting these amendments to the membership for approval by mail ballot, signed by an authorized city official, by April 19, 2013.

Staff presented this request to amend the League Bylaws at the March 26, 2013, Council meeting, whereupon the City Council requested more information prior to taking any action

Discussion

League Regional Public Affairs Manager Jennifer Quan was contacted to clarify the intent of the proposed two amendments. Provided for your review is a more detailed summary of each amendment, as well as the staff report from the League's February 2013 Board meeting.

Amendment 1: Current process allows that resolutions may originate from city officials, city councils, regional divisions, functional departments, or the League Board. Resolutions may also originate via petition signed by 10% of the designated voting delegates at the Annual Conference. The change would require that for non-petitioned resolutions, at least five cities or city officials from five cities concur in the resolution. In considering any resolution, city officials must determine if the issue is germane to cities and likely to secure a consensus level of support before the resources of the League (and its member cities) should be directed to review and analyze a proposed resolution. It is in no member of the League's interest to devote resources to a review of proposed resolutions that do not have the support of a handful of cities in the initial stages.

Amendment 2: Current process allows that after consideration of our policy committee's recommendations, the Board can adopt a position by majority vote of the members present to take a position on a Statewide ballot. The change would require that a 2/3 vote of the Board Members present is needed to take a position on a Statewide ballot. In the past, most notably when the League was sharply divided in 2005 on Governor Schwarzenegger's ballot measure package that included a budget cap, the vote was very close. The final decision was made at the League General Assembly by a very narrow vote margin. Supporters could not really say they had the strong support of the League, and the League could not really get active in the campaign. This change ensures that there would be a strong consensus of the League Board on any position.

Recommendation

It is staff's recommendation that the City Council consider the proposed League resolution relating to the League Bylaws amendments, and determine to forward the ballot with either a "yes" or "no" decision.

DJG:mka
Attachments

Proposed League Bylaw Amendments

Background

At its November 2012 meeting, the Board of Directors approved two amendments to the bylaws:

1. Resolutions submitted to the League for presentation to the General Assembly must be concurred in by at least five or more cities or by city officials from at least five or more cities.
2. The League Board may take a position on a statewide ballot measure by a 2/3rd vote of those Directors present.

Discussion

1. Resolution Process: Resolutions may originate from city officials, city councils, regional divisions, functional departments, or the League Board. Resolutions may also originate by being included in a petition signed by 10% of the designated voting delegates at the Annual Conference. (Bylaws, Art. VI, sec. 2) The bylaws amendment would change the process for non-petitioned resolutions by adding a requirement that at least five cities or city officials from five cities concur in the resolution.
2. Board Voting Requirement: The bylaws provide that a majority vote of approval by those voting is necessary for a decision, except as otherwise provided in the bylaws. (Art. XI, sec. 3) The bylaws amendment would add a new section that would provide that a 2/3rd vote of those Board members present is needed to take a position on a statewide ballot measure.

Bylaws Amendment Process

The League's bylaws may be amended in one of two ways: by the General Assembly (Bylaws, art. XVII) or by mail ballot (Bylaws, art. XI, sec. 5.) Either method requires approval by a 2/3rd vote of those voting. The mail ballot process was last used to amend the bylaws to establish the grassroots network program. The mail ballot process requires that ballots with explanatory materials be mailed to each Member City. Cities are given at least 45 days to cast their votes. Ballots are then tabulated by a three-member committee of Board members appointed by the League President, which then reports the results to the Board. The Board then canvasses the vote and announces the result. If approved, the amendments take effect 60 days afterwards. If used, the mail ballot process would allow for the resolution process amendment to be used for resolutions submitted to the General Assembly at the 2013 Annual Conference.

Recommendation:

1. Approve the Bylaw Amendment language attached to this staff report.
2. Authorize League staff to use the mail ballot process.
3. Direct League staff to submit the proposed amendments to the Administrative Services policy committees for review and recommendation.
4. Direct staff to agendize the amendments and the Administrative Services policy committee recommendation for the Board's April 2013 meeting.

Submitted by: Patrick Whitnell, Legal Counsel

March 5, 2013

RECEIVED

MAR - 7 2013

To: League Membership
From: Chris McKenzie, Executive Director
Re: Proposed Amendments to League Bylaws

CITY OF DUARTE

At its February meeting, the League's Board of Directors approved submitting two amendments to the League's Bylaws to the membership. The proposed amendments would amend the Bylaws to provide that:

1. Resolutions submitted to the League for presentation to the General Assembly must be concurred in by at least five or more cities or by city officials from at least five or more cities.
2. The League Board may take a position on a statewide ballot measure by a 2/3rd vote of those Directors present. Currently, the Board may take positions with a simple majority vote.

The Board's purpose in submitting the first proposed amendment is to encourage members to seek concurrence of other cities and city officials that the subject of a proposed resolution is a substantial one and of broad interest and importance to cities. The Board's purpose in submitting the second proposed amendment is to ensure that when the Board considers a position on possibly controversial statewide ballot measures, the Board's ultimate decision represents a broad consensus of the Directors.

The language of the proposed amendments is provided in the attached Resolution. To be approved, the Bylaws require each amendment must receive a 2/3rd vote of those members voting. To consult the League's Bylaws: go to www.cacities.org. The link is at the bottom of the page.

As provided in the League's Bylaws, the Board of Directors is submitting these amendments to the membership for approval by mail ballot. Please return the enclosed ballot, signed by an authorized city official, **by April 19, 2013**.

Ballots may be submitted by email to: ballots@cacities.org.

By mail to:

League of California Cities
Attn: Ballots
1400 K Street, 4th Floor
Sacramento, CA 95814

Or by fax to: (916) 658-8240

Thank you for your attention to this important matter concerning the League's governance. If you have questions, please direct them to Patrick Whitnell, General Counsel at pwhitnell@cacities.org.

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PROPOSED RESOLUTION RELATING TO LEAGUE BYLAWS AMENDMENTS

WHEREAS, the League of California Cities is a nonprofit mutual benefit corporation under California law and, as such, is governed by corporate bylaws; and

WHEREAS, the League's Board of Directors periodically reviews the League's bylaws for issues of clarity, practicality, compliance with current laws, and responsiveness to membership interests; and

WHEREAS, the League Board of Directors at its February 7-8, 2013 meeting approved submitting the following amendments to the League's bylaws to the League's membership by mailed ballot:

1. Article VI, section 2 of the League's bylaws is amended to read as follows:

"Resolutions may originate from city officials, city councils, regional divisions, functional departments, policy committees, or the League Board or by being included in a petition signed by designated voting delegates of ten percent of the number of Member Cities. Except for petitioned resolutions, all other resolutions must be submitted to the League with documentation that at least five or more cities, or city officials from at least five or more cities, have concurred in the resolution."

2. A new Article VII, section 16 is added to the League's bylaws to read as follows:

"Section 16: Positions on Statewide Ballot Measures.

Notwithstanding any other provision of these bylaws, the League Board may take a position on a statewide ballot measure by a 2/3rd vote of those Directors present."

Now, therefore, be it

RESOLVED, that the League Board of Directors at its April 24-25, 2013 meeting in Sacramento, California, after a canvass of mailed ballots, has determined that the above amendments to the League bylaws have been approved by a 2/3rd vote of those Member Cities voting. These amendments shall take effect 60 days after the approval of this resolution.

////////

Ballot on Bylaws Amendments

City of _____

Does your city vote to approve the amendment of article VI, section 2 of the League's bylaws relating to submission of resolutions to the League's General Assembly as set forth in the Proposed Resolution and incorporated by reference in this ballot?

- Yes
- No

Does your city vote to approve the addition of article VII, section 16 to the League's bylaws relating to the League Board vote threshold for taking positions on statewide ballot measures as set forth in the Proposed Resolution and incorporated by reference in this ballot?

- Yes
- No

Ballot returned by:

_____ City Official Name

_____ City Official Title

Please return this ballot by **April 19, 2013** to:

League of California Cities
Attn: Ballots
1400 K Street, 4th Floor
Sacramento, CA 95814

or by email to: ballots@cacities.org

or by fax to: (916) 658-8240

Thanks in advance for your participation in this important decision.