

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, OCTOBER 8, 2013

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
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.

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. PLEDGE TO THE FLAG
4. MOMENT OF REFLECTION
5. FITNESS/MENTAL WARM-UP
6. SPECIAL ITEMS – Page 1
Proclamation – Red Ribbon Week
7. 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.
8. 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.
9. ITEMS TO BE ADDED TO THE CONSENT CALENDAR
10. CONSENT CALENDAR – Page 3
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 – September 24, 2013 (CC/HA/SA/FA)
 - B. Approval of Warrants – October 8, 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. Proclamation for "Freedom from Workplace Bullies Week" (CC)
 - E. Notice of absence by Patricia Starratt-Thorpe from Traffic Safety Meeting of 10/1/13 (CC)
 - F. City Council/City Manager Conference Attendance – NALEO National Policy Institute on Emergency Response and Management, November 22-24, 2013, Orlando, Florida (CC)
11. ITEMS REMOVED FROM CONSENT CALENDAR
12. PUBLIC HEARING – Page 13
13-O-04 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING CHAPTER 16.04, "BUILDING LAWS," OF TITLE 16, "BUILDINGS AND CONSTRUCTION," OF THE DUARTE MUNICIPAL CODE (First Reading)
13. ITEM FROM PARKS AND RECREATION COMMISSION
Consideration of recommendation from Parks and Recreation Commission regarding facility rental insurance requirements

14. 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.*
15. 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)
16. ADJOURNMENT

MEMORANDUM

TO: City Council
FROM: City Manager
DATE: October 3, 2013
SUBJECT: Comments on Agenda Items, Meeting of October 8, 2013

ITEM 6. A proclamation will be read identifying the week of October 19-26, 2013, as Red Ribbon Week in the City of Duarte. It is a time to encourage all citizens of Duarte to participate in drug awareness activities. The City's theme for the week will be "Life is a Work of Art, Color It Drug Free."

The following events will occur during the week: Red Ribbon News distributed on Wednesday, October 9; Red Ribbon Week March on Saturday, October 19; Red Ribbon Week Essay Contest and Teen Event on Thursday, October 24; Elementary/Intermediate School Events during the week of October 21-25; and Classroom Poster Contest judging on Friday, October 25.

ITEM 10.D (Consent). This proclamation declares the week of October 20-26, 2013, as "Freedom From Workplace Bullies Week." California Healthy Workplace has invited all California cities to help raise awareness to correct and prevent workplace bullying. The proclamation stresses that the City of Duarte has an interest in promoting the social and economic well-being of its employees and citizens.

ITEM 12. This item is a Public Hearing for the City Council to consider the first reading of an Ordinance amending Chapter 16.04 of the Duarte Municipal Code relating to Building Laws. The proposed amendment is to adopt the 2013 California Building, Electrical, Plumbing, Mechanical, Residential, and Green Standards Codes, along with the amended Los Angeles County grading code.

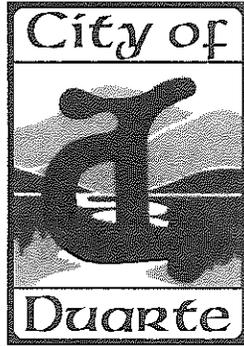
Every three years, the California Building Standards Commission publishes an update of the California Building Codes (CBC). The 2013 CBC goes into effect on January 1, 2014, and should be adopted by the City. Council Bill 13-O-04 is attached and provides for the adoption of the new codes. Some of the more significant changes included in this code update are: matching California ADA access regulations with Federal regulations, a comprehensive update to the California Energy Code, new standards for grey water and rain water collection, a comprehensive update to the Green Building code, and several other similar items.

ITEM 13. This item from the Parks and Recreation Commission presents a recommendation regarding facility rental insurance requirements, to either purchase insurance coverage through the City's provider, or present the City with a certificate of insurance. If this recommendation were implemented, renters could procure a daily or short-term policy through their own personal insurance agent or an insurance website, such as www.specialeventinsurance.com. Another option for the renter would be to go through the City of Duarte as part of the Special Event Insurance Program that JPIA provides to the City. Costs for insurance will range from \$100 to \$350 depending on which purchasing option is used, the type of function being held, and whether or not alcohol or live entertainment is involved.

Respectfully submitted,



Darrell J. George
City Manager



Proclamation

RED RIBBON WEEK 2013

WHEREAS, the National Federation of Parents and Californians for Drug Free Youth, Inc., encourage local communities to put forth efforts to combat drug abuse throughout Red Ribbon Week and year-round; and

WHEREAS, Californians for Drug Free Youth, Inc., a Statewide parent and community organization, and the California Department of Alcohol and Drug Programs are co-sponsoring "Red Ribbon Week" from October 19-26, 2013; and

WHEREAS, government agencies, schools, law enforcement, churches, hospitals, businesses, service organizations, and individuals will project their commitment to healthy lives without drugs by wearing red ribbons throughout this week-long campaign; and

WHEREAS, the City of Duarte commits its resources to ensure the success of the Red Ribbon Campaign in cooperation with Duarte Unified School District, Temple Sheriff's Station, local businesses, local service clubs, and all community groups; and

WHEREAS, the City of Duarte adopts "Life Is A Work Of Art, Color It Drug Free" as our theme for this year's campaign to commit to healthy drug-free lives;

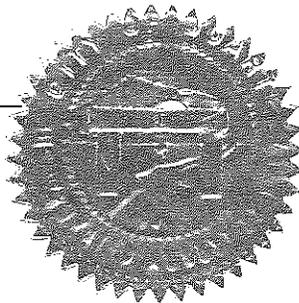
NOW, THEREFORE, BE IT RESOLVED that the City of Duarte hereby proclaims the week of October 19-26, 2013, as RED RIBBON WEEK in the City of Duarte, and encourages all citizens of Duarte to participate in drug awareness activities, making a visible statement that we are strongly committed to healthy lives.

Mayor Margaret Finlay

ATTEST:

City Clerk Marla Akana
Duarte, California

October 8, 2013





Duarte Public Safety

Memo

To: Darrell George
From: Aida Torres
CC: Brian Villalobos, Marla Akana
Date: 9/26/13
Re: Red Ribbon Week 2013 Campaign

The City of Duarte adopts *"Life is A Work of Art, Color it Drug Free"* as this year's Red Ribbon Week campaign theme. The Duarte Public Safety Department is coordinating the following Events to during the week of October 19th-October 26th:

Red Ribbon News distributed on Wednesday, October 9th

All parents of Elementary School students will receive information on celebrate Red Ribbon Week at their schools.

Red Ribbon Week March - Saturday, October 19th

The Duarte Public Safety Station will kick off Red Ribbon Week by decorating Huntington Drive. Duarte's promise alongside Duarte area youth groups, The Duarte Area Resource Team and CHYLL Caring Helping Youth Leading in Life will decorate all the trees from Mountain Avenue to Encanto Parkway. This March will be followed by THINK Together sponsored event at the Duarte Teen Center. This event invites all youth 1st to 8th grade to have fun participating in arts and crafts, a dance contest, pumpkin patch and an Art Showcase from Duarte Elementary and Intermediate Schools with a special unveiling of a mural inside the Teen Center. Free giveaways will be provided.

Red Ribbon Week Essay Contest and Teen Event – Thursday, October 24th

The Duarte Teen Center will host a speaker deals with teen issues. Essay Contest for High School Age Youth will culminate and the winners will be presented with their prizes at this event.

Elementary/Intermediate School Events - Week of October 21st to 25th

Each one of Duarte's Elementary Schools will promote Classroom Poster Contest, Northview Intermediate School will promote an Essay and Poster Contest and Duarte High School and Mt. Olive Continuation School will conduct an Essay Contest throughout the week.

Classroom Poster Contest judging to be held at each Elementary School by Friday, October 25th, Elementary Schools will announce the winning classroom at each school will receive an ice cream party presented by a Deputy Robert MacLean in the month of November. Northview Intermediate School winners will be announced and invited to City Council Meeting.

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 – SEPTEMBER 24, 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 7:05 p.m.

RECORDATION OF ATTENDANCE The following were in attendance:
PRESENT: Fasana, Paras-Caracci, Reilly, Reyes, Finlay
ABSENT: None
ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Slater

ADOPTION OF AGENDA Reyes moved, Fasana seconded to adopt the Agenda, as amended to remove/delete Item 6.B (Recognition of Nissan of Duarte), and carried unanimously.

PLEDGE TO THE FLAG Brian Barreto led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION A moment of reflection was observed.

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

SPECIAL ITEMS
Recognition – Good Corporate Citizens Mayor Finlay presented Certificates of Appreciation to Estephanian Originals, Pacific Scientific, and Soyfoods of America for being named Good Corporate Citizens by the Sanitation Districts for complying with all industrial waste requirements.

Recognition – Laura Cortez Youth Advocate of the Year Mayor Finlay introduced Laura Cortez, who provided information about second-hand smoke, smoking survey statistics, and advocacy efforts. Michael Olivares provided data about deaths related to tobacco. Mayor Finlay presented Laura Cortez with a certificate in recognition of her receiving the 2013 Youth Advocacy of the Year Award from the California Youth Advocacy Network. Guadulesa Rivera presented her with a \$1,000 scholarship on behalf of the CYAN.

Public Safety update Battalion Chief Mitch Brown provided an update on the Madre fire incident. Brian Villalobos presented the monthly Public Safety report.

Steve Hernandez stated we have a safe, pro-active City, and he would like to show our appreciation for the Fire and Sheriff Departments.

Redevelopment dissolution status update

Dan Slater provided an update on the status of the redevelopment dissolution process, and stated on September 9, the Oversight Board considered and approved the Long Range Property Management Plan. Darrell George stated at the recent League conference in Sacramento, it was noted that 152 lawsuits have been filed, and the expected revenue from redevelopment agencies for community colleges was \$90 million short.

Steve Hernandez inquired about the anticipated time when properties would be released. Slater outlined the required steps in the process.

ANNOUNCEMENTS

Brian Baretto presented information on Cal-Am Water's role with regard to the Madre fire, including assessment, water monitoring, and communication with the Fire Department.

Joanna Gee, Duarte Library, announced upcoming events, programs, seminars, and workshops in October.

Karen Herrera announced upcoming community events, meetings, and programs for September and October.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda.
Sheryl Leffman – Edison outages information.

ITEMS ADDED TO CONSENT

Paras-Caracci moved, Reilly seconded to add attendance at the Duarte Education Foundation Annual Recognition/Fundraising Dinner on October 13, 2013, Duarte, to Item 10.F, 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, D, F.
Receive and File Item E.

BUSINESS ITEM Support AB 66 – Mandatory Utility Outage Reporting

George presented a staff report about the proposed legislation, and recommended approval of a letter to the Governor, signed by the Mayor, urging his support of the legislation.

Fasana removed himself from the dais and left the room due to a conflict of interest.

There was discussion about the large number of electrical outages experienced by residents and businesses, and Edison's previous letter acknowledging outdated equipment and making a commitment to the City.

Reyes suggested it may be time to write another letter to Edison about the many electrical outages that are affecting our residents and businesses.

Reilly moved, Reyes seconded to approve the letter to Governor Brown regarding support for AB 66, with the addition of the words "and businesses" at the end of the second paragraph, and carried unanimously.

Reilly suggested listing a running total of Edison outages on the City's website.

Fasana returned to the room and resumed his chair on the dais.

ORAL COMMUNICATIONS
(Continued)

The following spoke on items not on the Agenda.
Steve Hernandez – Roger Hernandez meeting, Vulcan mining.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

REYES: Thanked Public Safety, Sheriff, and Fire Department for their quick response to the fire, congratulated Doug Edwards on his appointment to the School Board and asked that a letter be sent to him, congratulated the movie night participants, appreciated the event at Pamela Park, thanked Assemblymember Hernandez for the community event, thanked all involved with the boxing show, announced the parade is this Saturday, attended Hawks opening day event, attended League Conference in Sacramento and discussed a number of sessions presented, appreciates staff's work regarding the panhandlers at Buena Vista and Huntington Drive, and asked that letters be sent to outgoing League President Bogaard and incoming President Cisneros.

PARAS-CARACCI: Attended NAACP event and teen community movie night, suggested we may want to look at a different model of outreach for community meetings, such as Nextdoor, and stated she looks forward to the Parade and Picnic.

FASANA: Attended boxing tournament and NAACP event, congratulated the honorees, and thanked staff and the youth who participated in the cleanup at Lena Valenzuela Park.

REILLY: Attended Neighborhood Watch meeting, presented an update on the Gold Line campus in Monrovia and Mountain Avenue realignment, attended Honor Among Ashes event, Mega Mixer, Assemblymember Hernandez event, and community celebration at Pamela Park, stated the boxing event was great, and stated some people were climbing over the fence at the boxing event since the gate between the high school and Performing Arts Center was closed, and asked that we check on that.

FINLAY: Attended Pamela Park ceremony, announced Rotary Golf Tournament on September 26, attended luau at Senior Center, announced Foothill Fitness Challenge signups are ongoing, announced Duarte Education Foundation dinner on October 13, and attended Ruby McKnight dinner and teen community movie night.

ADJOURNMENT

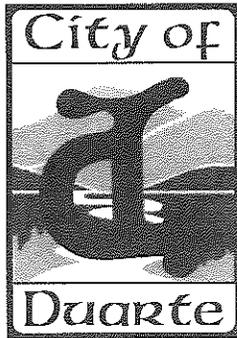
Reilly moved, Paras-Caracci seconded to adjourn the meeting at 8:37 p.m., in memory of the victims of the shooting at the Washington, D.C., Navy Yard, Michael Arnold, Martin Bodrog, Arthur Daniels, Sylvia Frasier, Kathy Gaarde, John Roger Johnson, Mary Francis Knight, Frank Kohler, Vishnu Shalchendia

Pandit, Kenneth Bernard Proctor, Gerald L. Read, and Richard Michael Ridgell, and carried unanimously.

Mayor Margaret Finlay

ATTEST:

City Clerk



Proclamation

FREEDOM FROM WORKPLACE BULLIES WEEK

WHEREAS, the City of Duarte has an interest in promoting the social and economic well-being of its employees and citizens; and

WHEREAS, that well-being depends upon the existence of healthy and productive employees working in safe and abuse-free environments; and

WHEREAS, surveys and studies have documented the stress-related health consequences for individuals caused by exposure to abusive work environments; and

WHEREAS, abusive work environments are costly to employers, with consequences such as reduced productivity, absenteeism, turnover, employee dissatisfaction, and injuries; and

WHEREAS, protection from abusive work environments should apply to every worker, and not be limited to a legally protected class status based only on race, color, gender, national origin, religion, age, or disability; and

WHEREAS, California Healthy Workplace Advocates is a statewide coalition of citizens dedicated to ensuring civility and professionalism within the workplace, and is working with the Workplace Bullying Institute to increase public awareness of the impacts of workplace bullying in California and the United States, and to offer solution to prevent abusive work environment; and

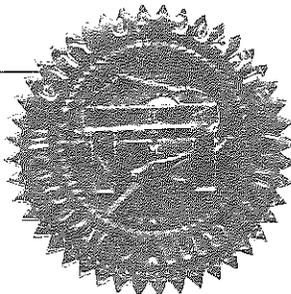
WHEREAS, California Healthy Workplace has invited all California cities to help raise awareness to correct and prevent workplace bullying;

NOW, THEREFORE, BE IT RESOLVED that the City of Duarte hereby proclaims October 20-26, 2013, as **FREEDOM FROM WORKPLACE BULLIES WEEK**.

Mayor Margaret Finlay

ATTEST:

City Clerk Marla Akana
Duarte, California
October 8, 2013



From: info@bullyfreeworkplace.org
Subject: **Would you join us again this year in Proclaiming Freedom from...**
Date: September 24, 2013 12:05:07 AM PDT
To: undisclosed-recipients;;
2 Attachments, 229 KB

Greetings,

We are contacting you again this year to request support for Freedom from Workplace Bullies Week. We are all becoming aware of the wide-spread problem of bullying in our schools. While this epidemic is deserving of the nation's immediate attention, another phenomenon sweeping this nation with severe social, personal, and economic consequences is bullying in the workplace.

We request the attached proclamation declaring October 20 - 26, 2013 "Freedom from Workplace Bullies Week" be placed on your upcoming City Council agenda for adoption by the City Council. Following adoption, we would appreciate a signed copy emailed to info@bullyfreeworkplace.org

I hope we can count on your city to join us again this year in our efforts to raise awareness about workplace bullying and sign our Proclamation (see attachments). You can personally raise awareness of workplace bullying by posting the attached flier in your office, restrooms, lunchroom, etc. We will post all the Proclamations on our website at bullyfreeworkplace.org....go see!

Thank you so much, Michelle Smith
Co-founder, California Healthy Workplace Advocates

More information about the many aspects of Workplace Bullying can be found by visiting: www.bullyfreeworkplace.org, <http://workplacebullying.org> and <http://healthyworkplacebill.org/>

A WEEK FOR SUPPORT, INSPIRATION, PEACE, AND HEALTH



FREEDOM FROM WORKPLACE BULLIES WEEK OCT 20 - 26, 2013

WORKPLACEBULLYING.ORG

Bullying is a systematic campaign of interpersonal destruction that jeopardizes employee health, careers, and strains families. Bullying is non-physical, non-lethal workplace violence. It is abusive, causing psychological injuries and stress-related diseases.

The destructive power of workplace bullying comes from secrecy.

The Workplace Bullying Institute announces the 6th annual **FREEDOM FROM WORKPLACE BULLIES WEEK**.

The week is a chance to break through the silence and secrecy. It is a week to be daring and bold.

Everyone deserves a safe, healthy, and dignified workplace.

Find advice, tips, and activities at **freedomfrombullies.org** for:

WORKPLACE
BULLYING
INSTITUTE

- Employers
- Coworkers
- Family
- Friends
- Unions
- Mental Health Professionals
- School Administrators
- Legislators
- Community Leaders
- Medical Professionals



MEMORANDUM

RECEIVED

SEP 26 2013

TO: CITY COUNCIL

FROM: COMMISSIONER Patricia O. Starratt-Thorpe

CITY OF DUARTE

SUBJECT: NOTICE OF ABSENCE FROM Traffic Safety COMMISSION MEETING

DATE: September 23, 2013

REASON FOR ABSENCE:

 ACCIDENT x VACATION OTHER*

 SICKNESS DEATH IN FAMILY

DATE OF MEETING ABSENCE October 1, 2013

* EXPLANATION OF ABSENCE Vacation. Unable to avoid conflicts with work and

this meeting.

Patricia O. Starratt-Thorpe

SIGNATURE

ABSENCE NOTED BY CITY COUNCIL

DATE

(Revised 3/91)

MEMORANDUM

TO: Mayor and Councilmembers
FROM: Darrell J. George, City Manager
DATE: October 3, 2013
SUBJECT: Conference Attendance – City Council Meeting of October 8, 2013

NALEO National Policy Institute
Emergency Response and Management
November 22-24, 2013
Orlando, Florida
(Travel and Hotel Scholarship)



National Policy Institute on
Emergency Response and Management
Disney's Yacht and Beach Club Resort
Orlando, Florida-November 22-24, 2013

Dear Elected Official:

The NALEO Educational Fund is pleased to offer you a travel scholarship to cover the cost of economy air/rail travel, as well as hotel accommodations for two (2) nights to attend the National Policy Institute on Emergency Response and Management which is being held *November 22-24, 2013* in Orlando, Florida. Congratulations! Please know your attendance and participation is expected at all the sessions.

This convening is a follow up to, and is exclusively for policymakers that participated in *NALEO Policy Institute on Emergency Planning and Preparedness*, in July of 2012, in New Orleans, Louisiana.

Effective disaster and emergency response planning entails an ongoing process for updating plans, responding to local, state, and federal policy changes, updated understanding about hazards, and implementation of best practices among other elements.

This national convening offers a three-day intensive seminar in a retreat setting where Latino policymakers will participate in a series of workshop sessions. The curriculum for this convening will include the Incident Command System Overview for Executives/Senior Officials (ICS 402), as well as other important information. **Participants who complete this training will receive a certificate of completion for Course ICS 402 from the U.S. Department of Homeland Security.**

There is no fee for current NALEO members (\$100 annual membership fee/\$1,000 lifetime membership) to attend the Institute and travel scholarships are available to cover roundtrip airfare, as well as a two-night hotel stay at Disney's Yacht and Beach Club Resort. I will be your immediate contact to arrange your travel accommodations. Please complete and sign the enclosed travel agreement and travel preference form **no later than 3 calendar days from the date sent**. Fax completed documents to my attention at (213) 747-7673 or email them to mbeall@naleo.org.

We look forward to seeing you at the Institute and working with you to ensure your communities are prepared.

Sincerely,

Martha Beall

Program Coordinator – Constituency Services

NALEO Educational Fund
1122 W. Washington Blvd., 3rd. Floor
Los Angeles, CA 90015
213-747-7606 Ext. 4430
213-747-7673 Fax

Visit us online: www.naleo.org | [Facebook](#) | [Twitter](#)

The NALEO Educational Fund is the leading nonprofit organization that facilitates full Latino participation in the American political process, from citizenship to public service.

Duarte and Duarte Dispatch

Affiliated with SGV Newspaper Group
1210 N. Azusa Canyon Road
West Covina, CA 91790
626-962-8811 ext. 2270
debby.chapman@sgvn.com

(Space below for use of County Clerk Only)

5007700

CITY OF DUARTE
1600 E. HUNTINGTON DRIVE
DUARTE CA 91010

FILE NO. notice-public hearing-Building L

**PROOF OF PUBLICATION
(2015.5 C.C.P.)**

**STATE OF CALIFORNIA
County of Los Angeles**

I am a citizen of the United States, and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of DUARTEAN and DUARTEAN DISPATCH, a newspaper of general circulation printed and published weekly in the City of Duarte, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, on the date of July 6, 1948, Case Number POMO C986. The notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

9/26/2013

I declare under the penalty of perjury that the foregoing is true and correct.

Executed at West Covina, LA Co. California
On this 26th day of September, 2013.



Signature

Legal No. 0010421940

**NOTICE OF PUBLIC HEARING
TO BE HELD BY THE DUARTE CITY COUNCIL**

NOTICE IS HEREBY GIVEN that, pursuant to State law, the City Council of the City of Duarte will hold a Public Hearing at 7:00 p.m., on Tuesday, October 8, 2013, in the Council Chambers, 1600 Huntington Drive, Duarte, California, to consider and amendment to Chapter 16.04 of the Duarte Municipal Code relating to Building Laws. The proposed amendment is to adopt the 2013 California Building, Electrical, Plumbing, Mechanical, Residential and Green Standards Codes; the amended Los Angeles County grading Code; and to make other general amendments.

Any interested party may appear in person, or by agent, and be heard. If this matter is challenged in Court, there will be a limit to only those issues that were raised at the Public Hearing described in this Notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing. Written correspondence may be sent to Duarte City Hall, City Clerk's Office, 1600 Huntington Drive, Duarte, CA 91010-2592.

Further information may be obtained from Craig Hensley, Community Development Director, phone (626) 357-7931.

Marla Akana
City Clerk

PUBLISH: Duartean, Thursday, September 26, 2013 Ad#421940
POSTED: Duarte City Hall, Duarte Public Safety Office, Duarte Library



MEMORANDUM

TO: Mayor and City Council
FROM: Craig Hensley, Community Development Director 
DATE: October 8, 2013
SUBJECT: Ordinance to Adopt 2013 California Building Codes By Amending Chapter 16.04 of the Duarte Municipal Code

Every three years, the California Building Standards Commission publishes an update of the California Building Codes (CBC). The 2013 CBC goes into effect on January 1, 2014 and should be adopted by the City. Ordinance 13-O-04 is attached and provides for the adoption of the new Codes.

The Ordinance also makes several other clean up changes to Title 16 of the Duarte Municipal Code. Since the last Code update, the City has ended its consulting relationship with Los Angeles County and has signed a contract with Charles Abbott Associates. There are several outdated sections of the Code that relate to Los Angeles County as well as several sections of the existing Code that are now fully addressed by the CBC. To make clear the changes that are proposed, a bold/strikeout version of the proposed changes is also attached.

Some of the more significant changes included in this Code update are: matching California ADA access regulations with Federal regulations, a comprehensive update to the California Energy Code, new standards for grey water and rainwater collection, a comprehensive update to the Green Building Code and several other similar items.

The 2013 CBC will take effect on January 1, 2014; the statewide effective date established by the California Building Standards Commission. All plans submitted for plan check prior to December 30, 2013 will be subject to the current CBC, however, all required construction permits must be obtained and construction must commence within 180 days or the plans will need to be revised to meet the 2013 CBC. As a courtesy, the City will plan check plans submitted prior to December 30 under the 2013 CBC at the applicant's request.

Staff plans to bring back adoption of the 2013 Fire Code, Title 15 at a future meeting.

Attached Ordinance 13-O-04
Bold/Strikeout Version of Changes

ORDINANCE NO.**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA AMENDING CHAPTER 16.04, "BUILDING LAWS," OF TITLE 16, "BUILDINGS AND CONSTRUCTION," OF THE DUARTE MUNICIPAL CODE**

THE CITY COUNCIL OF THE CITY OF DUARTE ORDAINS AS FOLLOWS:

SECTION 1. Chapter 16.04, "Building Law," of Title 16, "Buildings and Construction," of the Duarte Municipal Code, is amended as follows:

- A.. Section 16.04.010 is amended in its entirety as follows:
- (a) The city adopts by reference, except as otherwise provided in this chapter, the following codes:
 - (1) The 2013 edition of the California Building Code.
 - (2) The 2013 edition of the California Electrical Code
 - (3) The 2013 edition of the California Plumbing Code.
 - (4) The 2013 edition of the California Mechanical Code.
 - (5) The 2013 edition of the California Residential Code.
 - (6) 2013 edition of the California Green Building Standards Code.
 - (7) The 2013 edition of the California Building Code, Appendix J as amended by Los Angeles County related to grading.
 - (b) The foregoing laws are hereinafter, for convenience, referred to collectively as the "California Building Code" and shall, except as hereafter provided, be and become the building, plumbing, electrical and mechanical, and residential codes of the city.
- B. Section 16.04.015 is deleted.
- C. Section 16.04.020 is amended in its entirety as follows:
- One copy each of the California Building Code and one copy of the California Green Building Standards Code shall be deposited in the office of the city clerk and shall be at all times maintained by the clerk for use and examination by the public.

D. Section 16.04.030 as is amended in its entirety as follows:

- (a) Whenever any of the following names or terms are used in the California Building Code or in this chapter, each such name or terms shall be deemed and construed to have the meaning ascribed to it in this section, as follows:
- (1) "Authority having jurisdiction," "chief plumbing inspector" or "plumbing inspector," as used in the Plumbing Code, means the building official.
 - (2) "Board of appeals," or "appeals board" as used in the Building Code, means the planning commission of the city of Duarte.
 - (3) "Building official." Unless otherwise expressly indicated, "building official" shall mean the community development director of the city of Duarte or designee.
 - (4) "City" means the City of Duarte.
 - (5) "Fire Code" or "Los Angeles County Fire Code" means Chapter 15.04 of this code.
 - (6) "General fund" means the city treasury.
 - (7) "Ordinance No. 7583, an ordinance adopting a health code" or "health code" means Section 6.04.010 of this code.
 - (8) "Special inspector" means a person holding a valid certificate of registration as special inspector and approved by the City.
- (b) The building official is authorized and directed to enforce all of the provisions of this code, including the Housing Code, the Electrical Code, the Plumbing Code, and the Mechanical Code, and to make all inspections pursuant to the provisions of each such code, except for those specific sections and chapters where the city engineer is the designated building official. For such purposes, he or she shall have the powers of a police officer.

E. Section 16.04.050 is renumbered as Section 16.04.040 and is amended in its entirety as follows:

The fees collectible by the city for the issuance of building, plumbing, electrical, mechanical, sewer, grading, and similar permits as well as plan checking fees for building and structures shall be established at two times the prevailing Los Angeles County fee, as periodically amended.

F. Section 16.04.051 is renumbered as Section 16.04.050 and is amended in its entirety as follows:

(a) General.

- (1) No person shall construct, alter, repair, demolish, remove, move, use, occupy or maintain, within the city, any building or structure or any portion thereof, except as provided by this code.
- (2) No person shall grade, excavate or fill any land except as provided by this code.
- (3) The permissive provisions of this code shall not be presumed to waive any limitations imposed by other statutes or ordinances of the state or city.
- (4) All of the provisions of this code shall be limitations for safeguarding life, limb, health, property and public welfare.

(b) Violation of a Building or Grading Permit. Every person who knowingly and willfully procures a building and/or grading permit without the consent of the owner of record of the property for which the permit is issued, or such person's agent, is guilty of a misdemeanor or infraction.

(c) Violation of an Order. No person shall fail to comply with any valid order issued pursuant to any provision or requirement of this code.

(d) Making False Statements to the Department. It is unlawful for any person, authorized by the department to perform inspections, to make a false or misleading statement, or misrepresentation in any writing submitted to the department.

(e) Violation is Misdemeanor. Every violation of this section or regulation related or referenced herein is punishable as a misdemeanor.

(f) All Available Remedies. The remedies available to the City pursuant to the provisions of this Chapter shall not limit the right of the City to seek any other remedy that may be available by law, including, but not limited, to the nuisance remedies.

G. Section 16.04.060 is added as follows:

16.04.060 Section 109.4 California Building Code Amended – Work commencing before building permit issuance.

Section 109.04 of the California Building Code shall be amended to add the following:

The additional fee established for work commencing before issuance of building permits shall be determined by the building official and shall be no less than the established investigation fee and no greater than two times the established permit fee.

H. Section 16.04.065 is added as follows:

16.04.065 Section 111 California Building Code Amended – Utility Release

In addition to the requirements of Section 111, the following minimum requirements shall be completed prior to any occupancy or utilities connected:

- (a) Written clearance from the Fire and Public Works Departments and Planning and Business License Divisions.
- (b) The following when applicable:
 - (1) Electronic copy of plans received
 - (2) Verification of school fees paid.
 - (3) Grading certificate received.
 - (4) All plan review fees paid.
 - (5) Sewer assessment fees paid.
 - (6) Hazard materials statements received.
 - (7) Subcontractor's list received.

- I. Section 16.04.070 is deleted.
- J. Section 16.04.072 is deleted.
- K. Section 16.04.075 is deleted.
- L. Section 16.04.077 is deleted.
- M. Section 16.04.080 is deleted.
- N. Section 16.04.081 is deleted.
- O. Section 16.04.085 is deleted.
- P. Section 16.04.086 is deleted.

- Q. Section 16.04.092 is renumbered as Section 16.04.070 and is amended in its entirety as follows:

New construction or rehabilitation or remodeling in excess of fifty percent of the valuation of the existing structure requires that all utilities on the site for direct service to the area therein shall be installed underground except as otherwise approved by the city council. The owner or developer is responsible for complying with the requirements of this section and shall make the necessary arrangements as required by the serving utilities for the installation of such facilities. For the purpose of this section, appurtenances and associated equipment, such as, but not limited to, surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts in an underground system may be terminated aboveground.

- R. Section 16.04.095 is renumbered as Section 16.04.080 and is amended as follows:

16.04.080 - Section 604.2 of Plumbing Code amended—Water pipe materials.

Section 604.2 of the Plumbing Code is amended to read:

Copper tube for water piping shall be Type K when copper pipe is used. Other plumbing materials shall be subject to the requirements of the Plumbing Code.

- S. Section 16.04.100 is deleted.

SECTION 2. POSTING OF ORDINANCE.

The City Clerk shall certify as to the adoption of this Ordinance and shall cause this Ordinance to be posted in the manner provided for in the Duarte Municipal Code.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2013.

MAYOR MARGARET FINLAY

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 Ordinance No. _____ was adopted by the City Council of said City of Duarte at a regular meeting of said Council held on the _____ day of _____, 2013, by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:

City Clerk Marla Akana
City of Duarte, California

Deleted Text = Deleted Text Added Text = **Added Text**

16.04.010 - Adoption of building county codes by reference.

- (a) The city adopts by reference, except as provided in this chapter the following codes ~~as adopted by the Los Angeles County Board of Supervisors on November 23, 2010:~~
 - (1) The 2010 **2013** edition of the California Building Code. ~~as set forth in Title 26 of the Building Code of the Los Angeles County Code;~~
 - (2) The 2010 **2013** edition of the California Electrical Code. ~~as set forth in Title 27 of the Electrical Code of the Los Angeles County Code;~~
 - (3) The 2010 **2013** edition of the California Plumbing Code. ~~as set forth in Title 28 of the Plumbing Code of the Los Angeles County Code;~~
 - (4) The 2010 **2013** edition of the California Mechanical Code. ~~as set forth in Title 29 of the Mechanical Code of the Los Angeles County Code;~~
 - (5) The 2010 **2013** edition of the California Residential Code. ~~as set forth in Title 30 of the Residential Code of the Los Angeles County Code.~~
 - (6) 2013 edition of the California Green Building Standards Code**
 - (7) The 2013 edition of the California Building Code, Appendix J as amended by Los Angeles County related to grading.**
- (b) The foregoing laws are hereinafter, for convenience, referred to collectively as the "Los Angeles County **California** Building Code" and shall, except as hereafter provided, be and become the building, plumbing, electrical and mechanical, and residential codes of the city.

~~16.04.015 - Adoption of California Green Building Standards Code.~~

- ~~(a) The city adopts by reference the 2010 **2013** California Green Building Standards Code as set forth in Title 24 Part II of the California Building Standards Code of the California Code of Regulations.~~
- ~~(b) The foregoing law is hereinafter, for convenience, referred to as the California Green Building Standards Code.~~

16.04.020 - Copies on file.

One copy each of the **California Building Code** Los Angeles County Building Codes and one copy of the California Green Building Standards Code shall be deposited in the office of the city clerk and shall be at all times maintained by the clerk for use and examination by the public.

16.04.030 - Words and phrases amended.

- (a) Whenever any of the following names or terms are used in the **California Building Code** Los Angeles County Building Code or in this chapter, each such name or terms shall be deemed and construed to have the meaning ascribed to it in this section, as follows:
- (1) "Authority having jurisdiction," "chief plumbing inspector" or "plumbing inspector," as used in the Plumbing Code, means the building official, ~~except as amended in Chapter 119.1.2 through 119.1.14 of the Plumbing Code.~~
 - (2) "Board of appeals," or "appeals board" as used in the Building Code, means the planning commission of the city of Duarte.
 - ~~(4) "Board of examiners of plumbers, gas fitters, and sewer contractors" or "board of examiners," as used in the Plumbing Code, means the planning commission of the city of Duarte.~~
 - ~~(5) "Building department" means the building and safety division of the department of the county engineer.~~
 - (6) "Building official." Unless otherwise expressly indicated, "building official" shall mean the community development director of the city of Duarte **or designee**, ~~except that, as applied to the enforcement of the provisions of Appendix "J" pertaining to flood hazard, geologic hazards and grading with respect to the checking of plans, issuance of permits, collection of fees, and inspections, "Building official" shall mean the city engineer.~~
 - (7) "Authority having jurisdiction" or "chief electrical inspector" means the building official of the county of Los Angeles, as set forth in Article 100 and 80-4 of the Electrical Code of the Los Angeles County Code ~~except as amended in Article 89.~~
 - (8) "City" means the City of Duarte, ~~except in Section 119.1.2 through 119.1.14 of the Building, Plumbing, and Mechanical Codes and in Article 89 of the Electrical Code.~~

- (9) ~~"County," "county of Los Angeles," or "unincorporated territory of the county of Los Angeles" means the city of Duarte.~~
- (10) "Fire Code" or "Los Angeles County Fire Code" means Chapter 15.04 of this code.
- (11) ~~"Gas fitting contractor," "journeyman gas fitter," "journeyman plumber," and "plumbing contractor," as used in the Plumbing Code, mean a person holding a valid certificate of registration issued by the county, as set forth in Section 105.2 of the Plumbing Code of the Los Angeles County Code.~~
- (12) "General fund" means the city treasury.
- (13) ~~"Health officer" means the health officer of the city.~~
- (14) ~~"Maintenance electrician" means a person holding a valid certificate of registration as maintenance electrician issued by the county of Los Angeles, as set forth in Sections 82-4(b) of the Electrical Code of the Los Angeles County Code.~~
- (15) "Ordinance No. 7583, an ordinance adopting a health code" or "health code" means Section 6.04.010 of this code.
- (16) "Special inspector" means a person holding a valid certificate of registration as special inspector **and approved by the City.** issued by the county of Los Angeles as set forth in Section 1704.1 of the Building Code of the Los Angeles County Code.
- (17) ~~"Zoning Ordinance No. 1494, entitled "the Zoning Ordinance," adopted September 12, 1927," means Title 19 of this code.~~
- (b) The building official is authorized and directed to enforce all of the provisions of this code, including the Housing Code, the Electrical Code, the Plumbing Code, and the Mechanical Code, and to make all inspections pursuant to the provisions of each such code, except for those specific sections and chapters where the city engineer is the designated building official. For such purposes, he or she shall have the powers of a police officer.

16.04.050 - Building code fees.

~~Section 107 of the Los Angeles County Building Code, as such code section is written, and as it is periodically amended and updated by Los Angeles County, is amended by increasing all fees set forth in said Section 107 to twice the amounts~~

shown in said section.

The fees collectible by the city for the issuance of building, plumbing, electrical, mechanical, sewer, grading and similar permits and plan checking fees for building and structures shall be established at two times the prevailing Los Angeles County fee, as periodically amended.

16.04.051 - Penalty.

~~Every person violating any provision of the 2010 **2013** California Building Code as amended by Title 26 Building Code of the Los Angeles County Code, the 2010 California Electrical Code as amended by Title 27 Electrical Code of the Los Angeles County Code, the 2010 California Plumbing Code as amended by Title 28 Plumbing Code of the Los Angeles County Code, the 2010 California Mechanical Code or 2010 California Residential Code, as amended by Title 29 Mechanical Code of the Los Angeles County Code, or the 2010 California Green Building Standards Code, Title 24, Part II, adopted by reference by Section 16.04.010, or violating any provision of this title, or violating any provision of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.~~

(a) General

- (1) No person shall construct, alter, repair, demolish, remove, move, use, occupy or maintain, within the city, any building or structure or any portion thereof, except as provided by this code.**
- (2) No person shall grade, excavate or fill any land except as provided by this code.**
- (3) The permissive provisions of this code shall not be presumed to waive any limitations imposed by other statutes or ordinances of the state or city.**
- (4) All of the provisions of this code shall be limitations for safeguarding life, limb, health, property and public welfare.**

- (b) Violation of a Building or Grading Permit. Every person who knowingly and willfully procures a building and/or grading permit without the consent of the owner of record of the property for which the permit is issued, or such person's agent, is guilty of a misdemeanor or infraction.**

- (c) **Violation of an Order.** No person shall fail to comply with any valid order issued pursuant to any provision or requirement of this code.
- (d) **Making False Statements to the Department.**
 - (1) It is unlawful for any person, authorized by the department to perform inspections, to make a false or misleading statement, or misrepresentation in any writing submitted to the department.
- (e) Every violation of this section or regulation related or referenced herein is punishable as a misdemeanor.
- (f) The remedies available to the City pursuant to the provisions of this Chapter shall not limit the right of the City to seek any other remedy that may be available by law, including, but not limited, to the nuisance remedies.

16.04.060 Section 109.4 California Building Code Amended – Work commencing before building permit issuance.

Section 109.04 of the California Building Code shall be amended to add the following:

The additional fee established for work commencing before issuance of building permits shall be determined by the building official and shall be no less than the established investigation fee and no greater than two times the established permit fee.

16.04.065 Section 111 California Building Code Amended – Utility Release

In addition to the requirements of Section 111, the following minimum requirements shall be completed prior to any occupancy or utilities connected:

- (a) **Written clearance from the Fire and Public Works Departments and Planning and Business License Divisions.**
- (b) **The following when applicable:**

- (1) **Electronic copy of plans received.**
- (2) **Verification of school fees paid.**
- (3) **Grading certificate received.**
- (4) **All plan review fees paid.**
- (5) **Sewer assessment fees paid.**
- (6) **Hazard materials statements received.**
- (7) **Subcontractor's list received.**

~~16.04.070 – Sections 106.3.2 and 106.3.9 amended—Work exempted.~~

~~Subsection 3.2 of Section 106 of the Los Angeles County Building Code is amended to read as follows:~~

~~“(2) Wire fences not over 6 feet in height and other fences not over 42 inches in height.”~~

~~–Subsection 3.9 of Section 106 of the Los Angeles County Code is deleted.~~

~~16.04.072 – Section 1505.1 of Building Code amended—Fire-retardant roofing materials.~~

~~Section 1505.1 of the Los Angeles County Building Code is amended to read:~~

~~“Section 1505.1. Notwithstanding any other provision of this Building Code to the contrary, the roof covering of any building hereinafter constructed regardless of type or occupancy classification, including any reroofing of any existing building as specified in Chapter 15, shall be Class A, B, or C construction as defined in Section 1505.” Note: See also Section 15.09 of the Duarte Municipal Code for areas in the Fire Zone for more restrictive criteria.~~

~~“Skylights shall be constructed as required in Chapter 26. Penthouses shall be constructed as required in Section 1509. For use of plastic roofs, see Chapter 26.~~

~~For attics: Access, Drafts, Stops and Ventilation, See Sections 1209, 717, and 1203. For Roof Drainage, see Sections 1503.4 and 1507."~~

~~**16.04.075 – Minimum bedroom dimensions.**~~

~~No bedroom shall have a horizontal wall dimension of less than ten feet, exclusive of closets.~~

~~**16.04.077 – Section R239 of Residential Code and Section 3109 amended – Pool barriers.**~~

~~Section R329 of Residential Code:~~

~~Section R329 is hereby added to the California Residential Code to read, in words, and figures, as follows:~~

~~"Section R329. Pool Barrier Requirements. Pool barrier criteria are not explicitly located within the California Residential Code and are intended to refer to the California Building Code.~~

~~"Where any body of water over 18" occurs, refer to California Building Code Section 3109 for pool barrier requirements."~~

~~Section 3109.4.4 of Building Code:~~

~~Section 3109.4.4 of the California Building Code is hereby amended to read, in words and figures, as follows:~~

~~Section 3109.4.4 — Private Swimming Pools. Section 3109.4.4 is amended to clarify that pool barriers which are already in the Code are scoped so as to apply on all private swimming pools as follows:~~

~~Amend 3109.4.4.1 by adding the following definition:~~

~~"PRIVATE POOL, is any structure intended for swimming, recreation bathing or wading, or other body of water that contains water over 18 inches deep. This includes in-ground, above-ground and on-ground pools; hot tubs; spas; ponds; and fixed in place pools."~~

~~3109.4.4.2 is modified by deleting the first paragraph in its entirety and a new paragraph is substituted to read as follows:~~

~~"3109.4.4.2 Construction permit; safety features required. Commencing, January 1, 1998 except as provided in Section 3109.4.4.5, whenever a construction permit is issued for construction of a new private pool at a~~

residence, it shall have an enclosure complying with 3109.4.4.3 and, it shall be equipped with at least one of the following safety features:"

~~16.04.080 – Section 9906 amended – Building rehabilitation appeals board.~~

Section 9906 of the County Building Code is amended to read:

~~"Section 9906. Building Rehabilitation Appeals Board. The planning commission of the city shall hear appeals provided for in Chapter 99 regarding substandard buildings, as the Building Rehabilitation Appeals Board. The planning commission may recommend such new legislation as deemed necessary. The planning commission shall adopt reasonable rules and regulations for conducting its investigations. The Building Official shall be an ex officio nonvoting member and act as secretary. The Building Official shall keep a record of all proceedings and notify all parties concerned of the findings and decisions of the planning commission sitting as the Building Rehabilitation Appeals Board."~~

~~16.04.081 – Section 1505.1 of the Building Code amended – Room additions.~~

Notwithstanding other provisions of the Building Code, Section 1505 of the Building Code is amended to add the following:

~~"All room additions shall conform to the requirements of this code for new buildings or structures. Room additions in those hillside areas including Very High Fire Hazard Severity Zone requiring Class A roofs, shall have Class A roofs. Roofing materials and methods of application shall comply with Building Code Standards or shall follow the manufacturer's installation requirements when approved by the building official."~~

~~16.04.085 – Residential and commercial roofs.~~

Notwithstanding anything to the contrary contained in the Los Angeles County Building Laws, no flat roofs shall be permitted for residential and/or commercial structures. Roofs shall have at least a one inch vertical outside rise for each twelve inches of horizontal run (one inch per twelve inch pitch).

~~16.04.086 – Driveways and parking aprons.~~

Except as provided in this section, driveways and parking aprons shall be constructed of Portland cement concrete. Asphaltic paving may be used in lieu of Portland cement concrete except in residential developments if the director of

community development shall find, on application that:

- (a) ~~The initial cost of asphaltic paving is less than the cost of concrete paving by at least thirty-five percent; and~~
- (b) ~~There exists a satisfactory method for perpetual maintenance of the asphaltic paving.~~

~~Where asphaltic paving is allowed, the minimum design thickness of three inches asphalt on two inches base.~~

16.04.092 - Utilities.

New construction or rehabilitation or remodeling in excess of fifty percent of the valuation of **the existing structure** improvements requires that all utilities on the site for direct service to the area therein shall be installed underground except as otherwise approved by the council. The owner or developer is responsible for complying with the requirements of this section and shall make the necessary arrangements as required by the serving utilities for the installation of such facilities. For the purpose of this section, appurtenances and associated equipment, such as, but not limited to, surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts in an underground system may be terminated aboveground.

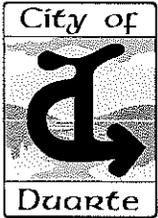
16.04.095 - Section 604.2 of Plumbing Code amended—Water pipe materials.

Section 604.2 of the Plumbing Code is amended to read:

Copper tube for water piping shall be Type K when copper pipe is used. Other plumbing materials shall be subject to the requirements of the Plumbing Code.

~~16.04.100 - Satellite receiving antenna.~~

~~Notwithstanding anything to the contrary contained in the Los Angeles County Building Laws, the installation of a satellite receiving antenna as defined in Section 19.08.325.3 requires a building permit from the city. The satellite receiving antenna and its mounting shall be treated as structures and shall thus be governed by Chapter 3 of the building code.~~



MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: PARKS AND RECREATION COMMISSION

SUBJECT: RECOMMENDATION TO REQUIRE FACILITY RENTERS TO PROVIDE OR PURCHASE INSURANCE

DATE: SEPTEMBER 25, 2013

At the September 9 meeting of the Duarte Parks and Recreation Commission, the commissioners were presented information from Cesar Monsalve, Parks and Recreation Director regarding the Joint Powers Institute Authority (JPIA) city audit recommendations in regard to facility rental agreements. JPIA recommends that the rental agreements should include indemnification and hold harmless language, as well as contain insurance requirements. As a result facility renters would be required to provide a certificate of insurance for all facility rentals. The Parks and Recreation Director surveyed neighboring cities and collected facility rental packets to determine what other cities are doing and this information was presented to the commission. Among cities surveyed, Azusa, Monrovia, Glendora, Covina and La Verne were featured due to the similarity in population and rental facilities. Monrovia has no insurance requirement at this time. Glendora, Azusa and Covina all require that the renter either provide a certificate of insurance naming the city as co-insured with a \$1,000,000 liability policy or purchase insurance directly from the city. In the case of La Verne, the city insurance cost is incorporated into the rental fee. Currently it is Duarte Parks and Recreation Department's policy to require a sports field facility renter to provide a certificate of insurance if a league game will be played on city fields or if a tournament or large-scale event is proposed.

If this recommendation were implemented renters could procure a daily or short-term policy through their own personal insurance agent or an insurance website such as <http://www.specialeventinsurance.com>. Another option for the renter would be to go through the City of Duarte as part of the Special Event Insurance Program that JPIA provides to the City. Costs for insurance will range from \$100 to \$350 depending on which purchasing option is used, the type of function being held and whether or not alcohol or live entertainment is involved. Monsalve informed the commission that adding an insurance cost to already existing rental fees could adversely impact rental numbers and revenue projections but acknowledged that this is a strong recommendation by JPIA supported by the City's Risk Manager.

After discussion Commissioner Howard made a motion to recommend to the Duarte City Council to pursue a requirement for Duarte Facility renters to either purchase insurance coverage through the City's provider or present the City with a certificate of insurance. Cook seconded and the motion was carried unanimously. Staff is seeking council direction based on the commission's recommendation.