

**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, DECEMBER 10, 2013**

6:30 p.m. – Closed Session

7:00 p.m. – Regular Session

COUNCIL CHAMBERS, 1600 HUNTINGTON DRIVE, DUARTE, CALIFORNIA 91010

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***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*

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LIZ REILLY, MAYOR  
TZEITEL PARAS-CARACCI, MAYOR PRO TEM  
JOHN FASANA, COUNCILMEMBER  
MARGARET FINLAY, COUNCILMEMBER  
SAMUEL KANG, COUNCILMEMBER

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*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.

**THE FOLLOWING ITEMS WILL BE HEARD AT 6:30 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 – Initiation of Litigation, pursuant to Government Code §54956.9-(d)(4); Number of potential cases: 1.
  - C. Conference with Legal Counsel–Existing Litigation pursuant to Government Code Section 54956.9(a); *KUA Industry, Inc., a California corporation; U.S. Kuil, Inc., a California corporation, Petitioners and Plaintiffs v. City of Duarte, a California municipality; City Council of the City of Duarte, specifically “John Fasana, Margaret Finlay, Tzeitel Paras-Caracci, Lois Gaston, and Phil Reyes;” City of Duarte Redevelopment Agency, an agency of a California municipality; and Does 1 – 500; inclusive, Respondents and Defendants; Los Angeles County Superior Court, Case No. BS123299, regarding enforcement of nuisance abatement judgment for recovery of attorney fees and costs against successor-in-interest Americasia Investment LLC, a California limited liability company.*

**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. Recognition of Eulanda Francescangeli – 100<sup>th</sup> Birthday
  - B. City Attorney recommendation for change in Council procedure for closing non-business Agenda items
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 4  
*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 – November 26, December 2, and December 3, 2013 (CC/HA/SA/FA)
  - B. Approval of Warrants – December 12, 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. Cancellation of December 24, 2013, City Council/Successor Agency/Housing Authority/Community Facilities Financing Authority meeting (CC/HA/SA/FA)
- E. Authority for City Manager/Executive Director to issue warrants pursuant to Warrant Register of December 24, 2013, subject to review by City Council/Agency/Authority Boards on January 14, 2014 (CC/HA/SA/FA)
- F. Request from Hayden Child Care for City of Duarte co-sponsorship of Hayden 5K event on March 8, 2014 (CC)
- G. Council Bill 13-O-05 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, ADOPTING THE DUARTE STATION SPECIFIC PLAN DEFINING PERMITTED USES, REGULATING THE SIZES AND LOCATIONS OF BUILDINGS, SPECIFYING DESIGN GUIDELINES AND DEVELOPMENT STANDARDS, IDENTIFYING PROJECT INFRASTRUCTURE AND SERVICES, PROVIDING ADMINISTRATIVE AND IMPLEMENTATION LANGUAGE, AND DEPICTING A CONCEPTUAL DEVELOPMENT SCENARIO FOR THREE PARCELS OF LAND GENERALLY LOCATED AT THE NORTH-WEST CORNER OF DUARTE ROAD AND HIGHLAND AVENUE (APN 8528-011-020, 8528-011-022, AND 8528-011-023) (Second Reading) (CC)
- H. Council Bill 13-O-06 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, REVISING THE DUARTE MUNICIPAL CODE BY CHANGING THE ZONING OF THREE PARCELS OF LAND FROM THE LIGHT INDUSTRIAL (M) ZONE TO DUARTE STATION SPECIFIC PLAN ZONE (APN 8528-011-020, 8528-011-022, AND 8528-011-023) (ZONE CHANGE 13-1) (Second Reading) (CC)
- I. City Council/City Manager Conference Attendance – California Contract Cities Sacramento Legislative Orientation Tour, January 5-7, 2014, Sacramento; League of California Cities 2014 New Mayors and Councilmembers Academy, January 22-24, 2014, Sacramento (CC)

13. ITEMS REMOVED FROM CONSENT CALENDAR

14. BUSINESS ITEMS – Page 33

- A. Appointments to City Commissions
- B. Appointment of City Councilmembers to intergovernmental organizations
- C. Recommendation to approve Amendment No. 5 to Burrtec Refuse Collection and Recycling Agreement, and approval of Burrtec’s annual refuse collection and recycling rate adjustment
- D. Recommendation to reduce facility rental fee for Royal Oaks Park Building
- E. Receive and file audited financial statements for fiscal year ended 6/30/13

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:** December 5, 2013  
**SUBJECT:** Comments on Agenda Items, Meeting of December 10, 2013

**ITEM 8.A.** The City Council will recognize Duarte resident Eulanda Francescangeli on the celebration of her 100<sup>th</sup> birthday. In her century of life, Eulanda Francescangeli Brancato grew up as the daughter of Italian-speaking immigrants, learned English, went to school, and took on a career when “working women” were uncommon. She has survived difficult economic times, a World War, and helped support her family. She married, bought a home in the suburbs, raised two fine children with a wonderful husband, and enjoyed travel and leisure activities. Her pride and joy, however, has always been her family. She is thankful for her good health and good spirits, and today we celebrate the life of grandma, great-grandma, great-great-grandma, and great-great-great-grandma Eulanda Francescangeli Brancato.

**ITEM 8.B.** Senate Bill 751, which becomes law on January 1, 2014, amended the Brown Act to require legislative bodies of local agencies to “publicly report any action taken and the vote or abstention on that action of each member present for the action.” This means the minutes of the meeting must indicate who votes for and against an action (or was absent or abstained). The City Attorney reviewed SB 751 with the City Clerk, and the City Attorney confirms the Council meeting minutes already meet SB 751 requirements. As a result of his review, however, the City Attorney recommends the Council change the procedure it follows for closing the following items on the Council agenda: Announcements of Upcoming Community Events, Oral Communications, and Continuation of Oral Communications (and any similar non-business items). Typically for these “non-business” agenda items a Councilmember moves to close the item, the motion is seconded, and a vote is taken (by the Mayor asking for objections and if there are none, announcing “so ordered”). There is no legal requirement for a Council motion, second, and vote to close these non-business agenda items. To streamline the process and the minutes and to assure continued compliance with SB 751, the City Attorney recommends that no motion, second, and vote be taken to close these non-business agenda items, but that the Mayor simply close the item.

**ITEM 12.F (Consent Calendar).** A request was received from Hayden Child Care (a DBA of Santa Teresita) for the City to co-sponsor the sixth annual Hayden 5K event on March 8, 2014. The 5K is scheduled to start at 9:00 a.m., and is expected to conclude by 11:00 a.m. Following the run, the applicant will host a range of family activities (games, food, and entertainment) on the Santa Teresita Campus until 1:30 p.m. The Hayden 5K is an annual fundraiser for the Child Care Center, and is expected to draw in 1,000 attendees. All revenue generated by the event will go to the enhancement of the programs and environment of the Hayden Child Care of Santa Teresita, Inc. Following Council action on this item, the Special Event Permit application will be reviewed by the Community Development Department, and final conditions of approval will be imposed for the proposed event.

As a co-sponsor, the City would provide various in-kind services, such as assistance with marketing the event, volunteers, posting of “no parking” signs, installation of a temporary banner, and a traffic control plan. Staff is recommending approval of this request.

**ITEMS 12.G and 12.H (Consent Calendar).** These items are second readings of Ordinances to adopt the Duarte Station Specific Plan and revise the Duarte Municipal Code by changing the zoning of three parcels of land from light industrial (M) zone to Duarte Station Specific Plan zone.

**ITEM 14.A.** The City Council will make its appointments to the Planning Commission, Traffic Safety Commission, Public Safety Commission, Parks and Recreation Commission, Economic Development Commission, and the Public Services Commission.

**ITEM 14.B.** The City Council will make its appointments to the various intergovernmental organizations.

**ITEM 14.C.** This item recommends the approval of Amendment No. 5 to the Burrtec Refuse Collection and Recycling Agreement. Burrtec Waste Services began providing franchised refuse collection and recycling services in the City of Duarte on November 1, 1996, with the most recent contract extension taking place in 2009. On October 4, 2012, Burrtec submitted its request for adjustments to its refuse collection and recycling rates, to become effective January 1, 2014. You will recall that residential rates have not been increased since January 2011, and commercial rates were increased as part of last year's annual review by less than 4%.

The impact that the impending closure of Puente Hills Landfill (PHL) will have on the tipping fees and disposal rates is significant. PHL has been the main disposal location for the City of Duarte and most of San Gabriel Valley for over 50 years, and its closure is truly an extraordinary event. In anticipation of the PHL closure, Burrtec began to negotiate reduced rates with the nearby Puente Hills Material Recovery Facility and Transfer Station (PHMRF) on behalf of its franchise contracts. On October 31, 2013, when PHL closed, Burrtec had already negotiated rates that were lower than the regular gate rate for other haulers. As a result, the trash disposal rate at PHMRF is \$41.99 per ton for Duarte, instead of \$45.75, and the green waste disposal rate is \$33.43 per ton for Duarte, instead of \$37.50. There is a significant cost containment benefit by Burrtec having the flexibility to manage and negotiate rates for Duarte's solid waste stream.

Since receiving Burrtec's request, City staff has been reviewing the cost data supplied by Burrtec. The cost increases calculated by Burrtec have been confirmed and are in compliance with the contract provisions. Besides the change in tipping fees, the other main components included in the rate calculation include the CPI, which is 1.3%, and the change in the average price per gallon of fuel based on the U.S. Department of Energy Alternative Fuel Pricing Report, which increased by 1.27%. The resulting rates reflect an 8% increase in residential service rates, largely due to the increased cost of green waste disposal and reduced recycling rebates. However, taking into account that Duarte residents have not seen an increase to the rates since 2011, this increase is well below 4% per year. The most commonly used commercial refuse service rate reflects a 3% increase, commercial recycling services rate a 1% increase, and commercial green services rate a 10% increase. Although green waste rates have increased substantially, there is currently only one customer using a commercial green waste bin in the entire City of Duarte at this time.

The residential rate will increase by about \$1.50 per month, and the most commonly used commercial waste service would pay about \$4.30 more per month. Historically, Duarte has maintained some of the lowest rates in Los Angeles County. Duarte's most commonly used residential rate is the second lowest of all the cities surveyed, and our most commonly used commercial service rate continues to be lower than the average, compared to surrounding cities.

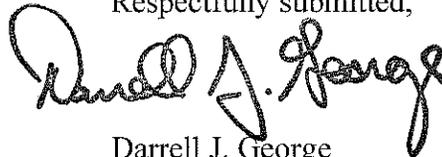
**ITEM 14.D.** This item recommends a reduction in the facility rental fee for the Royal Oaks Park (ROP) Building. The ROP is primarily rented to residents for baby showers and children's birthday parties. With the new insurance requirement, the costs associated with the rental of this facility will increase substantially. It is vital to remain competitively priced for residents and non-residents if we expect to meet revenue projections and balance that with meeting our resident's neighborhood facility needs. The Duarte Community Center and the Duarte Teen Center are competitively priced with other local similar facility rental rates, even with the new insurance requirement, so staff is not recommending any changes to those fees.

With regard to the ROP Building, when the current high security deposit cost, rental fees, and insurance costs are all factored in for non-residents and residents alike, we are not as competitive when compared to comparable facilities. Staff is asking Council to approve the recommendation to reduce the ROP Building rental fees and security deposit, so that staff can return with a resolution to revise the policies packet to include insurance requirements and revised fee schedule.

**ITEM 14.E.** After the end of each fiscal year, an independent accounting firm is used to conduct a financial audit of the City of Duarte and the Redevelopment Agency of the City of Duarte. The City utilized the services of the auditing firm, Lance Soll & Lunghard to conduct the audit for the year ended June 30, 2013.

In comparison to the mid year budget review done in January 2013, the financial statements reflect a worsened picture than previously anticipated, because the City was forced to pay out the \$7.4 million demanded by the Department of Finance (DOF). Since the \$7.4 million was never available due to our dealings with DOF, the General Fund balance actually had a surplus of \$1.4 million, which is higher than the \$588,000 surplus projected back in January. The improved situation since mid-year is a combination of expenses that came in lower than expected and revenues that came in higher than originally projected. As a result of all of this activity with the State, General Fund reserves decreased to \$6.8 million; however when the \$7.4 million that was largely unavailable is taken out of the analysis, it is actually an increase in available fund balance compared to the \$5.9 million that we projected at that time.

Respectfully submitted,

A handwritten signature in black ink that reads "Darrell J. George". The signature is written in a cursive style with a large, stylized initial "D".

Darrell J. George  
City Manager



# MEMORANDUM

**TO:** CITY MANAGER  
**FROM:** CESAR MONSALVE, DIRECTOR OF PARKS AND RECREATION  
**SUBJECT:** BIRTHDAY RECOGNITION  
**DATE:** DECEMBER 10, 2013

We are happy to be celebrating the 100<sup>th</sup> birthday of a special Duarte Resident.

**EULANDA FRANCESCANGELI** was born on November 22, 1913 in Wishaw, PA, as the 2<sup>nd</sup> of four children and the only daughter of immigrant parents, Nazareno and Palmira from Arcevia, Italy. As a young child, Eulanda and her family moved near the historic Little Italy section of Cleveland, Ohio. Her father dug graves at nearby Lakeview Cemetery and her mother was a homemaker. After her graduation from East High School, Eulanda began working at the Ohio News Bureau. At age 21 she met her future husband, Jim Brancato, who took her to his house on their first date for his birthday celebration. Confused at first, Eulanda wondered how Jim knew it was her birthday, until she realized that they shared the same birth date of November 22<sup>nd</sup>. Eulanda and Jim courted for four years while working to help to support their respective families. They married in September of 1937 and they lived with Eulanda's parents for twelve years, and after 4 years of marriage Jim and Eulanda welcomed their son Bruce. In 1947 when Bruce was 6, Jim became very ill and it was feared he might die. Thankfully, he recovered fully and the family welcomed daughter Mary Ann in 1951 when Bruce was ten. Sadly, Eulanda's father Nazareno passed away unexpectedly in 1950. In 1953 Jim and Eulanda bought their own home in Mayfield Heights. That same year, Eulanda's mother, Palmira, passed away. After moving to Mayfield Heights, Eulanda retired from the Ohio News Bureau to become a stay-at-home mom and a champion coupon-clipper.

Bruce married Lois Retino in 1962. Mary Ann went to Kent State University in 1969. Jim and Eulanda became first-time grandparents in 1963 when Bruce and Lois welcomed daughter Angela. Brother Jim came along in 1966, followed by baby brother Tom in 1969. In the meantime, Jim was working hard selling trucks for International Harvester. His active involvement with the South Euclid Lions Club provided opportunities for Jim and Eulanda to travel to exotic places such as Hawaii and Japan for convention vacations.

A year after graduating from Kent State University in 1973, Mary Ann moved to California. In 1975, Mary Ann went back to Cleveland to marry Van Brewer, a California native. Eulanda and Jim became frequent visitors, spending the winter months there with the newlyweds. In 1974, Jim retired from truck sales. He and Eulanda spent much of their free time playing golf, bowling, and enjoying their grandchildren in Ashtabula, where Bruce, Lois, and the kids lived. In

1977, Jim was diagnosed with cancer. Eulanda lost her beloved husband Jim Brancato of 42 years in 1979, just 4 months before her 4<sup>th</sup> grandchild, Jamie, was born to Mary Ann and Van. Eighteen months later, they welcomed granddaughter Christie in 1981, and six years later, granddaughter Dana in 1987. Eulanda moved to California full-time that same year and bought a lovely mobile home in Azusa. She enjoyed living close to family and helping with the California grandkids while continuing to enjoy golf and bowling, which she was very good at.

Eulanda's active lifestyle was drastically changed by a stroke she suffered in 1991. The family was grateful for her survival and along with Eulanda, everyone adapted to the "new normal," which included her learning to do everything left-handed, which made living alone challenging at best. In 1992 Eulanda moved to San Dimas Retirement Center, where she quickly made friends and was loved by all. She remained there for 12 years, enjoying bingo and many other activities. However, after a couple of falls and a broken hip, Eulanda's health began to decline. Mary Ann quit her job, with a resounding nod from Terry, and brought Eulanda home to live with her and the family in January 2004. This was a big change for all involved, especially when one month later she lost her right leg due to hardening of the arteries, and her left-leg five years later. In January of 2014, it will be 10 years that Eulanda has resided with Mary Ann.

When friend Tom came on the scene in 2011, life got very interesting with adventures to Arizona, Catalina Island, Palm Desert, Big Bear, and even beach camping along the beautiful California coastline. Not many Grammys in their late 90's can say that! Eulanda also boasts great-grandchildren Mark and Andrew Perez, Anthony and Christopher Brancato, Lauren Robison, and two-year old Weston Crawford. And making her a great-great-great Grandma is Bella Perez, culminating five generations.

In her century of life on earth, Eulanda Francescangeli Brancato grew up as the daughter of Italian-speaking immigrants, learned English, went to school, and took on a career when "working women" were uncommon. She has survived difficult economic times, a World War, and helped support her family. She married, bought a home in the suburbs, raised two fine children with a wonderful husband, and enjoyed travel and leisure activities. Her pride and joy, however, has always been her family. Despite some obstacles along the way, Eulanda Brancato has lived the American Dream and a life that most of us can only hope for. We thank God for keeping her in good health and good spirits, and today we celebrate the love and the life of grandma, great-grandma, and great-great grandma, and great-great-great grandma Eulanda Francescangeli Brancato.

The City of Duarte is honored to celebrate **EULANDA FRANCESCANGELI's** 100<sup>th</sup> birthday.

## MEMORANDUM

**TO:** Honorable Mayor and Members of the Duarte City Council  
**FROM:** Dan Slater, Rutan & Tucker, LLP, City Attorney, City of Duarte  
**DATE:** December 2, 2013, for City Council Meeting of December 10, 2013  
**RE:** Recommendation for Change in City Council Procedures for Closing Non-Business Agenda Items

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### Recommendation

The City Attorney's Office recommends the City Council change its procedure for closing non-business agenda items (e.g., Announcements of Upcoming Community Events, Oral Communications, and Continuation of Oral Communications) from the current practice of a motion, second, and vote (by the Mayor asking for objections and if none, announcing "so ordered"), to the Mayor simply closing the item. The change will help streamline the meeting and the meeting minutes and assure continued compliance with Senate Bill 751 ("SB 751").

### Background/Analysis

SB 751, effective January 1, 2014, amended the Brown Act to require legislative bodies of local agencies to "publicly report any action taken and the vote or abstention on that action of each member present for the action." This amendment came about because some local public agencies with large boards (e.g., Association of Bay Area Governments) failed to identify in their meeting minutes which board members voted for/against a particular action, instead simply recording the number of board members voting for/against the item. Our office reviewed SB 751 with the City Clerk and we confirmed *the City Council meeting minutes already meet SB 751 requirements*.

SB 751, however, prompts our office to recommend the City Council change an unnecessary procedure it currently follows for closing certain *non-business* agenda items (e.g., Announcements of Upcoming Community Events, Oral Communications, and Continuation of Oral Communications). Currently, to close these agenda items a Councilmember moves to close, the motion is seconded, and a vote is taken (the Mayor asks for objections and if there are none, announces "so ordered").

To streamline the process for closing non-business agenda items and to facilitate continued SB 751 compliance, our office is recommending the City Council revise its procedures. Instead of a Council motion, second, and vote taken to close non-business agenda items, we recommend the Mayor simply close the item and move to the next agenda item. Please note that under the proposed procedure a Councilmember retains the prerogative to object to the Mayor closing a particular non-business agenda item and, if there is any disagreement, a motion, second, and vote to keep the item open, or to close it, can occur. Thank you.

cc: Darrell George, City Manager  
Marla Akana, City Clerk

## 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 – NOVEMBER 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 7:14 p.m.

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

ADOPTION OF AGENDA Reyes moved, Fasana seconded to adopt the Agenda, and carried unanimously.

PLEDGE TO THE FLAG Jeremiah Ortiz led the Pledge of Allegiance to the Flag.

MOMENT OF REFLECTION A moment of reflection was observed.

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

SPECIAL ITEMS  
Recognition – Outgoing Councilmember Reyes  
Steve Hernandez thanked Mr. Reyes for many of the things he has done through the years.  
Lino Paras stated Mr. Reyes was also involved in the Chamber and helped shape the composition of the next City Council.  
Darrell George read an email from Pomona Vice Mayor Ginna Escobar thanking Mr. Reyes and wishing him the best in the future.  
City Councilmembers thanked and recognized Mr. Reyes for his knowledge, experience, accomplishments, and service on the City Council and School Board.  
Mr. Reyes thanked all who supported him over the years, including his family, staff, current and prior Councils, and thanked a number of friends for their encouragement, trust, and loyalty.  
Mayor Finlay presented Mr. Reyes with a tile plaque in recognition of his 20 years of service as a City Councilmember from November 1993 – November 2013.

Council Bill 13-R-24  
Election Results 11/5/13 Slater read by title Council Bill 13-R-24:  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, RECITING THE FACT OF THE

GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 5, 2013, AND DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW

RESOLUTION NO. 13-24

Reilly moved, Paras-Caracci seconded to adopt Resolution No. 13-24, and carried unanimously.

OATH OF OFFICE

Steve Hernandez spoke about the responsibility involved in taking the Oath of Office.

Mayor Finlay introduced State Controller John Chiang who was in attendance to assist with the Oath of Office. The Oath of Office was administered to newly elected City Councilmembers Margaret Finlay, Samuel Kang, and Tzeitel Paras-Caracci.

Manuel Gouveia, Upper San Gabriel Valley Municipal Water District, presented certificates to the newly elected City Councilmembers, and congratulations were extended.

Mayor Finlay stated she was grateful for the opportunity to serve as Mayor, thanked her family, friends, and colleagues, and thanked the citizens for electing her to another term.

Kang thanked Mr. Chiang, Mr. Reyes, his family, friends, residents, and those who worked on his campaign, and stated he looks forward to working together to move Duarte forward.

Paras-Caracci thanked her husband, family, neighbors, and residents, announced she and her husband will be welcoming a baby in January, and she looks forward to raising her family in Duarte.

Reorganization

Election of Mayor/Chairperson

Lino Paras suggested Mayor Pro Tem Reilly be the new Mayor, and Councilmember Fasana be the Mayor Pro Tem.

City Manager George assumed the chair and announced that nominations were open for Mayor/Chairperson.

Fasana moved, Finlay seconded to nominate Liz Reilly for Mayor/Chairperson. Fasana moved, Paras-Caracci seconded to close nominations, and carried unanimously.

Mayor/Chairperson Liz Reilly

The motion to elect Liz Reilly as Mayor/Chairperson carried unanimously.

Election of Mayor Pro Tem/Vice Chairperson

Mayor Reilly assumed the chair and announced that nominations were open for Mayor Pro Tem/Vice Chairperson.

Fasana moved, Finlay seconded to nominate Tzeitel Paras-Caracci for Mayor Pro Tem/Vice Chairperson. Finlay moved, Fasana seconded to close nominations, and carried unanimously.

Mayor Pro Tem/Vice Chairperson

The motion to elect Tzeitel Paras-Caracci as Mayor Pro Tem/Vice Chairperson carried unanimously.

RECESS

Mayor Reilly called a Recess at 8:17 p.m. City Council reconvened at 8:40 p.m. with all members present.

ANNOUNCEMENTS	<p>Mayor Reilly thanked her colleagues, family, and supporters, and described a number of her goals and priorities.</p> <p>Sheryl Lefmann, Duarte Chamber, announced Shop Duarte Program and upcoming Chamber mixer.</p> <p>Joanna Gee, Duarte Library, announced upcoming events, workshops, and programs in November, December, and January.</p> <p>Karen Herrera announced upcoming community events, meetings, and programs for November and December.</p> <p>Jack Ochoa announced ABC-7 Spark of Love Toy Drive will provide 300 toys to Duarte through Duarte's Promise.</p> <p>Levon Yotnakhparian announced upcoming Skills USA event and fundraisers in December.</p>
ORAL COMMUNICATIONS	<p>The following spoke on items not on the Agenda.</p> <p>Lino Paras – City Council meetings.</p> <p>Steve Hernandez – Holiday.</p>
ITEMS ADDED TO CONSENT	<p>Finlay moved, Fasana seconded to add attendance at the Duarte Council of PTAs Holiday Celebration, December 5, 2013, in Duarte, to Consent Item 10.G, and carried unanimously.</p>
CONSENT CALENDAR	<p>Paras-Caracci moved, Finlay seconded to approve the Consent Calendar as follows, and carried unanimously.</p> <p>Approve Items A, C, D, G.</p> <p>Remove Item B.</p> <p>Receive and File Item E, F.</p>
RESOLUTION NO. 13-25	<p>Item D – Council Bill 13-R-25 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE ELECTING TO BE SUBJECT TO PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AND FIXING THE EMPLOYER'S CONTRIBUTION AT AN AMOUNT EQUAL TO OR GREATER THAN THAT PRESCRIBED BY GOVERNMENT CODE SECTION 22892(b)</p>
ITEM REMOVED Item B – Warrants	<p>Paras-Caracci left the room due to a conflict of interest, as she is employed by Santa Anita YMCA, and one of the line items for payment was a warrant for Santa Anita Family YMCA.</p>
Item B – Approved	<p>Finlay moved, Fasana seconded to approve Item B, and carried unanimously. Paras-Caracci returned to the room and resumed her chair on the dais.</p>
PUBLIC HEARING Duarte Station General Plan Amendment 13-1 Zone Change 13-1 Draft EIR	<p>Mayor Reilly announced this was the time and place set for a Public Hearing to consider General Plan Amendment 13-1, Zone Change 13-1 (Duarte Station Specific Plan), and Draft Environmental Impact Report.</p>

Slater stated this hearing is a City-initiated request to amend the General Plan land use designation from Gold Line Station Area Development Specific Plan to Duarte Station Specific Plan, and rezone from Light Industrial (M) Zone to Duarte Station Specific Plan on three parcels of land generally located at the northwest corner of Duarte Road and Highland Avenue (1801 Highland Avenue, 1800 Business Center Drive, and 1716 Evergreen Street). On November 4, 2013, the Planning Commission unanimously recommended City Council approval of the General Plan Amendment, the Specific Plan Adoption, the Zoning Code change, the EIR Certification, and the adoption of findings and a statement of overriding considerations associated with the EIR certification.

Council Bill 13-R-22  
Final EIR, Findings, Mitigation  
Monitoring Program  
Duarte Station Specific Plan

Slater read by title the following Council Bills:

Council Bill 13-R-22 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE DUARTE STATION SPECIFIC PLAN AS ADEQUATE AND COMPLETE, APPROVING CERTAIN FINDINGS RELATED THERETO, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM

Council Bill 13-R-23  
General Plan Amendment 13-1

Council Bill 13-R-23 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING THE LAND USE ELEMENT AND LAND USE POLICY DIAGRAM OF THE CITY'S GENERAL PLAN FROM THE GOLD LINE STATION AREA DEVELOPMENT SPECIFIC PLAN TO THE DUARTE STATION SPECIFIC PLAN FOR THREE PARCELS OF LAND GENERALLY LOCATED AT THE NORTHWEST CORNER OF DUARTE ROAD AND HIGHLAND AVENUE (APN 8528-011-020, 8528-011-022, AND 8528-011-023) (GENERAL PLAN AMENDMENT 13-1)

Council Bill 13-O-05  
Duarte Station Specific Plan

Council Bill 13-O-05 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, ADOPTING THE DUARTE STATION SPECIFIC PLAN DEFINING PERMITTED USES, REGULATING THE SIZES AND LOCATIONS OF BUILDINGS, SPECIFYING DESIGN GUIDELINES AND DEVELOPMENT STANDARDS, IDENTIFYING PROJECT INFRASTRUCTURE AND SERVICES, PROVIDING ADMINISTRATIVE AND IMPLEMENTATION LANGUAGE, AND DEPICTING A CONCEPTUAL DEVELOPMENT SCENARIO FOR THREE PARCELS OF LAND GENERALLY LOCATED AT THE NORTHWEST CORNER OF DUARTE ROAD AND HIGHLAND AVENUE (APN 8528-011-020, 8528-011-022, AND 8528-011-023) (First Reading)

Council Bill 13-O-06  
Zone Change 13-1

Council Bill 13-O-06 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, REVISING THE DUARTE MUNICIPAL CODE BY CHANGING THE

ZONING OF THREE PARCELS OF LAND FROM THE LIGHT INDUSTRIAL (M) ZONE TO DUARTE STATION SPECIFIC PLAN ZONE (APN 8528-011-020, 8528-011-022, AND 8528-011-023) (ZONE CHANGE 13-1) (First Reading)

Notice of the hearing had been given, the affidavit is on file, and no written correspondence was filed in the matter.

Craig Hensley, Community Development Director, presented a staff report about the Duarte Station Specific Plan and Environmental Impact Report, including background, grant received from Metro, long-term planning document, vision statement, project objectives, advantages of the location, marketing strategy, funding opportunities, and Metro strategic plan document.

Jason Golding, Senior Planner, described the project area, master land use and concept, density/intensity, possible representative development scenario, design principles, site planning, and building design, and presented an overview of a development scenario that was studied, including architectural character, setbacks, building heights, transition zones, images of station plaza, and pedestrian linkage. Golding noted two amendments have been made to the Duarte Station Specific Plan document: 1) On Page 5-2, Section 5.1.2, #6 was added: "6. Development proposals shall include a multi-modal circulation analysis that addresses connectivity of pedestrian, bike, bus, and other circulation methods." 2) On Page 6-6, Compliance with Development Regulations, Floor Area Ratio, the following text was deleted: "of 2.0 over the entire planning area."

Collette Morse, RBF Consulting, described the EIR review process, initial study conclusions, topical areas, format of environmental analysis sections, overview of draft EIR conclusions, technical studies, significant unavoidable impacts of aesthetics, traffic, air quality, noise, alternatives analyzed, environmentally superior alternative #4, comments on draft program EIR, and responses to comments.

Andrew Kaplan, EPS, provided an economic study summary, and described the economic analysis approach, market assessment, impacts, test development economics, estimate of net impacts on general fund, and economic analysis findings.

There was Council discussion about opportunities, challenges, development potential, ridership, outreach, and first mile/last mile analysis.

Mayor Reilly asked if anyone in the audience wished to speak on this item.

Steve Hernandez stated his concern is about traffic on Highland, it will be a huge impact and burden streets on the east, we need

to plan for that, he would like another traffic study on Mountain, he thinks the concept of a station is incredible, and would like to delay the approval of the final EIR.

Lino Paras stated he thinks this should be approved tonight, he is concerned with some of the conceptual designs, inquired about an acquisition plan for properties and the use of eminent domain, suggested it be approved, and stated there needs to be a property acquisition plan.

Fasana moved, Finlay seconded to close the Public Hearing, and carried unanimously.

There was Council discussion pertaining to fiscal analysis, tax categories, governance, maintenance, security costs, grant from Metro, Planning Commission responses, first mile/last mile, bicycle proximity, and bicycle access points.

RESOLUTION NO. 13-22

Fasana moved, Paras-Caracci seconded to adopt Resolution No. 13-22, and carried unanimously.

RESOLUTION NO. 13-23

Finlay moved, Paras-Caracci seconded to adopt Resolution No. 13-23, and carried unanimously.

COUNCIL BILL 13-O-05  
(Introduced for First Reading)

Paras-Caracci moved, Kang seconded to introduce Council Bill 13-O-05 for first reading, with the two changes to the Duarte Station Specific Plan document [(1) On Page 5-2, Section 5.1.2, #6 was added: "6. Development proposals shall include a multi-modal circulation analysis that addresses connectivity of pedestrian, bike, bus, and other circulation methods." (2) On Page 6-6, Compliance with Development Regulations, Floor Area Ratio, the following text was deleted: "of 2.0 over the entire planning area."], and carried unanimously.

COUNCIL BILL 13-O-06  
(Introduced for First Reading)

Finlay moved, Kang seconded to introduce Council Bill 13-O-06 for first reading, and carried unanimously.

ITEMS FROM CITY COUNCIL/  
CITY MANAGER

GEORGE: Congratulated Councilmembers Finlay, Kang, and Paras-Caracci on their election, and congratulated Paras-Caracci on her announcement.

FINLAY: Congratulated her colleagues, and wished all a happy Thanksgiving.

FASANA: Congratulated Mayor Reilly on her appointment and Councilmember Kang on his election, thanked Finlay for her great year as Mayor, congratulated Mayor Pro Tem Paras-Caracci on her re-election and expanding family, wished all a happy Thanksgiving, and provided information to the City Manager about LA-RICS and AQMD.

PARAS-CARACCI: Congratulated her colleagues, stated she is looking forward to serving the next four years, attended Mon-

rovia's Mayor's Prayer Breakfast, she is thankful to share the exciting news about the expansion of her family, and wished all a happy Thanksgiving.

REILLY: Congratulated Mayor Pro Tem Paras-Caracci, welcomed Councilmember Kang, and announced Small Business Saturday and Shop Duarte program.

ADJOURNMENT

Finlay moved, Paras-Caracci seconded to adjourn the meeting at 10:34 p.m., in memory of Harold Hoffman, to Monday, December 2, 2013, at 5:00 p.m. for City Commission interviews, and carried unanimously.

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Mayor Elizabeth Nowak Reilly

ATTEST:

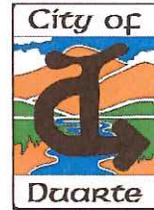
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City Clerk





# MEMORANDUM



**TO: MAYOR AND COUNCILMEMBERS**  
**FROM: IRMA HERNANDEZ, SENIOR PLANNER**  
**DATE: DECEMBER 10, 2013**  
**SUBJECT: REQUEST FROM HAYDEN CHILD CARE FOR CITY OF DUARTE CO-SPONSORSHIP OF HAYDEN 5K EVENT ON MARCH 8, 2014**

**Recommendation:** That the Duarte City Council approve a request to co-sponsor the sixth annual Hayden Memorial 5K Run, Family Walk and Roll scheduled for Saturday, March 8, 2014; waive City permit fees; and permit signage on City-owned property.

**Summary:** The applicant, Hayden Child Care (a DBA of Santa Teresita, Inc) is requesting the City of Duarte co-sponsor the sixth annual Hayden 5K, Family Walk, and Roll scheduled for Saturday, March 8, 2014. The 5K is scheduled to start at 9:00 am and is expected to conclude by 11:00 am. Following the run, the applicant will host a range of family activities (games, food, and entertainment, etc.) on the Santa Teresita Campus until 1:30 pm. The Hayden 5k is an annual fundraiser for the Child Care Center and is expected to draw in 1,000 attendees. All revenue generated by the event will go to the enhancement of the programs and environment of the Hayden Child Care of Santa Teresita, Inc. Following Council action on this item, the Special Event Permit application will be reviewed by the Community Development Department and final conditions of approval will be imposed for the proposed event pursuant to Duarte Development Code 19.124 (Temporary Use Permits).

**Discussion:** The applicant is proposing to keep the same route as used in March 2012 and 2013. The 5K route is shown on Map 1 (attached). On October 14, 2013, the Duarte Parks and Recreation Commission approved the waiving of fees associated with the use of the Duarte Bike Trail. The Duarte Parks and Recreation Director has subsequently approved the exclusive use permit for the Duarte Bike Trail which serves as a greater portion of the 5K path. The applicant is requesting that the City of Duarte co-sponsor the event and provide the in-kind services described in Attachment 1 and waive the permit fees described below:

<b>City Permit Fees Costs</b>	<b>\$555</b>
<i>Special Event Permit</i>	\$25
<i>Street Banner Permits</i>	\$100
<i>Traffic Control Right-of-Way Permit</i>	\$180
<i>Temporary Banner on City Owned Property</i>	\$50
<i>Exclusive Trail Park Usage*</i>	\$200
<b>Cost of In-Kind Services for Various Tasks</b>	<b>\$1,055</b>
<b>TOTAL CITY CO-SPONSORSHIP</b>	<b>\$1,610</b>
<i>*Fee Waived by Parks and Rec Commission 10/14/13</i>	

The applicant will be required to reimburse for staff time related to Traffic Control Implementation & Public Safety (Crowd Control) Services, which is estimated at \$3,400 (refer to Page 2 of Attachment 1).

**ATTACHMENTS:**

- Attachment 1 – City In-Kind Services/Event Logistics
- Attachment 2 - Notification to Residents
- Map 1 – Race Route

## Hayden 5K – March 8, 2014

*As a co-sponsor the City would provide the following in-kind services.*

<u>City In-Kind Services</u>	<u>Description</u>	<u>Responsible City Department/Division</u>	<u>Cost (In-Kind Service)</u>
1) <b>Traffic Control Plan</b>	Use City staff time to fine tune, prepare, and review traffic control plan for the race route & related street closures in the City of Duarte (Map 1).	<i>Community Development Department - Public Works Division, Field Services Division; Public Safety Department</i>	\$555
2) <b>Assistance with marketing the event and resident notification</b>	City staff to prepare and distribute a press release to both electronic and written media, post the item on the city website, put it on both the cable scroll and the community calendar, etc.; Public Safety coordinates delivery of resident notification letters prior to City Council meeting.	<i>City Manager's Office &amp; Public Safety Department</i>	\$100
3) <b>Additional Volunteers</b>	The applicant is requesting that the City supply people to help with the event through either DART or Duarte's Promise.	<i>City Manager's Office</i>	\$225
4) <b>Posting of No Parking Signage</b>	Field Services Division staff to setup and install "No Parking signage" on Buena Vista Street and Royal Oaks Drive as required by the California Vehicle Code.	<i>Community Development Department, Field Services Division</i>	\$140
5) <b>Install Temporary Banner on City Owned Property</b>	Temporary banner on the grass at the Duarte Bike Trail at Buena Vista and Royal Oaks Drive; to publicize the event & provide notification of potential impacts to residents. Banner to be installed by the Field Services Division since the sign will be on City owned land.	<i>Parks and Recreation Department, Community Development Department, Field Services Division</i>	\$35
<b>Total City In-Kind Services:</b>			<b>\$1,055</b>

## Hayden 5K – March 8, 2014

***The applicant will reimburse the City for the services described below and will be responsible for the following event logistics:***

- 1) **Traffic Control Implementation & Public Safety (Crowd Control) Services** – The Public Safety Director will direct the implementation of the traffic control plan as approved by the City Public Works Manager. Public Safety Staff will staff the street closures and oversee compliance with traffic laws, street delineators, and crowd control. The Field Services Division will use, set-up and knock down city owned street delineators and barricades for street closures per an approved traffic control plan.

\*The Public Safety Director will make every attempt possible to use trained volunteers and on-duty staff for traffic and crowd control in order to minimize costs to the applicant. In previous years the use of trained volunteers has reduced the cost to approximately \$1,200, however the City cannot guarantee that costs will be reduced to \$1,200. The applicant will be required to reimburse the City of Duarte for staff time used.

### **Total Estimated Reimbursement Amount - \$3,400\***

**\$2,400**      *(includes one sergeant, two deputies, two community service officers, and three code compliance officers)*

**\$1,000**      *(includes two Field Services staff to set-up & knock down street delineators and barricades related to street and trail closures)*

Emergency medical response, if needed, would be provided by Los Angeles County Fire and the cost of those services along with any other emergency response services would be the sole responsibility of the applicant.

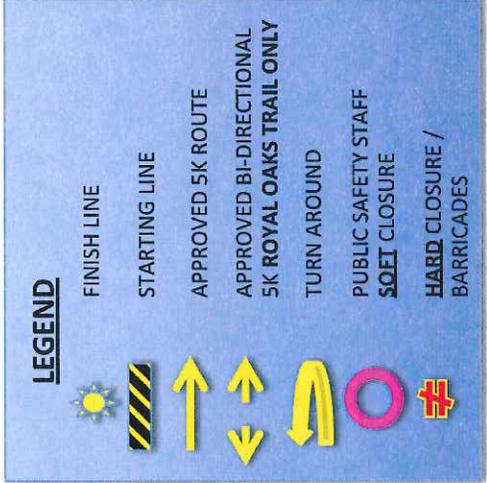
- 2) **Staffing** – The applicant will supply the volunteers/staff for the water stations on the Duarte Bike Trail route and the post- event activities on the Santa Teresita Campus.
- 3) **Set-up/Break down** – The applicant's volunteers/staff will be responsible for setting up and breaking down a series of lightweight tables along the trail without the need for a vehicle entering the trail.
- 4) **Event Parking** – Parking for the event will be on the grounds of the Santa Teresita Campus (819 Buena Vista Street) and on neighboring streets. As in previous years, the applicant is actively seeking permission to use using parking lots at local businesses for event parking including the Ralph's Shopping Center (1193 Huntington Dr.) and the Ladder Day Saints Church (1452 Royal Oaks Dr.).
- 5) **Event Notification** – The applicant supplied copies of the notification to the Public Safety Director and notices were distributed by DART volunteers (Attachment 2). The notice describes the potential impact to the neighborhood.

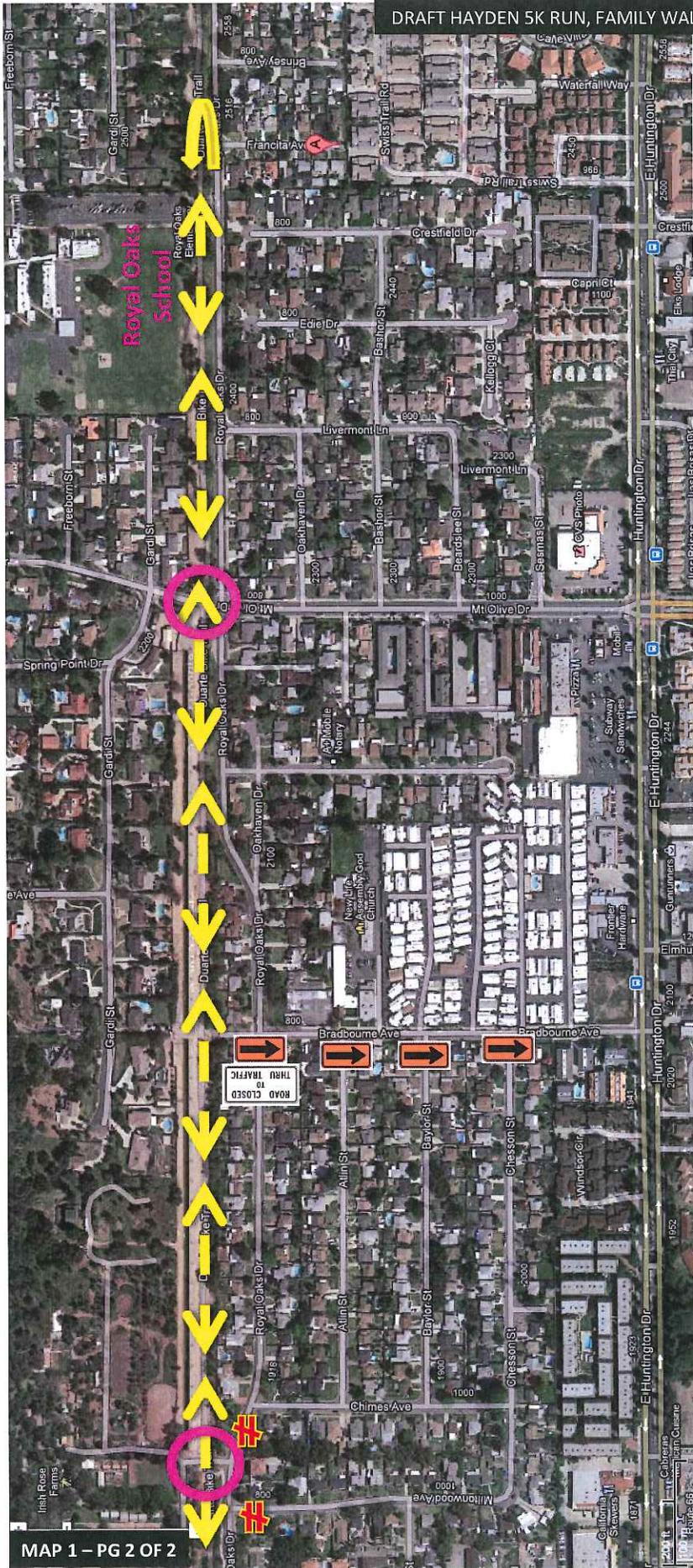
## Hayden 5K – March 8, 2014

- 6) **Insurance** – The applicant will be required to provide the City with a \$2 million dollar insurance policy naming the City as additionally insured. Upon approval of the application with the United States Track and Field Association (USTFA) Hayden Child Care will provide the required proof of insurance.
- 7) **City of Monrovia** – The applicant shall be responsible for obtaining approval for special event activities planned on the portion of the campus located in the City of Monrovia and the applicant shall be responsible for any requirements imposed by City of Monrovia related to traffic control.
- 8) **City of Bradbury** - The applicant shall be responsible for notifying and obtaining any required approvals by the City of Bradbury.
- 9) **Exclusive Trail Park Usage Refundable Deposit** - The Parks and Recreation Commission waived the \$200 facility use fee on October 14, 2013. A \$300 Refundable Deposit is still required by the Parks and Recreation Commission.
- 10) **Trash Removal** – The applicant will request from Burrtec Waste Industries cardboard trash containers and liners at no cost that would be placed along the trail by applicant. Upon completion of the race, the applicant's volunteers would be responsible removing the temporary containers, which will be taken back to the Santa Teresita Campus for disposal.



MAP 1 - PG 1 OF 2





MAP 1 - PG 2 OF 2

**ROUTE DESCRIPTION:** The starting line and participant line up will take place along Royal Oaks Drive, east of Buena Vista Street to Junipero Drive. Participants will run, walk or roll, east on Royal Oaks Drive until Royal Oaks North where they will enter the Duarte Bike Trail. The race continues east on the Duarte Bike Trail until the turnaround on the trail near Royal Oaks Elementary School. The racers return west on the Duarte Bike Trail, reaching Buena Vista Street, will travel southbound on Buena Vista, with the finish line in the parking area of Santa Teresita Campus located at 819 Buena Vista Street, Duarte (Map 1).

**LEGEND**

- FINISH LINE
- STARTING LINE
- APPROVED BI-DIRECTIONAL 5K ROYAL OAKS TRAIL ONLY
- TURN AROUND
- PUBLIC SAFETY STAFF SOFT CLOSURE
- HARD CLOSURE / BARRICADES

**ROUTE APPROVED BY:** \_\_\_\_\_

**PUBLIC WORKS MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, ADOPTING THE DUARTE STATION SPECIFIC PLAN DEFINING PERMITTED USES, REGULATING THE SIZES AND LOCATIONS OF BUILDINGS, SPECIFYING DESIGN GUIDELINES AND DEVELOPMENT STANDARDS, IDENTIFYING PROJECT INFRASTRUCTURE AND SERVICES, PROVIDING ADMINISTRATIVE AND IMPLEMENTATION LANGUAGE, AND DEPICTING A CONCEPTUAL DEVELOPMENT SCENARIO FOR THREE PARCELS OF LAND GENERALLY LOCATED AT THE NORTHWEST CORNER OF DUARTE ROAD AND HIGHLAND AVENUE (APN 8528-011-020, 8528-011-022, AND 8528-011-023)**

**WHEREAS**, the Planning Commission of the City of Duarte (“Planning Commission”) held public hearings on October 21 and November 4, 2013, and considered the proposed Duarte Station Specific Plan (“DSSP”), which provides, among other provisions, for the planned use and phased development of real and improved property on three parcels generally located at the northwest corner of Highland Avenue and Duarte Road (APN 8528-011-020, 8528-011-022, and 8528-011-023), for a vibrant, mixed-use, transit-oriented development adjacent to the Duarte Gold Line light rail station.

**WHEREAS**, after careful study and the completion of the duly noticed public hearings, the Planning Commission adopted Resolution No. PC 13-5 recommending the City Council approve the DSSP, defining permitted uses, regulating the sizes and locations of buildings, specifying design guidelines and development standards, identifying project infrastructure and services, providing administrative and implementation language, and depicting a conceptual development scenario; and

**WHEREAS**, notice of a public hearing of the City Council on the proposed DSSP was given in accordance with applicable law. A copy of the proposed DSSP as presented to the City Council is on file with the Community Development Department at City Hall, 1600 Huntington Drive, Duarte, California 91010; and

**WHEREAS**, on November 26, 2013, the City Council of the City of Duarte held a duly noticed public hearing on the proposed DSSP, all of the related implementing provisions amending the General Plan and Zoning, and related environmental review. At the public hearing the City Council received and independently considered the staff report and all of the information, evidence, and testimony presented in connection with the foregoing.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, ORDAINS AS FOLLOWS:**



Section 1. The Recitals above are true and correct and incorporated herein by this reference.

Section 2. The City Council hereby accepts the recommendation of the Planning Commission to adopt the DSSP, defining permitted uses, regulating the sizes and locations of buildings, specifying design guidelines and development standards, identifying project infrastructure and services, providing administrative and implementation language, and depicting a conceptual development scenario.

Section 3. The City Council hereby adopts the DSSP, on file with the Community Development Department and as presented to the City Council at the time of the adoption of this Ordinance, and the City Council hereby ratifies and approves any and all actions taken by the staff, departments, and commissions of the City of Duarte prior to the adoption of this Ordinance for the preparation, review, and consideration of the DSSP.

Section 4. In adopting the DSSP, the City Council finds and determines the following: (a) that the adoption of the DSSP is consistent with the City's General Plan; (b) that the adoption of the DSSP is in the best interest and welfare of the City and its residents; (c) that the adoption of the DSSP designation is the highest and best use for the subject property; and (d) that the DSSP, and the adoption thereof, complies with Government Code Sections 65450-65457.

Section 5. The City Council finds and determines that the adoption of the DSSP is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 *et seq.* ("CEQA"), and State regulations in Title 14 of the California Code of Regulations, Section 15000 *et seq.* ("CEQA Guidelines") because a Final Program Environmental Impact Report and Mitigation Monitoring and Reporting Program for the DSSP have been prepared and circulated for public review and comment, and have been certified by the City Council prior to the City Council's action on the DSSP.

Section 6. If any section, subsection, subdivision, paragraph, sentence, clause or phrase, or portion of this Ordinance is, for any reason, held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective. To this end the provisions of this Ordinance are declared to be severable.

Section 7. This Ordinance shall take effect thirty (30) days after its adoption. The City Clerk shall certify 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 after second reading at a regular meeting of the City Council of the City of Duarte this \_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor Elizabeth Nowak Reilly

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 Roll Call vote:

AYES:       Councilmembers:

NOES:       Councilmembers:

ABSENT:     Councilmembers:

\_\_\_\_\_  
City Clerk Marla Akana  
City of Duarte, California



## ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, REVISING THE DUARTE MUNICIPAL CODE BY CHANGING THE ZONING OF THREE PARCELS OF LAND FROM THE LIGHT INDUSTRIAL (M) ZONE TO DUARTE STATION SPECIFIC PLAN ZONE (APN 8528-011-020, 8528-011-022, AND 8528-011-023) (ZONE CHANGE 13-1)**

**WHEREAS**, the Planning Commission of the City of Duarte (“Planning Commission”) held public hearings on October 21 and November 4, 2013, and considered the proposed Duarte Station Specific Plan (“DSSP”), which provides, among other provisions, for the planned use and phased development of real and improved property, on three parcels of land generally located at the northwest corner of Highland Avenue and Duarte Road (APN 8528-011-020, 8528-011-022, and 8528-011-023), for a vibrant, mixed-use, transit-oriented development adjacent to the Duarte Gold Line light rail station; and

**WHEREAS**, the Planning Commission, in connection with the implementing actions necessary for the adoption of the DSSP, considered the proposed Zone Change 13-1, which changes the zoning and modifies the City of Duarte Zoning Map for the parcels described in Section 4 of this Ordinance from the Light Industrial (M) Zone to the Duarte Station Specific Plan Zone; and

**WHEREAS**, after careful study and the completion of the duly noticed public hearings, the Planning Commission adopted Resolution No. PC 13-4 recommending the City Council approve the proposed Zone Change 13-1; and

**WHEREAS**, notice of a public hearing of the City Council on the proposed DSSP, and corresponding Zone Change 13-1, were given in accordance with applicable law; and

**WHEREAS**, on November 26, 2013, the City Council of the City of Duarte held a duly noticed public hearing on the proposed DSSP, Zone Change 13-1, all other related implementing provisions amending the General Plan, and related environmental review. At the public hearing the City Council received and independently considered the staff report and all of the information, evidence, and testimony presented in connection with the foregoing.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, ORDAINS AS FOLLOWS:**

Section 1. The Recitals above are true and correct and incorporated herein by this reference.



Section 2. The City Council hereby accepts the recommendation of the Planning Commission to adopt Zone Change 13-1.

Section 3. The City Council hereby adopts Zone Change 13-1, which changes the zoning of the parcels described in Section 4 of this Ordinance from the Light Industrial (M) Zone to the Duarte Station Specific Plan Zone, and the City Council hereby amends the “City of Duarte Zoning Map”, as adopted pursuant to Section 19.06.020 of the Duarte Municipal Code, by zoning the parcels described in Section 4 of this Ordinance as the Duarte Station Specific Plan Zone. The City Council hereby ratifies and approves any and all actions taken by the staff, departments, and commissions of the City of Duarte prior to the adoption of this Ordinance for the preparation, review, and consideration of Zone Change 13-1.

Section 4. Attached hereto as Exhibit “A” is a map entitled “Subject Properties,” which depicts the properties to be designated as the Duarte Station Specific Plan Zone by this Ordinance, and which map is incorporated herein by this reference.

Section 5. In adopting Zone Change 13-1, the City Council finds and determines the following: (a) that the adoption of Zone Change 13-1 is in the best interest and welfare of the City and its residents; (b) that the adoption of Zone Change 13-1 is the highest and best use for the subject property; (c) that Zone Change 13-1, and the adoption thereof, complies with Government Code Sections 65853-65857; and (d) that the adoption of Zone Change 13-1 complies with Section 19.142.060(B) of the Duarte Municipal Code because: (i) the amendment is consistent with the General Plan and the applicable specific Plan, the DSSP, and (ii) the amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

Section 6. The City Council finds and determines that the adoption of the DSSP, and corresponding Zone Change 13-1, are in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 *et seq.* (“CEQA”), and State regulations in Title 14 of the California Code of Regulations, Section 15000 *et seq.* (“CEQA Guidelines”) because a Final Program Environmental Impact Report and Mitigation Monitoring and Reporting Program for the DSSP have been certified by the City Council prior to the City Council’s action on Zone Change 13-1 and the DSSP.

Section 7. This Ordinance shall not be codified but shall amend the City’s General Zoning Map as set forth in Exhibit “A” attached hereto.

Section 8. If any section, subsection, subdivision, paragraph, sentence, clause or phrase, or portion of this Ordinance is, for any reason, held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective. To this end the provisions of this Ordinance are declared to be severable.

Section 9. This Ordinance shall take effect thirty (30) days after its adoption. The City Clerk shall certify 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 after second reading at a regular meeting of the City Council of the City of Duarte this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor Elizabeth Nowak Reilly

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 Roll Call vote:

AYES:       Councilmembers:

NOES:       Councilmembers:

ABSENT:    Councilmembers:

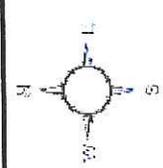
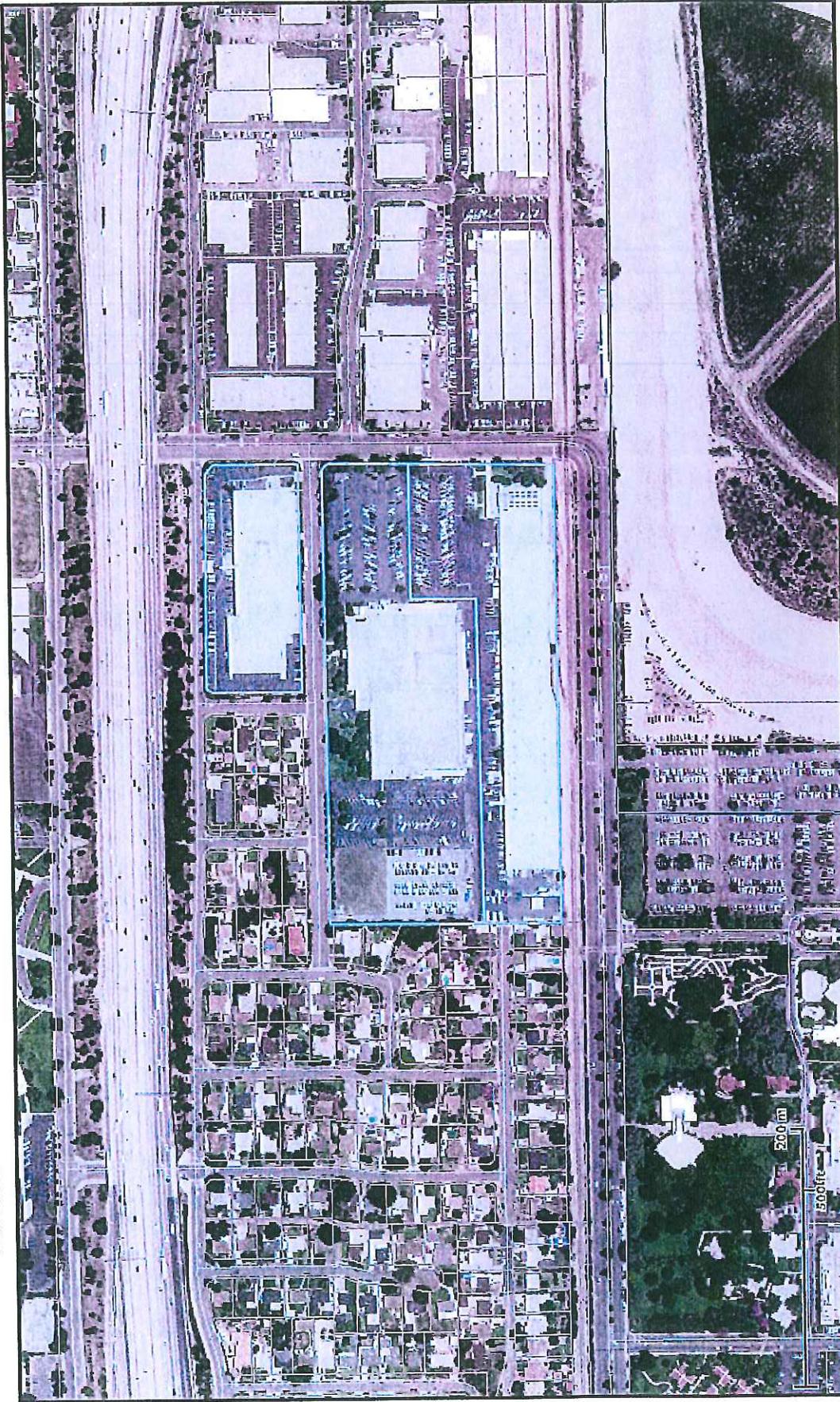
\_\_\_\_\_  
City Clerk Marla Akana  
City of Duarte, California

Attachments:

- Exhibit "A" - Subject Properties map

**EXHIBIT A  
ORDINANCE 13-O-06**

**SUBJECT PROPERTIES**



11/26/2013

**DUARTE  
STATION  
SPECIFIC PLAN**

1" = 376 ft

This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact Duarte staff for the most up-to-date information.

## MEMORANDUM

**TO:** Mayor and Councilmembers  
**FROM:** Darrell J. George, City Manager  
**DATE:** December 5, 2013  
**SUBJECT:** Conference Attendance – City Council Meeting of December 10, 2013

---

California Contract Cities Association  
47<sup>th</sup> Annual Sacramento Legislative Orientation Tour  
January 5-7, 2014  
Sheraton Grand Hotel, Sacramento  
Registration: \$375  
Hotel: \$123/night

League of California Cities  
2014 New Mayors and Councilmembers Academy  
January 22-24, 2014  
Sheraton Grand Hotel, Sacramento  
Registration: \$550  
Hotel: \$155/night



## REGISTRATION NOW OPEN

FOR

47th Annual  
Sacramento  
Legislative  
Orientation Tour

WHERE

**Sheraton Grand Hotel,  
Sacramento, CA.**

The CCCA Sacramento Legislative Orientation Tour is in its 47th year. We will continue to work at building relationships with the Legislature and Governor's office. Our goal for this seminar as always is to create an open channel between local government and our state government. Please be a part of making this happen!

***[CLICK HERE](#) for more information and to Register Now for this great event and kick off 2014 with CCCA in Sacramento!***



**If you have any questions, do not hesitate to contact our staff office at (562)622-5533.**

## What To Expect

- ★ Sessions With The Legislators
- ★ Leadership Briefing Session in the Capitol
- ★ Open Discussions With Leadership, Legislators and Colleagues
- ★ Luncheon Session
- ★ Networking Opportunities
- ★ Reception for Legislators

## **Program Overview**

**Sunday, January 5, 2014**

Legislative Committee and Executive Board Dinner Meeting (*Legislative Committee and Executive Board Only - Begins at 6pm*)

**Monday, January 6, 2014**

NEW Breakfast Session (*Entire Membership - Begins at 8am*)

Small Group Meetings (*Entire Membership-New Afternoon Small Group Meetings Added*)

**Tuesday, January 7, 2014**

Briefing Session with Legislators and Constitutional Officers (*Entire Membership*)

Luncheon Session (*Entire Membership*)

Reception For Legislators (*Entire Membership*)

Phone: 562-622-5533  
Fax: 562-622-9555  
Email: [info@contractcities.org](mailto:info@contractcities.org)





## 47th Annual Sacramento Legislative Orientation Tour

January 06, 2014 8:00 am - January 07, 2014 7:00 pm

Sheraton Grand Sacramento @ 1230 J St, Sacramento, CA 95814, USA

The California Contract Cities Association's 47th Annual Sacramento Legislative Orientation Tour will once again this year be held at the Sheraton Grand Hotel Sacramento. Our Legislative Committee Chair and Claremont Councilmember Sam Pedroza and the entire Committee has planned an exceptional educational experience for our entire membership. Your \$375 registration must be made before December 26, 2013 and hotel reservations must be made before December 20, 2013 in order to receive the special \$123 group room rate, so please register and make your hotel reservations today!

[Click Here To Make Hotel Reservations](#)

*Click The Blue "Buy Tickets" Button Below To Begin Your Registration*

*[Click Here](#) if you would prefer to download a registration form and fax in to our staff offices.*

### Tentative Program

#### Monday

8:00 am - 9:30 am - Welcome Breakfast Session at Sheraton Grand Hotel with Guest Speakers NEW

9:30 am - 12:30 pm - Small Group Meetings in the Capitol

12:30 pm - 1:30 pm - Lunch On Your Own

1:30 pm - 4:00 pm - Additional Small Group Meetings in the Capitol NEW

5:30 pm - 7:00 pm - Evening Reception at Sheraton Grand Hotel

#### *Dinner at Your Leisure*

#### Tuesday

8:00 am - 9:00 am - Warm Up Breakfast at Sheraton Grand Hotel

9:00 am - 12:00 pm - Legislative Briefing Session State Capitol Hearing Room 112

12:00 pm - 1:30 pm - Luncheon Session at Sheraton Grand Hotel with Guest Speakers

1:30 pm - 5:30 pm - *Afternoon Open For Visits or Meetings With Your City or Legislators*

5:30 pm - 7:00 pm - Reception for Legislators at the Sheraton Grand Hotel - Gardenia Room

*If you have any questions regarding the Sacramento Legislative Orientation Tour or registration, please do not hesitate to contact our office at (562)622-5533.*

Cost: 375.00 USD

[Buy tickets](#)

CALIFORNIA CONTRACT CITIES ASSOCIATION  
 47<sup>TH</sup> ANNUAL SACRAMENTO LEGISLATIVE ORIENTATION TOUR  
 JANUARY 6-7, 2014

## CONFERENCE REGISTRATION FORM

A paid registration is required for each conference attendee, spouse/partner and/or guest. If more space is required, copy form. Registrants are solely responsible for compliance with the requirements of Government Code Sections 53232.2 and 53232.3 (AB 1234) regarding reimbursement of expenses associated with attendance at this event.

**REGISTRATION DESCRIPTIONS**

Member and non-member cities, PAC members, Los Angeles County personnel, Associate Members and affiliates.

**REGISTRATION COSTS**

**Conference Attendee:** Includes Monday Breakfast, Monday Welcome Reception, Educational Sessions, Tuesday Breakfast, Tuesday Lunch and Tuesday Evening Reception for Legislators at Sheraton Grand Hotel. **\$375.00**

**NO INDIVIDUAL TICKETS WILL BE SOLD.**

CONFERENCE ATTENDEE NAME	TITLE	COST
<b>TOTAL AMOUNT PAID</b>		

**PAYMENT METHOD**

Check or Money Order must be in U.S. funds payable to: California Contract Cities Association. Registration confirmation/receipt and further information will be e-mailed.

**Deadline for cancellations/refunds is December 31, 2013.**

Please check appropriate box:  Check  Money Order  VISA  MasterCard  AmEx Card  Discover

Card #: \_\_\_\_\_ CVC #: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Print Cardholder Name: \_\_\_\_\_ Signature: \_\_\_\_\_

**BILLING INFORMATION (for credit card transactions, only):**

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Billing Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email : \_\_\_\_\_

\*Fill out form completely and return via fax (562) 622-9555 or email to Kelli Lofing at [Kelli@contractcities.org](mailto:Kelli@contractcities.org). Online registration available at [www.contractcities.org](http://www.contractcities.org)!

**CITY / AFFILIATE NAME:** \_\_\_\_\_

**CONTACT (PHONE & E-MAIL):** \_\_\_\_\_

Need Help? 

Language 

[event page](#) | [book a room](#) | [check reservations](#)

## CA Contract Cities Assn 2014

January 3 - 9, 2014

Event Venue : Sheraton Grand Sacramento

Welcome to the Sheraton Grand Sacramento.

Group rate available until December 20, 2013. Subject to Availability.



[Event Contact >](#)

[Testimonials >](#)

[Planner Log In >](#)

### Sheraton Grand Sacramento Hotel

1230 J Street, Sacramento, CA 95814, United States Phone: (916) 447-1700 • [Contact Us](#) • [Announcements](#)

[Overview](#)

[Photos](#)

[Guest Rooms](#)

[Features & Amenities](#)

[Dining](#)

[Local area](#)

[Driving Directions >](#)

#### Overview

Visit the Sheraton Grand Sacramento Hotel for a relaxing stay, a convenient location, and comforting amenities. Located in the beautifully restored historic Public Market Building and situated in the heart of downtown Sacramento, the hotel sits within blocks of the city's best shopping and restaurants.

Experience all the historic charm of California's capital city. Visit one of the city's museums nearby or take a trip back to the gold rush days while exploring Old Sacramento. Business travelers will find the Sacramento Convention Center conveniently located across the street from the hotel and the State Capitol Complex just a block away.

Each of our 503 transformed guest rooms has been stylishly furnished with an irresistible Sheraton Sweet Sleeper™ Bed with crisp white linens. Reach out or stay connected in our lobby's Link@Sheraton(SM) experienced with Microsoft®, a sleek and inviting connectivity hub offering complimentary High Speed Internet Access plus PC workstations and printing.

After a full day, recharge at our fitness facility, open 24 hours. Dive into our heated outdoor swimming pool, or simply relax poolside in our comfortable lounge chairs.

Stop by Morgan's Restaurant for a delicious cooked-to-order breakfast, fresh-baked pastries, or espresso. Lunch and dinner are served in the lively atmosphere of the Public Market Bar, where you can also enjoy your favorite cocktail or a local beer or wine.

We look forward to welcoming you to the Sheraton Grand Sacramento Hotel.

[Reserve >](#)



# 2014 New Mayors and Council Members Academy

Wednesday, January 22 – Friday, January 24  
Sheraton Grand Sacramento

Registration and Housing Deadline:  
Tuesday January 7

[www.cacities.org/events](http://www.cacities.org/events)  
 [www.facebook.com/leagueofcacities](http://www.facebook.com/leagueofcacities)  
 Follow @CaCitiesLearn

LEAGUE  
OF CALIFORNIA  
CITIES

031



## GENERAL INFORMATION

### Register for the conference

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

- For online registration, go to [www.cacities.org/events](http://www.cacities.org/events) and select "New Mayors and Council Members Academy".

Registration must be received by Tuesday, January 7. After this date, please register onsite.

### COSTS/FEES

#### Your full conference registration includes

Two breakfasts, two luncheons and a legislative reception

### FULL CONFERENCE

Elected Officials and Staff .....	\$550
Non-Member City Elected Officials and City Staff .....	\$1550
Spouse Reception Only Registration (Wednesday) .....	\$35

*\*Seating for this conference is reserved for elected officials and staff*

### CANCELLATIONS

Advance registrants unable to attend will receive a refund of rate paid, minus a \$75 processing charge, only when a written request is submitted to the Conference Registrar at [mdlunn@cacities.org](mailto:mdlunn@cacities.org) and received before 5:00 p.m. on Tuesday, January 7. Absolutely no refunds will be provided after this date. Sending an alternate/substitute onsite will avoid financial penalty.



If you require special accommodations related to facility access, transportation, communication and/or diet, please contact our Conference Registrar by Tuesday, January 7.

### HOTEL INFORMATION & RESERVATIONS

Hotel reservation changes, date modifications, early check-outs or cancellations must be done directly through the hotel prior to Tuesday, January 7. After this date, all changes will incur a financial penalty, a minimum of a one-night room charge and attrition fees.

#### Sheraton Grand Sacramento

1230 J Street, Sacramento, CA 95814

Hotel Rate (per night): \$155 – Single/Double Occupancy (plus tax and fees)

Valet parking: \$28 per day/Self-parking \$18 per day (subject to change without notice)

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

**PLEASE NOTE:** The information you provide to the League when registering for a League conference or meeting may be shared with the conference or meeting hotel(s). The hotel(s) will also share with the League the information you provide to the hotel(s) when you make your hotel reservation for the conference or meeting. The information shared between the League and the hotel(s) will be limited to your first name, last name and dates/length of stay in the hotel.

## Wednesday, January 22

8:00 a.m. - 4:00 p.m. REGISTRATION OPEN

### Effective Advocacy & Key City Issues

9:30 - 10:15 a.m.  
Acquire practical skills, from League staff, to develop persuasive arguments and testimony that serve your city's interests.

### Basics Boot Camp

10:30 - 11:45 a.m.  
After a few council meetings you discover that sitting on the "target" side of the dais means, among other things, you must be prepared. Prepare by reviewing some basic rules for new mayors and council members.

Noon - 1:30 p.m. GENERAL LUNCHEON

### Your League and How To Use It

As a city official, you are the League. Its success, along with yours, depends on your involvement and leadership. Gain an introduction to the services of the League of California Cities, how you can access them, and how you can become involved.

### Your Legal Powers and Obligations

2:00 - 3:45 p.m.  
You were elected to make things happen in your city. Learn the sources of your powers as a city official and the limitations on those powers. Gain a basic understanding of the legal authorities and restrictions under which cities and city officials operate with a focus on the Brown Act.

### Policy Role in Land Use Planning

4:00 - 5:00 p.m.  
Land use planning is one of the most important aspects of a city official's responsibilities. It involves the setting and implementation of the policies articulated in the city's general plan and its zoning code. Learn about tools and processes in land use planning such as the California Environmental Quality Act (CEQA). This knowledge will help you foster a solid working relationship with your city's planning commission and planning staff.

### Legislative Reception

6:00 - 7:00 p.m.  
This is a great opportunity for newly elected city officials to gather and meet with Assembly Members and Senators from throughout the state.

## Thursday, January 23

7:30 a.m. - Noon REGISTRATION OPEN

### Networking Breakfast

7:30 - 8:30 a.m.

### Relationship Between City Council and City Manager Staff

8:30 - 10:00 a.m.  
As an elected official, there are various competing and legitimate values that drive you and your colleagues. Your success on the council requires an effective relationship with your city manager, city attorney, and staff. Learn how to work together while respecting those diverse roles. Discover how to enhance these relationships. Leave with valuable and practical tips.

### Communications and the New Media

10:15 - 11:45 a.m.  
With public perceptions of today's government at all-time lows, the question must be asked - how do people learn so much, so fast about government? With such a variety of almost immediate informational sources (internet, podcasting, social media, the blogosphere, etc.), elected officials need to be quick on their feet and develop the necessary skills to address issues. Discover what cities should be doing to communicate with their constituents in the 21st Century and the new forms of media that must be embraced.

Noon - 2:00 p.m. GENERAL LUNCHEON

### Et-Circo - How to Conduct an Effective and Respectful Council Meeting

Enjoy an always fun skit depicting the wrong, then right way, to conduct your city council meetings.

### Financial Responsibilities, City Revenues Workshop

2:15 - 4:45 p.m.  
Cover your responsibilities as elected officials in exercising fiduciary accountability and transparency in open government. Discuss the local government financial cycle, elected official financial oversight duties, state and local funding relationships, and identify the four stages of fiscal meltdown. Stress the importance of structurally balanced budget tips on setting city council goals and the need for financial policies. Learn to avoid micromanagement and complexity management.

### Evening on Your Own

5:00 p.m.

## Friday, January 24

### New Mayor and Council Member Roundtable Networking Breakfast

8:00 - 9:15 a.m.  
Here is a great opportunity to enjoy breakfast with your peers and to question seasoned veterans of what it is really like being an elected official. There will be three groups, one for Mayors, one for Council Members and a third for the city managers in attendance. There may never be a better chance to be able to ask questions so freely and get true candid answers.

### How to Build and Maintain the Public's Trust: Practical Ethics and the Law

9:45 - 11:45 a.m.  
State law requires elected and appointed officials to receive training in specified ethics laws and principles every two years. Newly elected and appointed officials must receive this training within one year of becoming a public servant. This lively, example laden, two-hours will make this mandatory training more tolerable - if not outright enjoyable. Sign-in begins at 9:30 a.m. and you must be present for the full two hours to receive the certification of attendance at 11:45. (Planned with the Institute for Local Government)

### Adjourn

Noon



For additional information & speakers, go to [www.cacities.org/mayorscouncil](http://www.cacities.org/mayorscouncil)

2013 CITY COMMISSION APPOINTMENT WORKSHEET  
Appointments to be made December 10, 2013

Planning Commission – 3 vacancies.

(All Residents) Three will expire 12/31/17:

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_

Parks and Recreation Commission – 2 vacancies.

Two will expire 12/31/17:

- 1) \_\_\_\_\_  
(Resident)
- 2) \_\_\_\_\_  
(Senior citizen representative)

Traffic Safety Commission – 3 vacancies.

(All Residents) Three will expire 12/31/17:

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_

Economic Development Commission – 3 vacancies.

Three will expire 12/31/17:

- 1) \_\_\_\_\_  
(Resident)
- 2) \_\_\_\_\_  
(Resident)
- 3) \_\_\_\_\_  
(Business owner/operator – NOT Chamber rep)

Public Safety – 3 vacancies

One will expire 12/31/15:

- 1) \_\_\_\_\_  
(Resident – expires 12/31/15)

Two will expire 12/31/17:

- 2) \_\_\_\_\_  
(Business owner/operator–Chamber representative)
- 3) \_\_\_\_\_  
(Los Angeles County representative)

Public Services – 2 vacancies.

(Both Residents) Two will expire 12/31/17:

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_

12/10/13



## City of Duarte Commissions – 2013

### Applications due Thursday, November 21, 2013, by 6:00 p.m.

There are six Duarte City Commissions that act in an advisory capacity to the City Council and City Manager. Currently, applications are being accepted for 16 positions.

**Economic Development** – The Economic Development Commission works with City staff in monitoring, evaluating, and recommending modifications to the economic development program, which is aimed at attracting new businesses, retaining and expanding existing businesses, and stimulating economic growth within the City of Duarte. Meetings are open to the public and held on the first Wednesday of every month at 6:30 p.m. in the Duarte Community Center. Of the seven members, four are residents of the City, and three are business owners/operators (not required to be residents of the City). Two of the business owners/operators are appointed from candidates that are nominated/recommended by the Duarte Chamber of Commerce, and one business owner/operator is not required to be nominated by the Chamber.

There are currently **three** vacancies on the Economic Development Commission, with terms expiring December 31, 2017: **Two residents, and one business** owner/operator not required to be nominated by the Chamber.

**Parks and Recreation** – The Parks and Recreation Commission works with City staff in matters pertaining to parks, recreation areas, facilities, programs, and other associated activities, and cooperates with other governmental agencies and civic groups in the advancement of sound park and recreation planning and programming. Meetings are open to the public and held on the second Monday of each month at 7:00 p.m. in the Duarte Community Center. Of the seven members, four are residents of the City, one may or may not be a resident, one is a senior citizen representative, and one is a representative of the Duarte Unified School District (recommended by the School District).

There are currently **two** vacancies on the Parks and Recreation Commission, with terms expiring December 31, 2017: **One resident, and one senior citizen representative.**

**Planning** – The Planning Commission serves as the City's planning agency, reviews development projects, appeals, applications for conditional use permits, variances, and tract maps, performs architectural review for certain projects, and makes recommendations to City Council pertaining to development agreements and amendments related to the development code, general plan, specific plans, zoning map, CEQA environmental documents, and other applicable policy/regulatory matters related to the City's planning process. Meetings are open to the public and held on the third Monday of each month at 7:00 p.m. in the Duarte Community Center. All five members are required to be Duarte residents.

There are currently **three vacancies** on the Planning Commission, with terms expiring December 31, 2017.

**Public Services** – The Public Services Commission works with City staff in matters affecting and relating to telecommunications, cable communications, public access channels, audio/video services, refuse/trash collection, recycling programs, transit, environmental quality, public utility services, green technology within the City, and subscriber complaints. Meetings are open to the public and held on the second Wednesday of each month at 7:00 p.m. in the Duarte Community Center. All five members are required to be Duarte residents.

There are currently **two vacancies** on the Public Services Commission, with terms expiring December 31, 2017.

**Traffic Safety** – The Traffic Safety Commission works with staff in matters relating to traffic laws, parking regulations, speed regulations, stop signs, traffic control signals, traffic calming measures, pavement markings, warning signs, crosswalks, school crossings, traffic safety issues arising from physical hazards, attractive nuisances, and other physical conditions, and other traffic safety and traffic engineering issues as requested by the City Council or the City Manager. Meetings are open to the public and held on the first Tuesday of each month at 7:00 p.m. in the Duarte Community Center. All five members are required to be Duarte residents.

There are currently **three vacancies** on the Traffic Safety Commission, with terms expiring December 31, 2017.

**Public Safety** – The Public Safety Commission works with staff in matters relating to law enforcement, crime prevention and control, code enforcement, animal control, and emergency preparedness. Meetings are open to the public and held on the third Tuesday of each month at 7:00 p.m. in the Duarte Community Center. Of the seven members, four are residents of the City, one is a business owner/operator appointed from candidates that are nominated/recommended by the Chamber of Commerce (not required to be a resident of the City), one is a representative of the Duarte Unified School District (recommended by the School District), and one is a representative of Los Angeles County, which does not require City residency (either a resident of the unincorporated area adjacent to Duarte and within the Duarte Unified School District boundary, or a representative of the Monrovia-Arcadia-Duarte Town Council, or a representative from the Supervisor's office, or a representative of the County Human Relations Commission).

There are currently **three vacancies** on the Public Safety Commission: **One business owner/operator nominated/recommended by the Chamber of Commerce, and one representative from Los Angeles County** (both with terms expiring December 31, 2017), and **one resident (with a term expiring December 31, 2015).**

# DUARTE CITY COUNCIL – INTERGOVERNMENTAL ORGANIZATIONS

## AREA “D” EMERGENCY SERVICES

City Manager *Representative*  
Full Council *Alternates*

## CALIFORNIA CONTRACT CITIES

Liz Reilly *Delegate*  
Margaret Finlay *Alternate*  
**3<sup>rd</sup> Wednesday - 7:00 p.m.**

## CITY SELECTION COMMITTEE (COUNTY)

Margaret Finlay *Delegate*  
Liz Reilly *Alternate*  
**3 or 4 times a year, at the call of the Chairman**

## COMMUNITY EDUCATION COUNCIL

Tzeitel Paras-Caracci *Representative*  
Phil Reyes *Alternate*  
**3<sup>rd</sup> Wednesday - 7:00 p.m.**

## DUARTE COMMUNITY SERVICE COUNCIL

Phil Reyes *Representative*  
Tzeitel Paras-Caracci *Alternate*  
**1<sup>st</sup> Wednesday - 7:00 p.m.**

## DUARTE EDUCATION FOUNDATION

Margaret Finlay *Representative*  
John Fasana *Alternate*  
**1<sup>st</sup> Monday - 5:30 p.m.**

## FOOTHILL EMPLOYMENT AND TRAINING CONSORTIUM

Phil Reyes *Delegate*  
Tzeitel Paras-Caracci *Alternate*

## FOOTHILL TRANSIT – \$100/mtg (4/yr)

Tzeitel Paras-Caracci *Delegate*  
Phil Reyes *Alternate*

## GOLD LINE PHASE II JPA – \$100/mtg (1/mo)

Liz Reilly *Delegate*  
Tzeitel Paras-Caracci *Alternate*

## JOINT POWERS INSURANCE AUTHORITY

Margaret Finlay *Director*  
City Manager/Full Council *Alternates*  
**Annual Meeting – July**

## LEAGUE OF CALIFORNIA CITIES

John Fasana *Delegate*  
Full Council *Alternates*  
**1<sup>st</sup> Thursday - 7:00 p.m.**

## SGV COUNCIL OF GOVERNMENTS - \$50/mo

John Fasana *Governing Board Rep.*  
Margaret Finlay *Alt. Governing Board Rep.*  
**3<sup>rd</sup> Thursday - 6:00 p.m.**

## SGV ECONOMIC PARTNERSHIP

Liz Reilly *Representative*  
Full Council *Alternates*  
**2<sup>nd</sup> Tuesday of odd months – 12:00 noon**

## SGV VECTOR CONTROL DISTRICT - \$100/mo

Margaret Finlay *Representative*  
**2<sup>nd</sup> Friday – 7:00 a.m.**

## SANITATION DISTRICTS #15 AND #22 - \$250/mo

Margaret Finlay *Director*  
Liz Reilly *Alternate*  
**4<sup>th</sup> Wednesday - 2:00 p.m.**

## SO. CAL. ASSOCIATION OF GOVERNMENTS

Margaret Finlay *Delegate*  
Full Council *Alternates*  
**Annual Meeting - April**

\*Note: Compensated positions  
are shown in boxes

**Updated: November 27, 2012**

# MEMORANDUM

**TO:** Darrell George, City Manager

**FROM:** Kristen Petersen, Assistant City Manager

**DATE:** December 10, 2013

**SUBJECT: FIFTH AMENDMENT TO THE BURRTEC MUNICIPAL WASTE COLLECTION AGREEMENT AND ANNUAL REFUSE COLLECTION & RECYCLING RATE ADJUSTMENT**

---

Burrtec Waste Services began providing franchised refuse collection and recycling services in the City of Duarte on November 1, 1996, with the most recent contract extension taking place in 2009. Burrtec has always been a stellar example of a good community partner. They have consistently provided top quality service at a competitive rate, quick response times to questions or concerns and a strong presence by supporting community events and programs. In recent years Burrtec completed the conversion of the diesel fleet to alternative fuel trucks, implemented a used oil curbside collection program, an e-waste collection at Community Cleanups, a construction and demolition processing option and most recently a new multi family recycling program.

## Background

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

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

On October 4, 2013 Burrtec submitted its request for adjustments to its refuse collection and recycling rates, to become effective January 1, 2014. You will recall that residential rates have not been increased since January 2011 and commercial rates were increased as part of last year's annual review by less than 4%.

During the last two years, Burrtec has spent a lot of time explaining to City Council the impact that the impending closure of Puente Hills Landfill (PHL) would have on the tipping fees and therefore disposal rates. PHL has been the main disposal location for the City of Duarte and most of San Gabriel Valley for over 50 years and its closure is truly an extraordinary event.

## Fifth Amendment to the Agreement

In anticipation of the PHL closure, Burrtec began to negotiate reduced rates with the nearby Puente Hills Material Recovery Facility and Transfer Station (PHMRF) on behalf of its franchise contracts.

The attached Fifth Amendment makes a point of clarifying that Burrtec has the right to negotiate tipping fees for the City of Duarte's waste stream because as the franchise holder they have "Ownership of Waste" once the refuse, recyclables and disposal materials are placed in the Burrtec Containers for Collection. On October 31, 2013 when PHL closed, Burrtec had already negotiated rates that were lower than the regular gate rate for other haulers. As a result, the trash disposal rate at PHMRF is \$41.99 per ton for Duarte instead of \$45.75 and the green waste disposal rate is \$33.43 per ton for Duarte instead of \$37.50. Alternatively, the newly completed Waste Management facility in Azusa is charging \$51 per ton for both trash and green waste. As you can see there is a significant cost containment benefit by Burrtec having the flexibility to manage and negotiate rates for Duarte's solid waste stream.

#### Refuse and Recycling Rate Contract Analysis

Since receiving Burrtec's request, City Staff has been reviewing the cost data supplied by Burrtec and the cost increases calculated by Burrtec have been confirmed and are in compliance with the contract provisions. As described above, the tipping fees at PHMRF are \$41.99 for trash and \$33.43 for green waste. As was discussed last year the area that is seeing the greatest cost increase is green waste disposal, since PHL had always used green waste as alternative daily cover (ADC) and therefore charged a very low cost for its disposal. Now that green waste is used as a compost/mulch material requiring more processing, the cost of its disposal is much higher. Another factor impacting the cost of disposal is the depressed recyclables markets. When these markets flourish, it reduces our disposal costs through recycling rebates. However recyclable materials have lowered in value largely as a result of China's increased quality standards for mixed paper commonly referred to as "the Green Fence" initiatives.

Besides the change in tipping fees the other main components included in the rate calculation include, the CPI, which is 1.3% and the change in the average price per gallon of fuel based on the US Dept of Energy Alternative Fuel Pricing Report, which increased by 1.27%.

#### Refuse and Recycling Rate Contract Adjustment

Attachment 1 to this report contains a table that lists all of the refuse collection and recycling rates currently being charged by Burrtec Waste Services and what those rates become when adjusted based on the contract formula. The resulting rates reflect an 8% increase in Residential Service rates, largely due to the increased cost of green waste disposal and reduced recycling rebates. However taking into account that Duarte residents have not seen an increase to the rates since 2011, this increase is well below 4% per year. The most commonly used Commercial Refuse Service rate reflects a 3% increase, Commercial Recycling Service rate a 1% increase and Commercial Green Service rate a 10% increase. Again you can see that green waste rates have increased substantially, however there is currently only one customer using a commercial green waste bin in the entire City of Duarte at this time.

#### SUMMARY

To put this in perspective, the residential rate will increase by about \$1.50 per month and the most commonly used commercial waste service would pay about \$4.30 more per month. Historically

December 10, 2013  
Page 3 of 3

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

Recommendation

It is recommended that the City Council approve the Fifth Amendment and the refuse collection and recycling rates set forth in the attached schedule, to become effective January 1, 2014.

**AMENDMENT NO. 5 TO AGREEMENT BETWEEN THE CITY OF DUARTE  
AND BURRTEC WASTE SERVICES LLC FOR MUNICIPAL SOLID WASTE,  
RECYCLABLES, AND GREEN WASTE COLLECTION, TRANSPORTATION,  
DISPOSAL, COMPOSTING, AND PROCESSING**

This **Amendment No. 5 To The Agreement Between The City Of Duarte And Burrtec Waste Services, LLC For Municipal Solid Waste, Recyclables, And Green Waste Collection, Transportation, Disposal, Composting, And Processing** (“Amendment No. 5”) is made and entered into as of \_\_\_\_\_ (“Effective Date”), by and between the **CITY OF DUARTE**, a municipal corporation (“City”), and **BURRTEC WASTE SERVICES, LLC**, a California limited liability company (“Contractor”). City and Contractor are sometimes referred to herein individually as a “Party” and collectively as the “Parties” in this Fifth Amendment.

***RECITALS:***

A. City and Contractor entered into that certain agreement titled “Agreement Between the City of Duarte and Burrtec Waste Service[sic] LLC for Municipal Solid Waste, Recyclables, and Green Waste Collection, Transportation, Disposal, Composting, and Processing dated on or about September 18, 1996, also referred to as “Agreement Between The City of Duarte And Burrtec Waste Services[sic] LLC For Solid Waste Collection, Processing and Disposal Services, September 18, 1996 (the “Original Agreement”), as amended by that certain Amendment No. 1 thereto dated on or about March 8, 2004 (“Amendment No. 1”), and by that certain Amendment No. 2 thereto dated on or about November 13, 2007, and by that certain Amendment No. 3 thereto dated on or about February 24, 2009 (“Amendment No. 3”), and by that certain Amendment No. 4 thereto dated on or about June 22, 2010 (“Amendment No. 4”). The Original Agreement as amended by Amendment No. 1, Amendment No. 2, Amendment No. 3, and Amendment No. 4 is hereinafter referred to collectively as the “Agreement.”

B. City and Contractor wish to amend the Agreement to include such other terms and conditions set forth in this Amendment No. 5.

***AMENDMENT:***

**NOW, THEREFORE**, based on and in consideration of the foregoing Recitals, the mutual promises, herein, and for other good and valuable consideration, the receipt of which is acknowledged by both Parties, both Parties hereto agree as follows:

**1. OWNERSHIP OF WASTE**

A new Section 4.01(a)(5) shall be added to the Agreement to read as follows:

**“(5) Ownership of Waste.** Once MSW is placed in Burrtec containers for collection, ownership and the right to possession shall transfer directly from the Customers to Contractor by operation of this Agreement. Subject to the terms of this Agreement, Contractor is hereby granted the right to retain, recycle, process, dispose of, or use the MSW, or any part thereof, in any lawful fashion or for any lawful purpose, and retain any and all benefits therefrom.”

**2. OTHER TERMS AND CONDITIONS UNCHANGED**

Except as expressly modified by this Amendment No. 5, all other terms and conditions of the Agreement shall remain unchanged. In the event of any conflict between the terms of this Amendment No. 5 and the terms of the Agreement, the terms and conditions in this Amendment No. 5 shall prevail and control.

**3. COUNTERPARTS**

This Amendment No. 5 may be executed in one or more counterparts, each of which shall be deemed an original. All counterparts shall be construed together, and shall constitute one and the same instrument.

**4. EFFECTIVE DATE**

The Effective Date of this Amendment No. 5 shall be the latest of the dates set next to the signatures of the Parties, which latest date shall be inserted into the Preamble to this Amendment No. 5.

[end—signature page follows]

**IN WITNESS WHEREOF**, the Parties have executed and entered into this Amendment No. 5 as of the Effective Date.

“CITY”

**CITY OF DUARTE**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Mayor Elizabeth Nowak Reilly

ATTEST:

\_\_\_\_\_  
Marla Akana, City Clerk

APPROVED AS TO FORM:  
Rutan & Tucker, LLP

\_\_\_\_\_  
Dan Slater, City Attorney

“CONTRACTOR”

**BURRTEC WASTE SERVICES, LLC**

Date: \_\_\_\_\_

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Its: \_\_\_\_\_

City of Duarte  
 Burrtec Waste Services  
 Annual Refuse Collection and Recycling Rate Adjustment  
 Effective January 1, 2014

	Current Rates	Proposed New Rates	Change
<b>Residential Service:</b>			
90/60/60	19.57	<b>21.16</b>	8%
60/60/60	17.00	<b>18.38</b>	8%
40/60/60	15.67	<b>16.94</b>	8%
40/60/60 - Senior and/or handicapped	14.83	<b>16.03</b>	8%
Additional 90 gallon refuse container	6.83 each	<b>6.92 each</b>	0%
Additional 60 gallon refuse container	5.32 each	<b>5.39 each</b>	0%
Extra refuse container collection/service	6.95 each	<b>7.04 each</b>	0%
Additional recycling container - one	no charge	<b>no charge</b>	0%
Additional recycling containers - two or more	1.23 each	<b>1.25 each</b>	0%
Additional green waste container	1.27 each	<b>1.29 each</b>	0%
Wildlife deterrent barrel	6.61 + base fee	<b>6.70 + base fee</b>	0%
Container exchange (1 free/year)	18.49 each	<b>18.73 each</b>	0%
Additional bulky waste pickup including CRT (2 free/yr)	23.14 each	<b>23.45 each</b>	0%
Backyard collection:			
Resident requested convenience	19.9 + base fee	<b>20.25 + base fee</b>	0%
Manual collection	25.64 + base fee	<b>25.97 + base fee</b>	0%
Senior and/or handicapped	base fee only	<b>base fee only</b>	0%
Residential Street Sweeping Service	1.41	<b>1.43</b>	0%
<b>Commercial Service:</b>			
Wheeled toter (90/60 - once per week)	25.51	<b>25.84</b>	0%
Wheeled toter (60 recycling only - once per week)	10.93	<b>11.07</b>	0%
Refuse bin collection:			
<u>Bin Size</u>	<u>Times per Week</u>		
1	1	90.35	<b>92.35</b> 2%
1	2	151.34	<b>154.95</b> 2%
1.5	1	101.08	<b>103.62</b> 3%
1.5	2	167.58	<b>172.21</b> 3%
2	1	127.69	<b>130.99</b> 3%
2	2	205.26	<b>211.20</b> 3%
3	1	142.84	<b>147.14</b> 3%
3	2	228.36	<b>236.22</b> 3%
3	3	334.56	<b>346.28</b> 4%
3	4	430.33	<b>445.75</b> 4%
3	5	526.12	<b>545.22</b> 4%
3	6	621.93	<b>644.72</b> 4%
4	1	190.54	<b>196.28</b> 3%
4	2	301.21	<b>311.66</b> 3%
4	3	411.85	<b>427.02</b> 4%
4	4	522.46	<b>542.34</b> 4%
4	5	633.12	<b>657.71</b> 4%

4	6	743.74	<b>773.06</b>	4%
6	1	285.92	<b>294.53</b>	3%
6	2	424.51	<b>439.85</b>	4%
6	3	563.09	<b>585.12</b>	4%
6	4	701.71	<b>730.47</b>	4%
6	5	840.32	<b>875.78</b>	4%
6	6	978.92	<b>1,021.09</b>	4%

## Recycling bin collection:

<u>Bin Size</u>	<u>Times per Week</u>			
1.5	1	66.14	<b>67.07</b>	1%
2	1	82.49	<b>83.67</b>	1%
2	2	110.91	<b>112.54</b>	1%
3	1	99.09	<b>100.53</b>	1%
3	2	142.42	<b>144.54</b>	1%
3	3	205.93	<b>209.01</b>	1%
3	4	259.40	<b>263.29</b>	1%
3	5	312.89	<b>317.61</b>	2%
3	6	366.32	<b>371.86</b>	2%

## Green waste bin collection:

<u>Bin Size</u>	<u>Times per Week</u>			
1.5	1	63.09	<b>69.46</b>	10%
2	1	89.48	<b>98.07</b>	10%
2	2	178.99	<b>196.14</b>	10%
3	1	122.84	<b>135.55</b>	10%
3	2	191.22	<b>215.94</b>	13%
3	3	277.51	<b>314.48</b>	13%
3	4	354.79	<b>403.88</b>	14%
3	5	432.08	<b>493.29</b>	14%
3	6	509.42	<b>582.75</b>	14%

## Split Bin:

<u>Bin Size</u>	<u>Times per Week</u>			
3	1	178.44	<b>182.08</b>	2%
3	2	265.88	<b>271.95</b>	2%
3	3	386.13	<b>395.09</b>	2%
3	4	489.82	<b>501.45</b>	2%
3	5	593.54	<b>607.79</b>	2%
3	6	697.29	<b>714.21</b>	2%

## Bin push rates:

<u>Distance</u>	<u>Times per Week</u>			
0'-25'	1	0.00	<b>0.00</b>	0%
0'-25'	2	0.00	<b>0.00</b>	0%
0'-25'	3	0.00	<b>0.00</b>	0%
26'-50'	1	5.75	<b>5.82</b>	0%
26'-50'	2	11.47	<b>11.62</b>	0%
26'-50'	3	17.22	<b>17.44</b>	0%

51'-75'	1	8.60	8.72	0%
51'-75'	2	17.22	17.44	0%
51'-75'	3	25.81	26.15	0%
76'-100'	1	11.47	11.62	0%
76'-100'	2	22.95	23.24	0%
76'-100'	3	32.00	32.42	0%
101'-125'	1	14.34	14.53	0%
101'-125'	2	28.69	29.07	0%
101'-125'	3	43.04	43.60	0%
126'-150'	1	17.22	17.44	0%
126'-150'	2	34.43	34.88	0%
126'-150'	3	51.65	52.32	0%
151'-175'	1	20.09	20.35	0%
151'-175'	2	40.17	40.69	0%
151'-175'	3	60.24	61.03	0%
176'-200'	1	22.95	23.24	0%
176'-200'	2	46.14	46.74	0%
176'-200'	3	68.85	69.74	0%
200'+	1	0.13/foot	0.13/foot	0%
200'+	2	0.23/foot	0.23/foot	0%
200'+	3	0.35/foot	0.36/foot	0%
Refuse rolloff containers:				
<u>Size</u>	<u>Tonnage</u>			
20	5	435.51	455.59	5%
30	5	435.51	455.59	5%
40	5	435.51	455.59	5%
Compactor	5	491.72	512.54	4%
Green waste rolloff containers:				
<u>Size</u>	<u>Tonnage</u>			
40	5	353.35	414.45	17%
Clean Inert containers:				
<u>Size</u>	<u>Tonnage</u>			
10	10	-	396.62	
20/40	10	-	396.62	
Construction & Demolition containers				
<u>Size</u>	<u>Tonnage</u>			
20/40	5	561.96	566.74	1%
Extra Bin Services:				
Extra refuse bin collection/service		41.74	42.28	0%
Lock installed		4.61	4.67	0%
Lock removed - damaged by customer		25.38	25.71	0%
Recycling contamination (1 grace per year)		41.74	42.28	0%
Temporary Bin Services:				
3 Cubic Yd (7 day use)		126.40	128.04	0%
Dump & Return		126.40	128.04	0%
Commercial Street Sweeping Service		2.73	2.76	0%

**RESIDENTIAL & COMMERCIAL  
MONTHLY RATES  
RATE SURVEY - NOVEMBER 2013**

<u>Automated</u>	<u>City</u>	<u>Hauler</u>
\$ 21.10	Walnut	Valley Vista
<b>\$ 21.16</b>	<b>Duarte</b>	<b>Burrtec</b>
\$ 21.33 (90 gallon); \$17.65 (60 gallon)	Monrovia	Athens
\$ 21.45	Alhambra	Allied Waste
\$ 21.85	Arcadia	Waste Mgmt.
\$ 22.10 (96 gallon); \$20.10 (64 gallon); \$18.22 (35 gallon)	LaVerne	Waste Mgmt.
\$ 22.16 M/F \$ 18.73	Azusa	Athens
\$ 23.09	Monterey Park	Athens
\$ 24.06 (96 gallon); \$20.92 (64 gallon); \$17.55 (35 gallon)	Baldwin Park	Waste Mgmt.
\$ 24.13	La Puente	Valley Vista
\$ 26.04	El Monte	Valley Vista
\$ 26.26	Covina	Athens
\$ 26.37	Pomona	City
\$ 27.54	Glendora	Athens
\$ 27.77	West Covina	Athens
\$ 29.75	Temple City	Athens New
\$ 29.95	San Gabriel	Athens
\$ 30.22	Claremont	City
\$ 30.44	San Dimas	Waste Mgmt.
\$ 30.64 (96 gallon); \$25.35 (64 gallon); \$20.72 (35 gallon)	Diamond Bar	Waste Mgmt.
\$ 31.01	Sierra Madre	Athens
\$ 37.31	San Marino	Athens
\$ 40.79 Basic service is backyard collection, once a week	South Pasadena	Athens
\$ 40.99 (100 gal); \$26.44 (60 gal); \$16.29 (32 gal)	Pasadena	City

**3 yard bin /  
1x week**

<u>3 yard bin / 1x week</u>	<u>City</u>	<u>Hauler</u>
\$ 117.24	Azusa	Athens
\$ 118.72	Claremont	City
\$ 125.45	Diamond Bar	Valley Vista
\$ 125.59	Monrovia	Athens
\$ 129.62	Walnut	Valley Vista
\$ 132.41	La Puente	Valley Vista
\$ 140.33	La Verne	Waste Mgmt.
\$ 143.69	South Pasadena	Athens
\$ 145.41	El Monte	Valley Vista
<b>\$ 147.14</b>	<b>Duarte</b>	<b>Burrtec</b>
\$ 149.18	Sierra Madre	Athens
\$ 149.78	Covina	Athens
\$ 157.34 Increasing to \$160.83 in 2014	Pasadena	City
\$ 160.94	Glendora	Athens
\$ 160.96	San Dimas	Waste Mgmt.
\$ 161.53	Monterey Park	Athens
\$ 166.76	Baldwin Park	Waste Mgmt.
\$ 167.79	West Covina	Athens
\$ 175.49	San Gabriel	Athens
\$ 188.43	Temple City	Athens New
3 permitted haulers (Consolidated, Waste Mgmt & Valley Vista)	Arcadia	-



# MEMORANDUM

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**TO:** MAYOR AND CITY COUNCIL

**FROM:** CESAR MONSALVE, PARKS AND RECREATION DIRECTOR

**SUBJECT:** FACILITY RENTAL FEE REDUCTION

**DATE:** DECEMBER 10, 2013

**Recommendation:**

For the City Council to accept a staff recommendation to reduce the fees and deposit amount to rent the Royal Oaks Park (ROP) Building, a facility primarily rented by residents. Renters will be required to purchase insurance at the full price or provide a certificate of insurance at their own expense. A fee change would have to be brought back by staff with a fee resolution to implement and staff would also include for adoption new policy language in regard to insurance requirements and waivers.

**Discussion:**

The ROP Building is primarily rented to residents for baby showers and children's birthday parties. With the new insurance requirement, the costs associated with the rental of this facility will increase substantially. It is vital to remain competitively priced for residents and non-residents if we expect to meet revenue projections and balance that with meeting our resident's neighborhood facility needs.

The ROP Building is a very unique facility due to its neighborhood location, size and the limited amenities available inside and in attempting to survey other locations for price comparison there was only one local facility comparable in location, size and amenities: The Canyon Park Conference Center in Monrovia. The following is a comparison of fees:

**Current Fees**

**Monrovia Canyon Park Cabin Conference Center**

**(Resident/Non-Resident Rate: \$50 per hr.)**

Sample 4 hour rental = \$200

Security deposit = \$150 (Plus estimated \$81 insurance)

**Duarte ROP Building**

**(Resident Rate: \$100 first hr. Each additional hour \$40 per hr.)**

Sample 4 hour rental = \$220

Security deposit \$300 (Plus estimated \$81 insurance)

**Duarte ROP Building**

**(Non-Resident: \$200 first hr. Each additional hour \$80 per hr.)**

Sample 4 hour rental = \$425

Security deposit \$300 (Plus estimated \$81 insurance)

## Proposed Fees

### Duarte ROP Building

**(Resident Rate:** \$90 first hr. Each additional hour \$35 per hr.)

Security deposit \$150 (Plus estimated \$81 insurance)

### Duarte ROP Building

**(Non-Resident Rate:** \$180 first hr. Each additional hour \$70 per hr.)

Security deposit \$150 (Plus estimated \$81 insurance)

### Conclusion:

The Duarte Community Center and the Duarte Teen Center are competitively priced with other local similar facility rental rates, even with the new insurance requirement so staff is not recommending any changes to those fees. However, because the new increased costs associated with renting those two facilities will now match or slightly exceed other comparable facilities, we could possibly experience a leveling off or decline in rental demand.

In regard to the ROP Building, when the current high security deposit cost, rental fees and insurance costs are all factored in for non-residents and residents alike, we are not as competitive when compared to comparable facilities. Staff is asking Council to approve the recommendation to reduce the ROP Building rental fees and security deposit so that staff can return with a resolution to revise the policies packet to include insurance requirements and revised fee schedule and a public hearing will need to be held to change actual fees.

# MEMORANDUM

**TO:** Darrell J George, City Manager  
**FROM:** Kristen Petersen, Assistant City Manager  
**DATE:** December 10, 2013  
**SUBJECT:** AUDITED FINANCIAL STATEMENTS – FISCAL YEAR 2012/13

---

## Background

After the end of each fiscal year, an independent accounting firm is used to conduct a financial audit of the City of Duarte and the Redevelopment Agency of the City of Duarte. The City utilized the services of the auditing firm, Lance Soll & Lunghard to conduct the audit.

Copies of the City financial statements for the fiscal year ended June 30, 2013 are attached. The auditor found them to be prepared in accordance with generally accepted accounting principles and to fairly present the financial position of the City.

In comparison to the mid year budget review done in January 2013, the financial statements reflect a worsened picture than previously anticipated, because the City was forced to pay out the \$7.4 million demanded by the Department of Finance (DOF). However, the City has always reflected these funds as unavailable pending the final DOF decision. When the \$7.4 million is taken out of the fund balance analysis, the General Fund balance actually had a surplus of approximately \$1.4 million, which is higher than the \$588,000 surplus that was projected in January.

The improved situation since mid-year is a combination of expenses that came lower than expected and revenues that came in higher than originally projected. For example, professional expenses related to the Gold Line Project were approximately \$231,000 lower than budgeted due to the timing of the project. We anticipate that the remaining professional services expenses will take place in fiscal year 2013/14 so that the surplus grant revenues will be fully expended. Another positive factor is that the DOF demand was originally estimated at \$7.5 million and instead came in at \$7.4 million, which saved \$100,000 in fund balance. As far as General Fund revenues, property taxes came in \$174,000 higher than projected and sales tax revenue came in \$181,000 higher than projected. Both of these speak to the recovering economy and its slow and steady positive impact on our revenues. Two other areas where revenues exceeded our expectations were building permits and plan check fees, which came in \$73,000 and \$136,000 higher than mid projections respectively. This was a result of new construction such as the Kaplan Pavilion on City of Hope campus and the Las Lomas retaining wall constructed by Southern California Edison.

**Darrell J. George, City Manager**  
**December 10, 2013**  
**Page 2**

As a result of making the \$7.4 million Department of Finance payment demand, General Fund reserves decreased to \$6.8 million. However, since the \$7.4 million was largely unavailable and thus taken out of the analysis, the available fund balance has actually increased from the \$5.9 million that we projected at that time.

Please note that staff will be bringing the mid year budget for 2013/14 before City Council at the second meeting in January 2014. We will talk and analyze the fund balance more at that time, because the 2012/13 ending fund balance will serve as a primary part of the mid year analysis and how priorities will be established and decisions will be made to retain reserves and move Duarte cautiously forward.

**Recommendation**

It is recommended that the City Council receive and file the audited financial statements for the fiscal year ended June 30, 2013.

INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL  
OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS  
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE  
WITH *GOVERNMENT AUDITING STANDARDS*

To the Honorable Mayor and Members of the City Council  
City of Duarte, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of City of Duarte, California, (the City) as of and for the year ended June 30, 2013, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated November 21, 2013.

**Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.



To the Honorable Mayor and Members of the City Council  
City of Duarte, California

#### **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

*Lance, Solt & Loughard, LLP*

Brea, California  
November 21, 2013

**CITY OF DUARTE, CALIFORNIA  
FINANCIAL STATEMENTS  
FISCAL YEAR ENDED JUNE 30, 2013**

**PREPARED BY:  
THE CITY OF DUARTE, CALIFORNIA  
ADMINISTRATIVE SERVICES DEPARTMENT**

CITY OF DUARTE, CALIFORNIA  
FINANCIAL STATEMENTS  
FISCAL YEAR ENDED JUNE 30, 2013

PREPARED BY:  
THE CITY OF DUARTE, CALIFORNIA  
ADMINISTRATIVE SERVICES DEPARTMENT

CITY OF DUARTE, CALIFORNIA

JUNE 30, 2013

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CITY OF DUARTE, CALIFORNIA

JUNE 30, 2013

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## INDEPENDENT AUDITORS' REPORT

To the Honorable Mayor and Members of the City Council  
City of Duarte, California

### ***Report on Financial Statements***

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of City of Duarte, California, (the City) as of and for the year ended June 30, 2013, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

### ***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### ***Auditors' Responsibility***

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.



To the Honorable Mayor and Members of the City Council  
City of Duarte, California

**Opinions**

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Duarte, California, as of June 30, 2013, and, the respective changes in financial position and, where applicable, cash flows thereof and the respective budgetary comparison for the General Fund and the Housing Authority for the year then ended in accordance with accounting principles generally accepted in the United States of America.

**Other Matters**

*Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

*Other Information*

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The combining and individual nonmajor fund financial statements and schedules are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining and individual nonmajor fund financial statements and schedules are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements and schedules are fairly stated, in all material respects, in relation to the basic financial statements as a whole.



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**City of Duarte  
Management's Discussion and Analysis  
Year Ended June 30, 2013**

This discussion and analysis is intended to provide readers with a narrative overview of the City of Duarte's (City's) financial activities for the fiscal year ended June 30, 2013. This information should be considered in conjunction with the accompanying financial statements and the notes to those statements.

**Financial Highlights**

- At the close of the fiscal year, the City's assets exceeded its liabilities by \$79,874,670 (net position). A significant part of assets is the estimated value of infrastructure, which has been capitalized in accordance with the requirements of GASB 34. However, the greatest impact creating a substantial decrease over last year is the more than \$16 million in the two payments to Los Angeles County pursuant to AB1484 and the Due Diligence Review (DDR) of unencumbered cash of the former Redevelopment Agency.
- During the year, taxes and other revenues received by the City exceeded program expenses by \$438,315. However as described above, given that a demand for payment in the amount of \$9.4 million came from the Housing Authority and an extraordinary loss to the City assets due to the transfer of \$7.4 million back to the Successor Agency as required by the other demand for payment, the City's net position actually reflect a decrease of \$16,347,201.
- The City's governmental funds had ending fund balances of \$26,024,924, which is a decrease of \$15,208,822 over the prior year fund balance of \$41,233,746. This decrease took place largely within the General and Housing Authority Funds, again due to the DDR payments.
- This year, the City's General Fund experienced a deficit of \$5,982,488, however, if the \$7.4 million in extraordinary loss is taken out of the analysis, the General Fund actually experienced a surplus of \$1.4 million, which is higher than the \$588,000 surplus projected at mid-year. You will recall at midyear we pointed out that due to a one time residual receipt from the County of \$880,000, we were expecting a \$588,000 surplus instead of a \$292,000 deficit. The situation improved since midyear as expenses came in slightly lower than expected and revenues came in higher than originally projected. For example, professional expenses in Community Development related to the Gold Line project were approximately \$231,000 lower than expected. This is due to the timing of the project and we anticipate that the remaining professional services expenses will take place in fiscal year 2013/14. As far as General Fund revenues, property taxes came in \$174,000 higher than projected and sales tax revenue came in \$181,000 higher than projected. Both of these speak to the recovering economy and its slow and steady positive impact on our revenues. Two other areas where revenues exceeded our mid year projections were building permits and plan check fees, which came in \$73,000 and \$136,000 higher than mid year projections respectively. This was a result of new construction and remodel projects such as the City of Hope and WalMart.
- The City's debt decreased by \$4,057 during the fiscal year to \$2,048,150 mostly due to the slight reduction in the California Joint Powers Insurance Authority retrospective deposit.

**Overview of the Basic Financial Statements**

The City's basic financial statements consist of three components: (1) government-wide financial statements, (2) fund financial statements, and (3) notes to the basic financial statements.

***Government-wide Financial Statements***

The government-wide financial statements are found on pages 11 and 12 of this report. They are designed to give readers an overview of the City's financial position. These statements include all of the City's

assets and liabilities, using the full accrual basis of accounting, which is similar to accounting methods used by most private sector companies. All of a fiscal year's revenues and expenses are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. As a result, assets, liabilities, and expenses are reported in these statements for some transactions that will result in cash flow in future fiscal periods.

The "Statement of Net Position" presents all of the City's assets and liabilities, with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator for determining whether the financial position of the City is improving or deteriorating.

The "Statement of Activities" presents information showing the City's revenues and expenses for the fiscal year. Functional activities are identified in this statement, whereby direct and indirect functional costs are shown net of related program revenue. This statement shows the extent to which the various functions depend on general taxes and non-program revenues for support.

The government-wide financial statements encompass the activities of four different legal entities: the City of Duarte, the Duarte Housing Authority, the Duarte Community Facilities Financing Authority and the Duarte Public Financing Authority. This is in keeping with generally accepted accounting principles, as the City's elected officials have a continuing oversight responsibility for all four entities.

The City of Duarte provides an array of services to the public similar to those of other municipal governments. These include police protection, parks and recreation, planning and development, public works, code enforcement, animal control, transit services, and refuse collection. The Housing Authority is responsible for promoting the development of low and moderate-income housing. The function of both Financing Authorities is to facilitate the issuance of debt by both the City and the Housing Authority.

### ***Fund Financial Statements***

The fund financial statements can be found on page 13 of this report. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. Fund accounting is used to demonstrate compliance with finance related legal requirements. All of the funds of the City of Duarte can be divided into two categories: governmental funds and fiduciary funds.

### ***Governmental Funds***

Governmental funds are used to account for essentially the same functions reported as "governmental activities" in the government-wide financial statements. Unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on the balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating the City's near-term financing requirements.

The City maintains eighteen individual governmental funds. Two of these funds are considered "major" and, according to generally accepted accounting principles, are reported separately in the fund financial statements. The remaining sixteen funds are reported on a consolidated basis.

Because the focus of fund financial statements is narrower than that of the government-wide financial statements, it can be useful to compare the two. Comparisons may give readers a better understanding of the long-term impact of the City's near-term financial decisions. On pages 14 and 16 of this report, statements are provided reconciling the "Governmental Fund Balance Sheet" and the "Governmental Fund Statement of Revenues, Expenditures, and Changes in Fund Balances" to the government-wide financial statements.

### ***Fiduciary Funds***

Fiduciary funds are used to account for resources held for the benefit of parties outside the government. Fiduciary funds are not reflected in the government-wide financial statement because the resources of those funds are not available to support the City of Duarte's own programs. The Successor Agency Fund