

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, JANUARY 14, 2014

5:30 p.m. – Closed Session
6:00 Reception – Employee Recognition
7:00 p.m. – Regular Session

COUNCIL CHAMBERS, 1600 HUNTINGTON DRIVE, DUARTE, CALIFORNIA 91010

MISSION STATEMENT

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

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

City/Agency/Authority Staff:

Darrell George, City Manager
Kristen Petersen, Assistant City Manager and Director of Administrative Services
Craig Hensley, Community Development Director
Cesar Monsalve, Director of Parks and Recreation
Brian Villalobos, Director of Public Safety Services
Dan Slater, City Attorney
Marla Akana, City Clerk

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

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

ADA ACCESSIBILITY NOTICE:

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

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

THE FOLLOWING ITEMS WILL BE HEARD AT 5:30 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 – Threatened Litigation, pursuant to Government Code Section 54956.9(b)(2); Number of Cases: One
 - C. Conference with Real Property Negotiators pursuant to Government Code Section 54956.8; Negotiating parties: City of Duarte and prospective buyers or lessees; City negotiators: Darrell George, Craig Hensley; Under negotiation: Price and terms of payment; Concerning property at 1101 Oak Avenue, APN 8530-011-913-915; 1634 Third Street, APNs 8530-011-905, 911, 912.

At 6:00 p.m., there will be a Reception to recognize employees for their years of service and achievements

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
 - A. Recognition of employees – Years of Service and Achievement Awards
 - B. Recognition of outgoing City Commissioners
 - C. Oath of Office to new City Commissioners
 - D. Public Safety update
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 1
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 – December 10, 2013 (CC/HA/SA/FA)
 - B. Approval of Warrants – December 24, 2013, and January 14, 2014 (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)

January 14, 2014

- D. Ratification of Duarte Unified School District Board of Education recommendation to City Council of City Council's appointment of Kenneth Bell to serve on the City's Parks and Recreation Commission, and Tom Reyes to serve on the City's Public Safety Commission (CC)
 - E. Public Services Commission reorganization (Receive and File) (CC)
 - F. Approval of request from Relay for Life for City co-sponsorship of the Relay for Life event to be held on May 3-4, 2014 (CC)
 - G. Authorization for the City Manager to execute the City's standard Professional Services Agreement for a contract with Kosmont Companies in an amount not to exceed \$25,000 for Real Estate Advisory Services related to the development of properties near the intersection of Buena Vista Street and Huntington Drive, and approval of a \$25,000 budget amendment for the contract (CC)
 - H. Authorization for the City Manager to execute the City's standard Professional Services Agreement for a contract with RKA Consulting Group in an amount not to exceed \$16,200 for Professional Engineering for Royal Oaks Drive Traffic Calming Study, and approval of a \$16,200 budget amendment for the contract (CC)
 - I. Notice of absence by Lisa Magno from Economic Development Commission meeting of January 8, 2014 (Receive and File) (CC)
 - J. Approval of award of bid to Sea Clear Pools, Inc., for Pool Filters for the Duarte Fitness Center Pools in the amount of \$88,752.79, and authorization for the City Manager to execute the contract (CC)
 - K. City Council/City Manager Conference Attendance – YMCA of Metropolitan L.A. Annual Martin Luther King, Jr., Brotherhood Breakfast, January 17, 2014, Los Angeles; L.A. County Economic Development Corporation 2014-15 Economic Forecast and Industry Outlook, February 19, 2014, Los Angeles (CC)
13. ITEMS REMOVED FROM CONSENT CALENDAR
14. PUBLIC HEARING – Page 29
Community Development Block Grant Program (CDBG) Budget for Fiscal Year 2014-2015 (July 1, 2014 – June 30, 2015)
15. BUSINESS ITEM – Page 33
Approval of 2014/15 budget calendar, and selection of date and time for budget workshop
16. 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.*
17. 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)
18. ADJOURNMENT – In memory of Harb Thind, Leola Kennedy, and Fritzie Soltes

MEMORANDUM

TO: City Council
FROM: Assistant City Manager
DATE: January 8, 2014
SUBJECT: Comments on Agenda Items, Meeting of January 14, 2014

As a reminder, Closed Session will begin at 5:30pm and an Employee Recognition reception will follow at 6pm.

ITEM 8A. The City Council will be recognizing Craig Hensley, Pattie Dalessandro, Frank Haynes, Ana Lisa Hernandez, and Tony Molina for 5 years of service to the City of Duarte; Larry Breceda, George Dang, and Aida Torres for 10 years of service; and Jim Kirchner for 25 years of service. In addition, the City Council will be recognizing the winners of the 2013 Duarte City Employee Achievement Awards in the areas of Customer Service, Innovation, and Teamwork.

ITEM 8B. The City Council will be recognizing outgoing City Commissioners Neil Bjornsen, Jim Dinsmore, Ron Phadnis, and Robert Porlier for their service.

ITEM 8C. The City Clerk will give the new City Commissioners their oath of office.

ITEM 8D. The Director of Public Safety Services will give a Public Safety update.

ITEM 11D. (Consent Calendar) The City Council is being asked to ratify the Duarte Unified School District's recommendation to City Council to appoint Kenneth Bell to serve on the Parks and Recreation Commission, and Tom Reyes to serve on the Public Safety Commission.

ITEM 11G. (Consent Calendar) The City Council is being asked to authorize the City Manager to enter into a contract with Kosmont Companies for Real Estate Advisory Services. The main focus of their assignment would be to evaluate the proforma submitted by Charles Company for the development of a mixed-use project near the corner of Buena Vista Street and Huntington Drive. They will also determine if alternative development characteristics could make a more feasible project, and develop an alternative proforma and development alternative that could be used to recruit another developer if necessary. The contract is for services at an hourly basis not to exceed \$25,000, and would require a budget amendment to the Economic Development Expenses account number 1405-7975 in that amount.

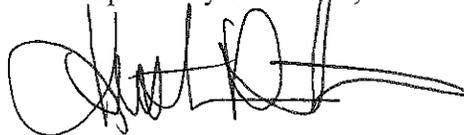
ITEM 11H. (Consent Calendar) The City Council is being asked to authorize the City Manager to enter into a contract with RKA Consulting Group for a traffic calming study for Royal Oaks Drive. The Traffic Commission discussed the issue and recommended that the City Council consider conducting a traffic calming study for this area at its regular meeting on November 5, 2013. The study will extend from Buena Vista Street to Mount Olive Drive, and includes traffic counts, development of a preliminary traffic calming plan, a public workshop meeting, and presentations to the Traffic Safety Commission and City Council. The contract is for services at an hourly basis not to exceed \$16,140, and would require a budget amendment to the Professional Services account number 1405-7965 in that amount.

ITEM 11J. (Consent Calendar) The City Council is being asked to authorize the City Manager to enter into a contract with Sea Clear Pools, Inc., for the removal and replacement of the pool filters for both of the Fitness Center Pools. This item was included in the FY 2013/14 budget, and the bid of \$88,453 is coming in well below the budgeted amount of \$105,000, so a budget amendment is not necessary.

ITEM 14. (Public Hearing) The City Council is being asked to allocate the 2014/15 CDBG funds for the completion of ADA curb ramps and ADA accessible parking stalls/curb ramps for the City Hall/Community Center/Fitness Center facility. The City Council is also being asked to authorize the City Manager to execute an agreement with the City of Bradbury to accept its 2014/15 CDBG allocation of \$3,918 for the use of an ADA curb ramp somewhere in the City that would benefit both cities. You will recall that last year was the first year that the City allocated all CDBG funds to public works projects, and moved the funding of DYAC and Duarte Hawks to the General Fund, due to the substantial reductions in allocations and the significant cost to run the programs through CDBG's extensive administrative procedures. This recommendation is consistent with last year's and, unfortunately, the trend of lower allocations continues as the CDC has informed all cities that the 2014/15 CDBG allocations will be 2% less than current funding levels.

ITEM 15. The City Council is being asked to approve a calendar for the 2014/15 budget and particularly set a specific date and start time for its 2014/15 budget workshop. The recommended dates are May 5th and May 6th starting at 4pm each day.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kristen Petersen', written over a horizontal line.

Kristen Petersen
Assistant City Manager

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 – DECEMBER 10, 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 Reilly called the meeting to order at 6:32 p.m.
- RECORDATION OF ATTENDANCE** The following were in attendance:
PRESENT: Finlay, Kang (arrived after the Closed Session), Paras-Caracci, Reilly
ABSENT: Fasana
ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Slater
- ADOPTION OF AGENDA** Finlay moved, Paras-Caracci seconded to adopt the Agenda, and carried unanimously, with Fasana and Kang absent.
- CLOSED SESSION**
1) Potential Initiation of Litigation
2) Existing Litigation
There was no public input. Slater announced the first Closed Session was pursuant to Government Code § 54956.9(d)(4); Conference with Legal Counsel; Initiation of litigation, Number of potential cases: 1. The second Closed Session was 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 Closed Sessions concluded at 6:55 p.m. City Council reconvened at 7:07 p.m. with four members present, and Fasana absent.
- PLEDGE TO THE FLAG** Mayor Reilly led the Pledge of Allegiance to the Flag.
- MOMENT OF REFLECTION** A moment of reflection was observed.
- FITNESS/MENTAL WARM-UP** Kang and Finlay provided the warm-up.
- PUBLIC REPORT OF CLOSED SESSION ITEMS** Slater stated Kang and Fasana were absent from both Closed Sessions. During the first Closed Session, City Council received a report from the City Attorney on issues related to one potential case of initiation of litigation, and unanimously (with Kang and

Fasana absent) directed the City Attorney and staff to pursue communications to try to avoid litigation, with no reportable action taken. During the second Closed Session, City Council received a report from Legal Counsel, and unanimously (with Kang and Fasana absent) directed the City Attorney's office to pursue settlement of that matter, and if successful, stated a settlement agreement will be brought back to City Council in open session.

SPECIAL ITEMS

Recognition – 100th Birthday
Eulanda Francescangeli

Cesar Monsalve introduced Eulanda Francescangeli, and presented information about her life. Mayor Reilly presented her with a certificate and cake in recognition of her 100th birthday, and congratulations were extended.

Non-Business Agenda Items
(SB 751)

Slater described SB 751 regarding the Brown Act and recording votes in the Minutes, stated the City is in compliance, and suggested non-business items be closed by the Mayor without a motion and second. Finlay moved, Paras-Caracci seconded to approve the recommendation that non-business items be closed by the Mayor without a motion and second, and carried with Fasana absent.

ANNOUNCEMENTS

Battalion Chief Jim Enriquez, L.A. County Fire Department, Station 44, stated it is an honor to serve Duarte, wished all happy holidays, and presented gifts to the City Council.

Joanna Gee, Duarte Library, announced upcoming events, story times, and programs in December.

Martin Heithe announced boutique and bake sale fundraiser for Skills USA on December 21.

Tyler Spicer, Royal Oaks Elementary School, announced holiday program at the PAC on December 11.

Dr. Barbara Dickerson, Citrus College, introduced herself as the new Area 1 representative.

Karen Herrera announced upcoming community events, meetings, and programs for December and January.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda.

Brian Villalobos – Sgt. John Carter and Sgt. Tony Haynes.

CONSENT CALENDAR

Finlay moved, Paras-Caracci seconded to approve the Consent Calendar as follows, and carried with Fasana absent.

Approve Items A, B, C, D, E, I.

Receive and File Item F, G, H.

ITEMS REMOVED

Item F – Hayden Child Care
Request for co-sponsorship

Representatives from Santa Teresita described the 5K Run and fundraising benefits, and asked for City Council approval of the City's co-sponsorship of the event.

Item F – Approved

Finlay moved, Paras-Caracci seconded to approve the request from Hayden Child Care for City of Duarte co-sponsorship of the Hayden 5K event on March 8, 2014, and carried with Fasana absent.

Item G – Council Bill 13-O-05
Duarte Station Specific Plan
(Second Reading)
Ordinance No. 843

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) (Second Reading)

Item H – Council Bill 13-O-06
Zone Change 13-1
(Second Reading)
Ordinance No. 844

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)

Lino Paras inquired about cost of report, property acquisition plan, and if the owners were invited.

Ron Phadnis discussed his Planning Commission vote, comments, and recommendations, and provided handouts.

Craig Hensley provided information to City Council about cost of report, Metro grant, unavailability of funds for acquisition plan, and eminent domain, and stated the notice of hearing was mailed to the property owners in that area.

Items G and H – Approved
ORDINANCE NO. 843
ORDINANCE NO. 844

Finlay moved, Kang seconded to approve Items G and H (Ordinance No. 843 and Ordinance No. 844), and carried with Fasana absent.

BUSINESS ITEMS
City Commission appointments

Paras-Caracci moved, Kang seconded to approve the following appointments to City Commissions, and carried with Fasana absent. All Commission terms expire December 31, 2017, with the exception of the resident position on the Public Safety Commission, which will expire December 31, 2015.

Planning – William Lawrence, Sheryl Lefmann, Allen Kelinsky.

Traffic Safety – Jim Kirchner, Frank Haynes, Jack Ochoa.

Public Safety – Kevin Costa (resident), Carol Haynes (Chamber representative), Mitchell Skinner (L.A. County representative).

Parks and Recreation – Eddie Howard, Kirsten Nielsen (senior citizen representative).

Economic Development – Christopher Doyle (resident), Nick Zigic (resident), Lisa Magno (business owner/operator).

Public Services – Pattie Dalessandro, Swati Puri.

Intergovernmental organizations

Finlay moved, Paras-Caracci seconded to approve the following appointments to intergovernmental organizations, and carried with Fasana absent.

Area “D” Emergency Services

City Manager – Representative

Full Council – Alternates

California Contract Cities

Liz Reilly – Delegate

Margaret Finlay – Alternate

City Selection Committee (County)

Margaret Finlay – Delegate

Liz Reilly – Alternate

Community Education Council

Tzeitel Paras-Caracci – Representative

Samuel Kang – Alternate

Duarte Community Service Council

Samuel Kang – Representative

Tzeitel Paras-Caracci – Alternate

Duarte Education Foundation

Margaret Finlay – Representative

John Fasana – Alternate

Foothill Employment and Training Consortium

Samuel Kang – Delegate

Tzeitel Paras-Caracci – Alternate

Foothill Transit Zone

Tzeitel Paras-Caracci – Delegate

Samuel Kang – Alternate

Gold Line Phase II JPA

Liz Reilly – Member

Tzeitel Paras-Caracci – Alternate

Joint Powers Insurance Authority

Margaret Finlay – Director

City Manager/Full Council – Alternates

League of California Cities

John Fasana – Delegate

Full Council – Alternates

San Gabriel Valley Council of Governments

John Fasana – Governing Board Representative

Margaret Finlay – Alternate Governing Board Representative

San Gabriel Valley Economic Partnership

Samuel Kang – Representative

Full Council – Alternates

San Gabriel Valley Vector Control District

Margaret Finlay – Representative

Sanitation Districts #15 and #22

Liz Reilly – Delegate

Margaret Finlay – Alternate

Southern California Association of Governments

Margaret Finlay – Representative

Full Council – Alternates

Burrtec rate adjustment and
Amendment No. 5

Kristen Petersen presented a staff report about the Burrtec rate adjustment and Amendment No. 5 to the Burrtec Agreement, which is a clarification of language to give Burrtec the ability to negotiate tipping fees for the City's waste stream, and stated the rate adjustment is in compliance with the contract.

Lino Paras discussed Montebello rates, and stated he endorses Burrtec for approval of the rate adjustment.

Richard Niño, Burrtec Waste Services, answered questions from Councilmembers pertaining to recycling containers, green waste, discounted rate, landfill contract, and staying competitive.

Finlay moved, Paras-Caracci seconded to approve the annual Burrtec refuse collection and recycling rates, as outlined in the staff report, effective January 1, 2014, per staff recommendation, and approved Amendment No. 5 to the Agreement, and carried with Fasana absent.

Facility Rental Fee – Royal Oaks
Park Building

Cesar Monsalve presented a staff report about the recommendation to reduce the fees and deposit amount for rental of the Royal Oaks Park Building, and answered questions from Councilmembers pertaining to baseline rental fees. Monsalve stated the proposed fees are \$90 first hour/\$35 each additional hour for residents; \$180 first hour/\$70 each additional hour for non-residents; \$150 security deposit and estimated \$81 insurance fee for residents and non-residents, and the fees would become effective once a new rate resolution is adopted.

Paras-Caracci moved, Finlay seconded to approve staff's recommendation to reduce the fees and deposit amount to rent the Royal Oaks Park Building, as outlined in the staff report, and carried with Fasana absent.

Audited Financial Statements
Fiscal Year 2012-2013

Kristen Petersen provided a staff report about the audited financial statements for fiscal year 2012-13, and answered questions from Councilmembers.

Lino Paras inquired about audit fee, stated it is not a clean opinion, and questioned changes in the City's net position.

Finlay moved, Paras-Caracci seconded to receive and file the audited financial statements for the fiscal year ended June 30, 2013, and carried with Fasana absent.

ORAL COMMUNICATIONS
(Continued)

The following spoke on items not on the Agenda.

Steve Hernandez – Burrtec, staff, Council.

Jack Ochoa – Toy donations, polls.

Lino Paras – Website, Nextdoor, eminent domain.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

GEORGE: Wished all happy holidays.

KANG: Wished all happy holidays.

PARAS-CARACCI: Stated she enjoyed the tree lighting ceremony, suggested a strategic planning workshop be conducted, wished all happy holidays, and stated she is looking forward to welcoming her new baby boy.

FINLAY: Stated a resident told her Duarte streets are impeccable and there are no potholes, and wished all happy holidays.

REILLY: Inquired about the status of the Las Lomas retaining wall (Hensley responded), stated she would like to agendize a discussion about the creation of an ad hoc TOD committee pertaining to the Gold Line to include transportation and bike trails, shared her holiday celebration memories, and wished all happy holidays.

ADJOURNMENT

Finlay moved, Kang seconded to adjourn the meeting at 9:40 p.m., and carried with Fasana absent.

Mayor Elizabeth Nowak Reilly

ATTEST:

City Clerk

BOARD OF EDUCATION

Ken Bell
Reyna Diaz
Douglas Edwards
Pam Kawasaki
Tom Reyes



DUARTE UNIFIED SCHOOL DISTRICT

1620 HUNTINGTON DRIVE, DUARTE, CA 91010
Phone (626) 599-5000 - Fax (626) 599-5069

RECEIVED

DEC 17 2013

CITY OF DUARTE

December 13, 2013

Kristen Petersen, Assistant City Manager/
Agency/Housing Authority Assistant Executive Director and
Director of Administrative Services
City of Duarte
1600 Huntington Drive
Duarte, CA 91010

Dear Ms. Petersen:

The Duarte Unified School District is pleased to announce that at its Organizational Meeting of December 12, 2013, the Board of Education appointed Mr. Kenneth Bell as Representative to serve on the City of Duarte Parks and Recreation Commission.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Terry Nichols". The signature is fluid and cursive.

Terry Nichols, Ed.D.
Superintendent

TN/mr

cc: Kenneth Bell
Karen Herrera, City of Duarte

BOARD OF EDUCATION

Ken Bell
Reyna Diaz
Douglas Edwards
Pam Kawasaki
Tom Reyes



DUARTE UNIFIED SCHOOL DISTRICT

1620 HUNTINGTON DRIVE, DUARTE, CA 91010
Phone (626) 599-5000 - Fax (626) 599-5069

RECEIVED

DEC 17 2013

CITY OF DUARTE

December 13, 2013

Darrell George, City Manager
City of Duarte
1600 Huntington Drive
Duarte, CA 91010

Dear Darrell,

The Duarte Unified School District is pleased to announce that at its Organizational Meeting of December 12, 2013, the Board of Education appointed Mr. Tom Reyes as Representative to serve on the City of Duarte Public Safety Commission.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Terry Nichols".

Terry Nichols, Ed.D.
Superintendent

TN/mr

cc: Tom Reyes
Karen Herrera, City of Duarte

MEMORANDUM

TO: City Council

FROM: Public Services Commission

DATE: January 9, 2014

SUBJECT: Commission Reorganization



At the regular meeting of the Public Services Commission held on Wednesday, January 8, 2014, the Commission reorganized as follows:

Chairperson – Carol Ciminelli
Vice Chairperson – Pattie Dalessandro



AGENDA MEMO

TO: CITY COUNCIL

FROM: Karen A. Herrera, Deputy City Manager

SUBJECT: Duarte Relay for Life 2014 Co-Sponsorship Request

DATE: 1/8/14

RECOMMENDATION: That the Duarte City Council, by motion, co-sponsor the Duarte Relay for Life 2014 on May 3 and 4, 2014 at Northview Intermediate School.

BACKGROUND: The Duarte Relay for Life 2014 committee led by Sheryl Lefmann is requesting that the City of Duarte officially co-sponsor the upcoming 5th Annual Duarte Relay for Life event taking place at Northview Intermediate School at 1401 Highland Ave on May 3 and 4, 2014. Participants of the event will honor cancer survivors and pay tribute to lives lost by the disease while striving to raise \$30,000. Last year more than 16 teams participated in raising more than \$26,000 for the fight against cancer.

Teams will maintain a 24-hour community presence, camping out overnight on the School field. The event will feature food, games, tributes and fellowship with every penny earned going toward cancer research. The City of Duarte itself is sponsoring a youth team consisting of representatives from Duarte's Promise; The Alliance for Youth, Northview's Cardinals Helping Youth Live Life (C.H.Y.L.L.) and Duarte Area Resource Team (D.A.R.T.), who will be gathering donations by selling "Feet" and Luminaries which represent people who have been diagnosed, died, or have beaten cancer.

DISCUSSION: The Duarte Relay for Life event has helped support cancer research in the community for close to five years. In terms of co-sponsorship, the City will provide volunteers, a youth team, access to City marketing venues, website, etc. which generally comes with a co-sponsorship designation, and the committee will also conduct their regular team meetings in the Community Center Lounge.

FISCAL IMPACT: None



MEMORANDUM

TO: Mayor and City Council
FROM: Craig Hensley, Community Development Director 
DATE: January 14, 2014
SUBJECT: Contract with Kosmont Companies for Real Estate Advisory Services related the Development of Properties Near the Intersection of Buena Vista Street and Huntington Drive and a Related Budget Amendment

Staff recommends that the City Council approve a \$25,000 budget amendment to the 2013-2014 FY Budget and authorize the City Manager to execute a standard professional services agreement with Kosmont Companies for Real Estate Advisory Services to assist Staff in negotiations with the Charles Company for the development of a mixed use project near the intersection of Buena Vista Street and Huntington Drive.

For the past several months, Staff has been working with the Charles Company in an attempt to develop: the vacant Successor Agency and Housing Authority properties on the north side of Huntington Drive along with a redevelopment of the Big Lots Shopping Center. The plan for development arose from discussions by the Town Center Ad Hoc Committee that had been discussing development of the area several months ago.

Progress has been very difficult as a result of the State's control over successor agency properties activity and the numerous unknown issues related to the conditions of the sale of these properties. Also, the Charles Company has informed Staff that significant subsidy may be needed if full redevelopment of the Big Lots Center is a part of a project.

The Kosmont Companies have extensive experience in developing and analyzing detailed development pro formas and are fully prepared to provide assistance in implementing Long Range Property Management Plans. For this project, Kosmont Companies would: evaluate the pro forma provided by the Charles Company; determine if alternative development characteristics could make a more feasible project, develop an alternative pro forma and development alternative, if necessary. The value in the proposed approach is that the City could use the resulting information to recruit new developers if the Charles Company is not able to move forward.

The contract is for services at an hourly basis not to exceed \$25,000.



December 9, 2013

Mr. Craig Hensley, AICP
Community Development Director
City of Duarte
1600 Huntington Drive
Duarte, CA 91010

Re: Proposal for Real Estate Advisory Services related to the proposed development of property located at the intersection of Buena Vista Street and Huntington Drive

Dear Mr. Hensley:

Kosmont & Associates, Inc. doing business as Kosmont Companies ("Consultant" or "Kosmont") is pleased to present this proposal for real estate advisory consulting services to the City of Duarte ("Client", "City") in connection with the financial analysis evaluation ("Project") for the proposed development of the property ("Property") located at the northeast corner of Buena Vista St and Huntington Drive in the City of Duarte, CA. This proposal serves as an Agreement.

I. BACKGROUND AND OBJECTIVE

Kosmont understands that the City has been approached by representatives from the Charles Company ("Developer") in regards to development of the Property, which consists of parcels owned by the former Redevelopment Agency in addition to other privately-owned parcels. The Developer has submitted a pro forma analysis to the City which identifies a gap of approximately \$1.5 million dollars when expected development costs are compared to expected completion value.

The City desires assistance with evaluating the pro forma analysis submitted by Developer, in addition to determining if there is an alternative development project that the City may want to consider for the Property.

II. SCOPE OF SERVICES

The major tasks to be performed by Consultant that will comprise this assignment are described as follows:

Task 1: Evaluate and Review Charles Company Pro Forma

Consultant will evaluate the pro forma submitted by the Developer to the City. Assumptions in the pro forma will be analyzed to determine that they are in-line with current market data obtained by the Consultant. The existing pro forma gap will be specifically assessed to determine if City funding assistance is required for the development project as proposed.

Task 2: Determine if Increased Allowable Density Positively Impacts Funding Gap

Consultant will determine the value created through the increase in allowable density for this development compared with typical allowable densities of other projects in the City. The identified value creation as a result of increased density will be compared to the project gap to help determine if the City's assistance on increased density is sufficient to address the gap, and whether the Developer has ascribed a sufficient level of benefit to the allowable density

Task 3: Independently Evaluate Development Alternative(s)

Consultant will conduct an independent of the evaluation of alternative developments for the Property. The purpose of this evaluation will be to determine if there is another acceptable development program that preferably requires less or no financial assistance from the City, while still achieving the City's goals for the Property.

III. SCHEDULE AND REQUIRED DATA

Consultant is prepared to commence work immediately upon receipt of authorization Client will provide Consultant with all existing project data including prior developer submittals, proformas completed for the project, prior consultant review and analysis, city PMPM and related material.

IV. COMPENSATION

Compensation for tasks 1 through 3 will be on a time and materials basis up to \$25,000. Further increases, if necessary, will require approval by Client in advance.

Services for tasks 1 through 3 will be invoiced monthly at Consultant's standard billing rates, as shown on Attachment A.

In addition, invoices will include reimbursement for out-of-pocket expenses such as travel and mileage (provided that there shall be no overnight travel without the Client's prior approval and that mileage shall be reimbursed at Kosmont's normal mileage reimbursement rate of 56.5 cents per mile), professional printing, conference calls, and

delivery charges for messenger and overnight packages at actual cost. Out-of-state travel requires advance funding of flights and hotel accommodations.

Consultant will also include in each invoice an administrative services fee to cover in-house copy, fax, telephone and postage costs equal to four percent (4.0%) of Consultant's monthly professional service fees incurred. Any unpaid invoices after 30 days shall accrue interest at the rate of 10% per annum.

V. OTHER PROVISIONS

A. Termination. Client or Consultant shall have the right to terminate this Agreement at any time upon written notification to the other party. Payment for fees accrued through the date of termination shall be remitted in full.

B. Arbitration. Any controversy or claim arising out of or in relation to this Agreement, or the making, performance, interpretation or breach thereof, shall be settled by arbitration at JAMS in Los Angeles, California. Each of the parties to such arbitration proceeding shall be entitled to take up to five depositions with document requests. The provisions of Section 1283.05 (except subdivision (e) thereof) of the California Code of Civil Procedure are incorporated by reference herein, except to the extent they conflict with this Agreement, in which case this Agreement is controlling. If the matter is heard by only one arbitrator, such arbitrator shall be a member of the State Bar of California or a retired judge. If the matter is heard by an arbitration panel, at least one member of such panel shall be a member of the State Bar of California or a retired judge. The arbitrator or arbitrators shall decide all questions of law, and all mixed questions of law and fact, in accordance with the substantive law of the State of California to the end that all rights and defenses which either party may have asserted in a court of competent jurisdiction shall be fully available to such party in the arbitration proceeding contemplated hereby. The arbitrator and arbitrators shall set forth and deliver their findings of fact and conclusions of law with the delivery of the arbitration award. Judgment upon the award rendered shall be final and non-appealable and may be entered in any court having jurisdiction.

C. Attorneys' Fees. In the event of any legal action, arbitration, or proceeding arising out of an alleged breach of this Agreement, the party prevailing in such legal action, arbitration, or proceeding shall be entitled to recover reasonable attorneys' fees, expenses and costs, as well as all actual attorneys' fees, expenses and cost incurred in enforcing any judgment entered.

D. Authority. Each of the parties executing this Agreement warrants that persons duly authorized to bind each such party to its terms execute this Agreement.

E. Further Actions. The parties agree to execute such additional documents and take such further actions as may be necessary to carry out the provisions and intent of this Agreement.

F. Assignment. Neither this Agreement nor any of the rights or obligations hereunder may be assigned by either party without the prior written consent of the other party.

G. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

H. Entire Agreement; Amendments and Waivers. This Agreement contains the entire agreement between the parties relating to the transactions contemplated hereby and any and all prior discussions, negotiations, commitments and understanding, whether written or oral, related hereto are superseded hereby. No addition or modification of any term or provision of this Agreement shall be effective unless set forth in writing signed by both parties. No waiver of any of the provisions of this Agreement shall be deemed to constitute a waiver of any other provision hereof (whether or not similar), nor shall such waiver constitute a continuing waiver of such provisions unless otherwise expressly provided. Each party to this Agreement has participated in its drafting and, therefore, ambiguities in this Agreement will not be construed against any party to this Agreement.

I. Severability. If any term or provision of this Agreement shall be deemed invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and each remaining term and provision of this Agreement shall be valid and in force to the fullest extent permitted by law.

J. Notices. All notices, requests, demands and other communications which may be required under this Agreement shall be in writing and shall be deemed to have been received when transmitted; if personally delivered, if transmitted by telecopier, electronic or digital transmission method, upon transmission; if sent by next day delivery to a domestic address by a recognized overnight delivery service (e.g., Federal Express), the day after it is sent; and if sent by certified or registered mail, return receipt requested, upon receipt. In each case, notice shall be sent to the principal place of business of the respective party. Either party may change its address by giving written notice thereof to the other in accordance with the provisions of this paragraph.

K. Titles and Captions. Titles and captions contained in this Agreement are inserted only as a matter of convenience and for reference and in no way define, limit, extend or describe the scope of this Agreement or the intent of any provision herein.

L. Governing Law. The statutory, administrative and judicial law of the State of California (without reference to choice of law provisions of California law) shall govern the execution and performance of this Agreement.

M. Confidentiality. Each of the parties agrees not to disclose this Agreement or any information concerning this Agreement to any persons or entities, other than to their attorneys and accountants, or as otherwise may be required by law.

N. Counterparts. This Agreement may be executed in one or more counterparts, each of which constitutes an original, and all of which together constitute one and the same instrument. The signature of any person on a telecopy of this Agreement, or any notice, action or consent taken pursuant to this Agreement shall have the same full force and effect as such person's original signature.

O. Disclaimer. Consultant's financial analysis activities and work product, which includes but is not limited to pro forma analysis and tax projections, are projections only. Actual results may differ materially from those expressed in the analysis performed by Consultant due to the integrity of data received, market conditions, economic events and conditions, and a variety of factors that could materially affect the data and conclusions. Client's reliance on Consultant's analysis must consider the foregoing.

Consultant services outlined and described herein are advisory services only. Any decisions or actions taken or not taken by Client and affiliates, are deemed to be based on Client's understanding and by execution of this Agreement, acknowledgement that Consultant's services are advisory only and as such, cannot be relied on as to the results, performance and conclusions of any investment or project that Client may or may not undertake as related to the services provided including any verbal or written communications by and between the Client and Consultant

Client acknowledges that Consultant's use of work product is limited to the purposes contemplated within this Agreement. Consultant makes no representation of the work product's application to, or suitability for use in, circumstances not contemplated by the scope of work under this Agreement.

P. Limitation of Damages. In the event Consultant is found liable for any violation of duty, whether in tort or in contract, damages shall be limited to the amount Consultant has received from Client.

Q. Expiration of Proposal for Services. If this Agreement is not fully executed by the parties within thirty (30) days from the date of this letter, this proposal shall expire.

R. Not an agreement for Legal Services or Legal Advice. This Agreement does not constitute an agreement for the performance of legal services or the provision of legal advice, or legal opinion. Client should seek independent legal counsel on matters for which Client is seeking legal advice.

[SIGNATURE PAGE TO FOLLOW]

VI. ACCEPTANCE AND AUTHORIZATION

If this Agreement is acceptable to Client, please execute two copies of the Agreement and return both originals to Kosmont Companies. Upon receipt of both signed contracts, we will return one fully executed original for your files. Kosmont will commence work upon receipt of executed Agreement.

Read, understood, and agreed to this

_____ Day of _____ 2013

City of Duarte

By: _____
(Signature)

Name: _____
(Print Name)

Its: _____
(Title)

Kosmont & Associates, Inc.
doing business as "Kosmont Companies"

By: _____
(Signature)

Name: Larry J. Kosmont, CRE

Its: President & CEO

ATTACHMENT A

Kosmont Companies 2013-2014 Public Agency Fee Schedule

Professional Services

President & CEO	\$295.00/hour
Partner/Senior Vice President/Senior Consultant	\$225.00/hour
Vice President/Associate	\$185.00/hour
Project Analyst / Project Manager	\$150.00/hour
GIS Mapping/Graphics Service/Research	\$ 95.00/hour
Clerical Support	\$ 60.00/hour

- **Additional Expenses**

In addition to professional services (labor) fees:

- 1) An **administrative fee** for in-house copy, fax, phone and postage costs will be charged, which will be computed at four percent (4.0 %) of monthly Kosmont Companies professional service fees incurred; **plus**
- 2) **Out-of-pocket expenditures**, such as travel and mileage, professional printing, and delivery charges for messenger and overnight packages will be charged at cost.

- **Charges for Court/Deposition/Expert Witness-Related Appearances**

Court-related (non-preparation) activities, such as court appearances, depositions, mediation, arbitration, dispute resolution and other expert witness activities, will be charged at a court rate of 1.5 times scheduled rates, with a 4-hour minimum.

Rates shall remain in effect until December 31, 2014.



MEMORANDUM

TO: Mayor and City Council
FROM: Craig Hensley, Community Development Director 
DATE: January 14, 2014
SUBJECT: Contract with RKA Consulting Group for Professional Engineering For Royal Oaks Drive Traffic Calming Study and a Related Budget Amendment

Staff recommends that the City Council approve a \$16,200 budget amendment to the 2013-2014 FY Budget and authorize the City Manager to execute a standard professional services agreement with RKA Consulting Group for a traffic calming study for Royal Oaks Drive. The study area will extend from Buena Vista Street to Mount Olive Drive.

The speed of traffic along Royal Oaks Drive and the related safety issues have been a problem for some time. In the past few months, there has been additional concern generated about this issue and at its November 5 meeting, the Traffic Commission discussed the item. At the meeting, several neighborhood residents attended and provided input on problems that they were having with speeding, unsafe conditions and accidents.

The Commission recommended that a Traffic Calming Study be performed to develop an action plan to mitigate the traffic problems long the corridor. Staff contacted two traffic engineering firms that specializes in traffic calming and requested proposals. The two firms that supplied proposals were Fehr & Peers and RKA Consulting Group. The RKA Consulting Group proposal was at a significantly lower cost and Staff feels comfortable with RKA's ability to completed the job. RKA completed the Mount Olive Drive traffic calming project for the City of Bradbury.

The project will include: traffic counts at four locations along the corridor, development of a preliminary traffic calming plan, public workshop meeting with the public and the Traffic Safety Commission and a presentation to the City Council. An eight week time frame is expected.



December 18, 2013

Mr. Craig Hensley
Community Development Director
City of Duarte
1600 Huntington Drive
Duarte, CA 91010

**RE: PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES FOR
ROYAL OAKS DRIVE TRAFFIC CALMING PLAN; CITY OF DUARTE**

Dear Mr. Hensley:

RKA Consulting Group is pleased to submit to you our proposal to provide professional engineering services for the preparation of a traffic calming plan for Royal Oaks Drive between Buena Vista Street and Mount Olive Drive in the City of Duarte. Please note that the scope of work below and associated fee proposal does not include data collection, as it is understood that this information will be provided to RKA from the City's traffic data collection vendor consultant.

Scope of Work

Task 1: Research and Data Review

- Request necessary as-built plans of Royal Oaks Drive from the City of Duarte.
- Conduct a field review of the project limits to confirm the data collected by the City is consistent with what is to be expected for the road.

Task 2: Preliminary/Revised Traffic Calming Plan

- Measures for the corridor, which include: signage, striping, bulb-outs/neck downs, etc.
- Prepare a stop sign study for the corridor.
- The conceptual exhibit of traffic calming measures will be presented to City staff. The exhibit will consist of a plan view of the corridor prepared from City as-builts and images of the suggested measures.
- Upon concurrence by City staff of the conceptual measures, RKA will attend a community meeting, where the proposed measures will be displayed.
- Feedback received from this meeting will be incorporated into the revised traffic calming plan.

Task 3: Traffic Safety and City Council Presentations

- RKA will attend both a traffic safety meeting and a City Council meeting to present the final recommended traffic calming measures.

Optional Tasks

The following tasks are not included in the base proposal, however, are provided for consideration by the City.

Optional Task A: Specification Preparation

- RKA will prepare project specifications based upon City standards and the most recent “Greenbook” to be utilized for bidding the project for construction.

Project Deliverables

- Conceptual/ revised traffic calming plan (24” x 36”)
- Attendance at the following meetings:
 - One City staff meeting
 - One community meeting organized by City staff
 - One Traffic Safety Committee meeting
 - One City Council meeting

Fee Proposal

RKA proposes to provide these services for a total not-to-exceed fee of \$16,140.00. An hourly rate breakdown is attached, which also includes fees for optional tasks.

We appreciate the opportunity to provide this proposal and look forward to working with you on this project. If you should have any questions, please do not hesitate to contact one of us at (909) 594-9702 or by email at sloriso@rkagroup.com or dgilbertson@rkagroup.com.

Sincerely,



Steve R. Loriso, P.E.
Vice President/Director of Engineering



David G. Gilbertson, P.E., P.L.S., T.E.
Executive Vice President/Traffic Engineer



City of Duarte
 Traffic Calming Plan
 Royal Oaks Drive
 December 18, 2013

	Traffic Engineer \$170/hr	Senior Engineer \$140/hr	Project Engineer \$115/hr	Reimbursable Expenses	Total Fee
Task 1 - Research and Data Review	4	10	12	\$0	
Task 2 - Preliminary/Revised Traffic Calming Plan	8	22	20	\$250	
Task 3 - Traffic Safety and City Council Presentations	8	16	16	\$250	
Subtotal Hours	20	48	48		
Subtotal Fee	\$ 3,400	\$ 6,720	\$ 5,520	\$500	\$ 16,140
Total Fee (not including optional tasks)					\$16,140
Optional Tasks					
Task A - Specification Preparation	1	8	6	0	
Optional Tasks Subtotal	1	8	6	0	
Optional Tasks Subtotal Fee	\$ 170	\$ 1,120	\$ 690	\$0.00	\$ 1,980
Total Fee for Optional tasks					\$ 1,980

RECEIVED

DEC 30 2013

CITY OF DUARTE

MEMORANDUM



TO: CITY COUNCIL

FROM: COMMISSIONER LISA MAGNO

SUBJECT: NOTICE OF ABSENCE FROM ECONOMIC DEVELOPMENT COMMISSION MEETING

DATE: 12/30/13

REASON FOR ABSENCE:

ACCIDENT
 VACATION
 OTHER*
 SICKNESS
 DEATH IN FAMILY

DATE OF MEETING ABSENCE 1/8/14

* EXPLANATION OF ABSENCE I will be attending a conference on Senior Issue - Elder Abuse

Lisa Magno
SIGNATURE

ABSENCE NOTED BY CITY COUNCIL

DATE



MEMORANDUM

TO: Mayor and City Council
FROM: Craig Hensley, Community Development Director 
DATE: January 14, 2014
SUBJECT: Approval for Award of Bid to Sea Clear Pools for Pool Filters for the Duarte Fitness Center Pools in the Amount of \$88,752.79

Staff requests that the City Council approve, and authorize the City Manager to sign, a contract with Sea Clear Pools, in the amount of \$88,752.79, to install new filters at the Fitness Center pools. This item was included in the FY 2013-14 Budget and \$105,000 was budgeted; so this bid is far below the project estimate.

The scope of work consists of furnishing all materials, equipment, tools, permits, shop drawings, design/sizing calculations, labor and incidentals as required for the removal of the existing pool filters, replacement and installation of new pool filters. The proposed improvements shall be installed per Los Angeles County Department of Public Health (LACDPH), California Building, Plumbing, Electrical and Mechanical Code Requirements. In addition, the proposed improvements shall be fully operational (turn-key) and warrantied from the Notice of Completion.

The Contractor, Sea Clear Pools is the sole bidder on the project as it is the only regional vendor for the needed filter equipment. Additional justification for the single bid is because the lead time to order the filter equipment for this project requires immediate action, therefore, the process is designated as an emergency (per Chapter 2.36.050.e) as the equipment is needed prior to official pool opening this year. Sea Clear Pools has completed several pool related projects for the City in the past and has a record of quality work. Tentative project completion is March 15, 2014.

MEMORANDUM

TO: Mayor and Councilmembers
FROM: Darrell J. George, City Manager
DATE: January 9, 2014
SUBJECT: Conference Attendance – City Council Meeting of January 14, 2014

YMCA of Metropolitan Los Angeles
43rd Annual Dr. Martin Luther King, Jr., Brotherhood Breakfast
Brotherhood Award Recipient Hilda L. Solis
January 17, 2014, 7:40 a.m. – 9:30 a.m.
Millennium Biltmore Hotel, 506 S. Grand Avenue, Los Angeles
\$28 per person

L.A. County Economic Development Corporation
2014-15 Economic Forecast & Industry Outlook
February 19, 2014; 7:00 a.m. – 10:30 a.m.
LA Hotel Downtown, 333 S. Figueroa, Los Angeles
\$95 per person (member rate)



ACHIEVING OUR DREAMS TOGETHER

The Board of Directors of the
YMCA of Metropolitan Los Angeles requests
the pleasure of your company at the

43rd Annual Dr. Martin Luther King, Jr. Brotherhood Breakfast

Keynote Speaker
Sandy Banks
Los Angeles Times Columnist

Brotherhood Award Recipient
Honorable Hilola L. Solis
Former U.S. Secretary of Labor

Friday, January 17, 2014
7:40 – 9:30 am

Millennium Biltmore Hotel
595 S Grand Avenue, Los Angeles

Reply card attached. Please respond by January 9.
For more information, please call 213.687.2469 or email
web@ymcaofla.org

Please hold _____ places for my guests for the

43rd Annual Dr. Martin Luther King, Jr. Brotherhood Breakfast

Millennium Biltmore Hotel, Los Angeles
Friday, January 17, 7:40 – 9:30 am

Name _____

Company _____

Email Address _____

Mailing Address _____

City/Zip _____

YMCA Branch Affiliation _____

BREAKFAST \$28 TABLES OF 8 \$224 TABLES OF 10 \$280

RSVP by January 9. Make check payable to YMCA.
Tickets will be mailed for reservations received before January 9.
All seats reserved.

YMCA OF METROPOLITAN LOS ANGELES
625 S New Hampshire Avenue
Los Angeles, CA 90005



LAEDC Annual Economic Forecast & Industry Outlook

February 19, 2014

LA Hotel Downtown

7:00-8:00am | Networking Breakfast

8:00-10:30am | Speaker Program & Forecast

Location:

LA Hotel Downtown

333 S. Figueroa

Los Angeles, CA 90071

[Learn More / Register / Sponsor](#)

Pricing: incl. continental breakfast and the Economic Forecast Report on flashdrive

Early Bird rate ends NOON on Jan 29. Last day to buy tickets/tables is Friday, Feb 14 at 1pm.

Early Bird Ticket	\$125
Members/Consulates/Nonprofits – Individual	\$95
Early Bird Table (tables seat ten)	\$1,000
Members/Consulates/Nonprofits – Table (seats ten)	\$750
Regular Ticket (Non-early bird pricing)	\$155
Regular Table (Non-early bird pricing) (seats ten)	\$1,350
Day of Event Ticket	\$170
Exhibit Space – Includes admission for one, 6' draped table	\$250

Featuring Innovation In Healthcare



Speakers:



Robert A. Kleinhenz, Ph.D. - Chief Economist
Kyser Center for Economic Research at LAEDC
presenting the Economic Forecast & Industry Outlook,
with a focus on the Los Angeles region

Thomas M. Priselac, President and CEO,
Cedars-Sinai Health System Los Angeles
presenting on Healthcare Delivery and Healthcare
Innovation



Tad Rivelle, Chief Investment Officer,
Trust Company of the West (TCW)
presenting on Financial Markets and Unintended Impacts of
Fed Policy

Frank Mottek, Anchor, Business Hour,
KNX 1070 Newsradio
Event moderator



Register Today! <http://laedc.org/annual-economic-forecast/>

Duartean and Duartean Dispatch

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626-962-8811 ext. 40918
sue.glynn@sgvn.com

5007700

CITY OF DUARTE
1600 E. HUNTINGTON DRIVE
DUARTE CA 91010

FILE NO. notice-ph-cdbg-jan 2014

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

**STATE OF CALIFORNIA
County of Los Angeles**

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

12/26/2013

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

Executed at West Covina, LA Co. California
On this 27th day of December, 2013.



Signature

(Space below for use of County Clerk Only)

Legal No. **0010461948**

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Duarte will conduct a public hearing on Tuesday, January 14, 2014, at 7:00 p.m. in the Council Chambers, 1600 Huntington Drive, Duarte, California.

The City Council will solicit input regarding the use of the City of Duarte's Community Development Block Grant (CDBG) funding allocations for Fiscal Year 2014-2015 (July 1, 2014 - June 30, 2015). The City anticipates receiving an allocation of \$139,997 in CDBG funds from the Los Angeles Community Development Commission, and additional CDBG funding granted from the City of Bradbury estimated at \$3,918, for fiscal year 2014-2015.

Any interested party may appear in person, or by agent, and be heard. If this matter is challenged in Court, there will be a limit to only those issues that were raised at the Public Hearing described in this Notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing. Written correspondence may be sent to Duarte City Hall, City Clerk's Office, 1600 Huntington Drive, Duarte, CA 91010. Further information may be obtained from Irma Hernandez, Community Development Department, at 626-357-7931. Si usted quiere hacer un comentario o quiere mas información sobre esta noticia, usted puede llamar a Irma Hernandez al numero (626) 357-7931.

Marla Akana
City Clerk

PUBLISH: Duartean, December 26, 2013

POSTED: December 19, 2013
Duarte City Hall
Duarte Public Safety Office
Duarte Library
City Website

**Publish: December 26, 2013
The Duartean Ad#461948**



MEMORANDUM

To: Honorable Mayor and Councilmembers

From: Irma Hernandez, Senior Planner

Date: January 14, 2014

Subject: Community Development Block Grant Program (CDBG) Budget for Fiscal Year 2014-2015 (July 1, 2014 – June 30, 2015)

RECOMMENDATION

Staff recommends that the City Council:

1. Allocate \$139,997 in CDBG funding to complete ADA Curb Ramps and ADA Accessible Parking Stalls/Curb Ramp for City Hall;
2. Authorize the City Manager to execute an agreement with the City of Bradbury to accept its FY 2014-2015 CDBG allocation of approximately \$3,918, at no cost to the City of Duarte, for use on a ADA curb ramp (or similar project that would mutually benefit both cities) with terms and forms deemed acceptable to the City Manager and City Attorney; and
3. Include language giving staff the ability to make adjustments to projects, due to final funding allocations and/or as needed due to programmatic interpretations by LACDC.

BACKGROUND

In 1974, Congress initiated the Community Development Block Grant Program (CDBG) as part of the Housing and Community Development Act. The mission of the CDBG Program is to improve the quality of life for people of low-moderate incomes, aid in the prevention of neighborhood deterioration and meet other urgent community development needs. The Los Angeles County, Community Development Commission (CDC) administers CDBG funding on behalf of the Los Angeles Urban County and oversees over 45 non-entitlement communities throughout the County, of which Duarte is a Participating City.

The City's grant allocation from the County is determined by a HUD formula which takes into account the extent of poverty, population, housing overcrowding, age of housing stock, and population growth. The CDC has informed all cities that CDBG allocations are being reduced approximately 2% from current funding levels. This equates to an estimated Fiscal Year 2014-2015 CDBG allocation of \$139,997. This reduction continues to be due in part to the impact of federal budget cuts to the CDBG program and changing demographics of the City.

The Community Development Commission requires participating cities to submit the proposed use of their annual CDBG allocation by January 31, 2014, including general project descriptions, budgets, with documentation of Council action and proof of public meeting notification.

ANALYSIS

Currently funded (FY 2013-2014) CDBG projects in the City include:

ADA Curb Ramps – approximately 18 curb ramps are scheduled to be upgraded - architectural barriers will be removed resulting in ADA accessible ramps at approximately nine different intersections. The project is scheduled to be completed by March 31, 2014 and is 100% CDBG funded. This project included \$3,987 in CDBG funding from the City of Bradbury at no cost to the City of Duarte.

ADA Bus Stop Improvements – The funding for this project serves to leverage other funding received from the Foothill Transit Bus Stop Enhancement Program Call for Projects (BSEP). The BSEP grant adds an additional \$35,000 to this CDBG project. The proposed bus stop enhancements include, replacement and modifications to bus shelters, benches and trash receptacles with ADA compliant ones while also creating an ADA accessible path of travel within the public right of way. This project is projected to be completed by June 30, 2015.

In Fiscal year 2012-2013, the City sold its \$143,057 CDBG allocation to the City of Torrance for \$95,848 unrestricted General Fund dollars which allowed the City more flexibility in the use of funds. Overall, the sale of CDBG funds actually had a positive net value to the City budget due to staff spending less time on burdensome CDBG administrative tasks. However, LACDC’s policy, issued on November 6, 2012, prohibits the City from selling (exchanging) our CDBG funds.

For the upcoming FY 2014-2015, it is staff’s recommendation that the City Council fund two Americans with Disabilities Act (ADA) projects. These projects will benefit the community and can realistically be administered by staff with the assistance of a CDBG consultant in a manner consistent with CDBG federal program regulations.

Table 1 - Proposed CDBG Projects and Budgets for FY 2014-2015

Project #1:	ADA Curb Ramps, Removal of Architectural Barriers <i>*This project’s overall budget includes the funding that would be received from the City of Bradbury (\$3,918).</i>	\$123,915
Project #2:	ADA Accessible Parking Stalls/Curb Ramp/Signage located within the City Hall Parking area, Removal of Architectural Barriers	\$ 20,000
*Total FY 2013-2014 CDBG Allocation		\$143,915

Note: Staff requests that the City Council’s recommendation include language giving staff the ability to make adjustments to projects, due to programmatic interpretations by LACDC and final funding allocations.



The first proposed project includes ADA access improvements by removing architectural barriers, and installing approximately 35 upgraded curb ramps at approximately 20 intersections throughout the City. The City of Bradbury will again contribute its CDBG funds for this project as it did for this current year. The design, engineering and bid documents will be prepared by City staff.

The second proposed project is similar but is focused on two ADA parking stalls and associated curb ramp at the City Hall parking lot. CDBG funds will be used for the construction costs and consultant costs. The design, engineering and bid documents will be prepared by City staff.

Conclusion

Staffs recommends the City Council hold a public hearing, and review and approve the recommended projects and funding allocations for FY 2014-2015 as described in Table 1. Once the CDBG program allocations are approved by the City Council, they will be forwarded to the LACDC for their review and approval.

