

MEMORANDUM

TO: City Council
FROM: City Manager
DATE: November 22, 2017
SUBJECT: Comments on Agenda Items, Meeting of November 28, 2017

ITEM 6. The Duarte City Council conducts its traditional annual mayoral reorganization at the second meeting of November. Tonight, the City Council will reorganize, and enjoy a congratulatory reception immediately following the Council meeting.

ITEM 10.D (Consent). After extensive discussion and review, the San Gabriel Valley Council of Governments (SGVCOG) Governing Board approved the full integration of the Alameda Corridor East Construction Authority into the COG. A first step in this integration process is the revision of SGVCOG JPA and bylaws which must be done by resolution. The new amendment also reflects additional language to protect cities from any liability associated with these new expanded construction activities. Staff recommends approval of both the resolution and accompanying amendment.

ITEM 12. This is a TEFRA hearing (Tax Equity and Fiscal Responsibility Act) for the purpose of assisting the California School of the Arts – San Gabriel Valley in its request that the California Enterprise Development Authority issue revenue obligation bonds in the amount of \$7,750,000 for the purpose of financing and refinancing the cost of acquisition, construction, development, renovation, furnishing, and equipping facilities located at 1401 Highland Avenue, with a portion of the proceeds going to pay for the costs of issuance in connection with the financing. A similar hearing was conducted and a resolution was adopted earlier this year on June 13, 2017, for the amount of \$3,000,000. The City's approval of this resolution and financing bears no cost or financial obligation, but serves a public acknowledgement of the refinancing of the facilities by the host jurisdiction. Representatives from the California School of the Arts will be in attendance to make a short presentation.

Respectfully submitted,



Darrell J. George
City Manager

MINUTES

CITY COUNCIL OF THE CITY OF DUARTE SPECIAL MEETING – NOVEMBER 13, 2017

CALL TO ORDER	The City Council of the City of Duarte met in a special meeting in the Duarte City Council Chambers, 1600 Huntington Drive, Duarte, California. Mayor Finlay called the meeting to order at 5:11 p.m.
RECORDATION OF ATTENDANCE	The following were in attendance: PRESENT: Fasana, Kang, Paras-Caracci, Reilly, Finlay ABSENT: None ADMINISTRATIVE STAFF: City Manager George, City Attorney Cosgrove, Assistant City Attorney Fenstermacher
ADOPTION OF AGENDA	Kang moved, Reilly seconded to adopt the Agenda, and carried unanimously.
PLEDGE OF ALLEGIANCE	Dilip Tiwari led the Pledge of Allegiance to the Flag.
PUBLIC HEARING Receive/discuss public comment Draft maps	George presented a brief staff report about the Public Hearing, including background, history of process, submitted maps, and procedures, and stated this is the fourth of five Public Hearings. Doug Johnson, National Demographics Corporation, displayed three seven-district maps, and discussed their configurations. Notice of the hearing was given, the affidavit is on file, and no written communications were filed on the matter. Mayor Finlay asked if there was anyone in the audience who wished to speak on the item. George Farra stated he is against Map 702 and any map with narrow long districts extending from the north to the freeway, they do not meet traditional districting criteria, presented census maps showing income distribution and educational levels, feels it favors representation from north of Royal Oaks, and the next generation may have north versus south within the districts. Henry Baltazar stated it started with five districts, nobody in Duarte came up with seven or nine districts due to the expense, we only need five Councilmembers, other cities have five Councilmembers with more population than us, it is self-interest and wrong, we are creating districts to evenly distribute our City, this will create more expenses, the public input was a lot of five connecting district maps, he hopes the attorney sees that you have gerrymandered, it shows bias, suggested to go back to five districts that the community had provided with input, and Council will have to compete with each other. Tom Reyes stated he agrees with Mr. Baltazar, it is breaking up his neighborhood, this is not for the community's interest, it is for the Council's interest, each Councilmember has their own district the way it's mapped out, stated you don't represent all

equally and equitably now, discussed bathrooms at Beardslee Park in his neighborhood and rail yard, Map 703 is not equity, it will be basically giving two votes to the south side, we don't need seven people for this little town, we need to go back to five Councilmembers, the majority of maps turned in were for five districts, and that is what we need to stick to and make work.

Dilip Tiwari stated he is in favor of five districts rather than seven for economic reasons, two more Councilmembers will add \$40,000-\$60,000 a year in expenses, in the future, the City will have more senior citizens living here with limited income, instead of spending money on them, we will be adding two more Councilmembers with their regular salary and retirement benefits, he is not in favor of seven districts, and we should go back to five districts.

Jason, Fedex, stated he is a new business owner, this City Council has been very supportive, thanked the City for what it does for business owners, there has been positive feedback, he has done business in other cities, and there is no comparison.

Donna Langley stated overall our Council does a good job, there is something wrong financially with burdening the City with \$30,000 additional cost, it is outrageous, the map does not have continuous areas, there seems to be an effort to suit the current Council by making a map that doesn't put people head-to-head, why would we want to add this additional financial burden, bigger cities have five members, suggested the City should vote how many districts, it has the appearance of being transparently for the benefit of the current City Council's comfort zone, she agrees with many who have strong input that the City wants five Councilmembers only, we need to look to the current and future, and it needs to be limited to five districts.

Art Rodriguez stated the public was asked for input, a majority of the maps were five districts, yet the City Council voted for seven districts, discussed the number of voters in five and seven districts, it doesn't meet the criteria or the average, he doesn't think seven districts is in proportion to what we have in the City, there are areas where they are not continuous, the lines could have been drawn to be better approvable by the guidelines, and he thinks Council should take another look at it.

Steve Hernandez stated the rail yard proposal was not done with the intent of building a train yard, the cost was expensive, the Environmental Impact Study was rejected, the only yard that made sense was in Monrovia and that was chosen, a number of maps submitted were outside the criteria with deviations that exceeded the 10% limit, balancing the communities out is the purpose of the voting act, we are a small city, the population is scattered in many areas, and whether there are five or seven districts is a judgment call.

Lino Paras stated he agrees with Ms. Langley's input, at incorporation, district elections were rejected, commends lawyers for

being conservative, this is blackmail by a political group, Duarte is unique compared to most of the cities that have lost, School Board members should be voted by district, feels the additional cost is exaggerated, seven or nine districts is too much, and suggested Council consider four districts with an at-large mayor.

Cody Strode stated he can see how having more Councilmembers can be beneficial if the long-term outcome is worth the investment, questioned outreach, awareness, and involvement, stated most people don't know how to get their voice through, it does not seem there is a defining metric, asked is there a vote or a judgment call, he sees how spreading the districts would make a Councilmember have to think outside their own immediate area, he heard the idea of term limits floated around, and some people sit for a long time and it could be hard to keep fresh blood from coming in.

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

Cosgrove provided information about State law allowing configurations of five, seven, and nine districts, stated having seven districts is legal, determining whether there will be five or seven is a policy decision, Maps 702 and 703 are believed to pass legal muster, there is a unique boundary configuration for District 4, as the interruption of that district is due to a City boundary, after the next census, some populations and boundaries may shift, and stated revisions can follow later.

George stated with regard to expenses, although the cost implications with districting are difficult to determine, an estimated amount would be approximately \$23,000 per Councilmember.

There was discussion about the need for additional staff, City's growth in a positive and productive way, a number of areas in which staff will be affected, economies of scale, Councilmembers no longer qualifying for healthcare benefits in retirement since the early 2000s, anticipated changes in the way information, analysis, and projects will be handled, and income and education levels.

Mayor Finlay reopened the Public Hearing for additional comments.

Henry Baltazar stated two more districts adds more to the low budget, it is another burden, we need to go to five districts, Valley View will be split into four districts, and it is not fair for the rest of the City.

Lino Paras stated there will be added cost, no matter what map is chosen, you're not going to please everybody, Council was elected to make a decision, and suggested thinking about four districts and one elected official.

George Farra stated although 702 passes legal muster, the criteria should be the best interest of Duarte, it does not meet the four traditional requirements, there is an economic-educational

imbalance within each district, and urged Council to look at 501 as it meets all traditional criteria.

Steve Hernandez stated the criteria is equal representation, most people buying homes in the south area are highly educated, there have been a great deal of improvements, and they are not uneducated.

Art Rodriguez asked why wasn't the option of seven or nine districts on the website instructions at the beginning, and it's a little suspicious when City Council chose seven districts.

George stated after the first meeting, there was the opportunity to submit maps with more than five districts. Mr. Johnson stated a five-district map was the initial kit, and maps were received with four, five, seven, and nine districts. Cosgrove stated having four districts with an at-large mayor presents a higher risk of litigation, it is not the safest course for the City right now, and the costs resonate as policy questions, not legal questions.

Alan Fenstermacher provided additional information about the seven-district map, stated it has two majority minor districts, there is no splitting of those districts, and once the decision is made about transitioning to districts, we are out of the realm of the California Voting Rights Act, and are then only under the Federal Act.

Donna Langley stated she wants five, she would like Council to move back from seven to five, she would rather see money spent elsewhere on districting other than on salary for two unnecessary candidates, and we have a very diverse City.

Fasana moved, Paras-Caracci seconded to close the Public Hearing, and carried unanimously.

Fasana stated he supports seven districts, suggested District 7 be modified to add Hamilton Road businesses, as it does not have any businesses, he felt at-large elections worked in Duarte, discussed the survey and Nextdoor, originally there were five Councilmembers, the population has increased, with seven districts, there is more of a neighborhood focus, we can change it down the road, he would like a provision that if the law changes, we can go back to at-large, provided information about the rail yard, he feels current Council continuing to serve is an advantage, individual districts will decide if they do or do not stay, he is interested in looking at a charter, and he supports Map 703 with modifications to include businesses in District 7.

Reilly stated this is an opportunity to shape the City to include all areas and people, she does not feel seven districts is the way to do it, she prefers five, gerrymandering north and south is breaking up some neighborhoods, it allows the top area to have more influence, and since there will be seven districts, she would like us to look at Map 701 as it is more compact.

Kang stated the reason he ran four years ago was because the City was not going the way it should have been going, Council

all work for their constituents, Council and staff are easy to work with, it is unique, we have the best performing arts high school in our City, the five Council work so well together, he does not want to lose the synergy, seven districts will help us, we will work together more closely, we have such a great team right now, other cities are fighting, and stated later on, if we need to change it back to five or at-large, we can do so.

Paras-Caracci stated she is enlightened about personalities, attitudes, and perceptions about our community, a number of comments were about dividing our City, the idea is making sure your representatives are feeling connected to a wider array of the community, she thinks Map 501 blocks our City, Map 703 with District 7 modified to include commercial will allow equality through the districts, things are better when Council works together, she has the same respect for people wherever they live in this community, she received perspectives from other residents about the maps, she is supportive of seven districts, there will be more representation, advocacy, and leaders that will serve on behalf of our residents, she believes in having a stable transition through this process, there is a majority Council now that will serve the community regardless of districting, additional cost is an investment, not an expense, she believes in the stability of this Council, and for her, it is one Duarte, one heart, one community.

Finlay stated districting is not in the best interest of the whole City, we do not have a choice, if there is a change in law where we can go back to at-large, she will be in favor of that (Cosgrove noted an uncodified section of the ordinance will indicate that), representation has been diluted over the past years, she is in favor of seven districts, in Map 701, one district does not have businesses in it, with districting we will have guaranteed representation below Huntington Drive, we are all one City, she will continue to represent everyone, Council will help the two new representatives, she would like all districts to have some businesses, we could have that in Map 703, it helps to have institutional memory, presented results from previous elections, there has been incremental change, discussed resident survey results, stated within the next few years, there will be new faces on the dais, and she hopes this overall feeling of unity will continue.

Reilly moved, Paras-Caracci seconded to select Map 703 as the preferred district map, with the modification to District 7 to include Hamilton Road businesses, and carried by the following Roll Call vote:

AYES: Paras-Caracci, Reilly, Kang, Fasana, Finlay

NOES: None

With regard to election sequencing, and after a coin flip, Reilly moved, Paras-Caracci seconded that in Map 703, District 6 would be placed on the 2018 ballot for a four-year term, and District 7 would be placed on the 2018 ballot for a two-year term, and carried by the following Roll Call vote:

ADJOURNMENT

AYES: Paras-Caracci, Reilly, Kang, Fasana, Finlay

NOES: None

The meeting was adjourned at 7:23 p.m., to the Regular City Council Meeting, November 14, 2017, at 7:00 p.m.

Mayor

ATTEST:

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 14, 2017

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 7:10 p.m.
RECORDATION OF ATTENDANCE	The following were in attendance: PRESENT: Fasana, Kang, Paras-Caracci, Reilly, Finlay ABSENT: None ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Cosgrove
ADOPTION OF AGENDA	Paras-Caracci moved, Kang seconded to adopt the Agenda, as amended to adjourn in memory of Robert Reyes and Beverly Haynes, and carried unanimously.
PLEDGE TO THE FLAG	Samantha Martinez led the Pledge of Allegiance to the Flag.
MOMENT OF REFLECTION	A moment of reflection was observed.
FITNESS/MENTAL WARM-UP	Cosgrove and Finlay provided the warm-up. Mayor Finlay welcomed members of Boy Scout Troop 185.
SPECIAL ITEMS Presentation – Amazing Family Race Video	Cesar Monsalve described the Duarte Amazing Family Race coordinated by the Teen Center and held on October 14, 2017, and showed the video of the event, which is posted on the City's Facebook page.
Mayor's Youth Council update	Samantha Martinez, Mayor's Youth Council, announced upcoming Teen Center events in the month of November.
ANNOUNCEMENTS	Sheryl Lefmann, Duarte Chamber, announced Chamber events and mixers in November and December. Joanna Gee, Duarte Library, announced programs, classes, story times, and clubs in November. Karen Herrera announced upcoming community events, meetings, and celebrations from November through January.
ORAL COMMUNICATIONS	The following spoke on items not on the Agenda. Gene Jones – Pool, front desk. Steve Hernandez – Optimism. Captain Flores – Recent cases, partnership, homeless services. Brian Villalobos – Measure H funding.
CONSENT CALENDAR	Fasana moved, Paras-Caracci seconded to approve the Consent Calendar as follows, and carried unanimously. Approve Items A, B, C, D, E, F, G, I. Receive and File Item H.

Item D – RESOLUTION 17-46 Employer Contribution All Employees	Council Bill 17-R-46 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE FIXING THE EMPLOYER CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT – PERS All Employees
Item E – RESOLUTION 17-47 Employer Contribution City Council	Council Bill 17-R-47 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE FIXING THE EMPLOYER CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT – Non PERS City Council
Item F – RESOLUTION 17-48 Minimum Wage	Council Bill 17-R-48 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, ADJUSTING THE HOURLY RATE SCHEDULE FOR COMPLIANCE WITH THE NEW MINIMUM WAGE REQUIREMENTS
Item G – ORDINANCE NO. 876 Relocation of Third Street Park (Second Reading)	Council Bill 17-O-07 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE AUTHORIZING THE RELOCATION OF THIRD STREET PARK AND DECLARING A NECESSITY FOR USE OF PORTIONS OF THE EXISTING PARK FOR OTHER MUNICIPAL PURPOSES (Second Reading)
BUSINESS ITEMS Co-sponsor request – Duarte Historical Society	Cesar Monsalve presented the staff report about the Duarte Historical Society's event and request for City co-sponsorship, including permitting process, pre-conditions, and parking. Claudia Heller, Duarte Historical Society, stated having the event at the statue will give more exposure, provided information about the exhibitors, and asked that the refundable deposit be waived. Reilly moved, Fasana seconded to approve the request from the Duarte Historical Society for City of Duarte co-sponsorship of the craft fair on December 9, 2017, at Andres Duarte Plaza/Grace Fellowship Church, and to waive the refundable fee for cleaning and damage bond, and carried unanimously.
Mobile Source Air Pollution Reduction Review Committee PowerPoint	Kristen Petersen presented a staff report about the MSRC (Mobile Source Air Pollution Reduction Review Committee) pertaining to the 2017 Local Government Partnership Program, showed a PowerPoint about the funding opportunity to improve air quality in the community, and discussed the proposed resolution.
Council Bill 17-R-49 Application for funding	Council Bill 17-R-49 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR FUNDING FROM THE MSRC 2017 LOCAL GOVERNMENT PARTNERSHIP PROGRAM
RESOLUTION NO. 17-49	Reilly moved, Paras-Caracci seconded to adopt Resolution No. 17-49, and carried unanimously.
ORAL COMMUNICATIONS (Continued)	The following spoke on items not on the Agenda. Cody Strode – Dog park, bike lanes, signal, community garden.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

GEORGE: Provided an update on meeting with Azusa and Army Corps of Engineers about homeless encampment issues.

PARAS-CARACCI: Attended Halloween Howl and asked about the number of participants, she would like to extend an invitation to London Lee from Foothill Transit who received the American Public Transportation Foundation award for his essay, and attended the Unity March, Veterans' Day event, Monrovia-Duarte Black Alumni Association event, and Family Fun Fest.

REILLY: Attended Veterans' Day event, Monrovia-Duarte Black Alumni Association gala, fundraiser for Rotary/Kiwanis, Duarte Emblem Club fundraiser/fashion show, and the National Women's Political Caucus.

FASANA: Attended the Unity March and took the tour of the Maddock debris basin, stated the cable drop for DCTV should be in by the end of the year, attended Kiwanis/Rotary event, the water trial, Veterans' Day events in Duarte and Monrovia, MADIA tech launch, Monrovia-Duarte Black Alumni Association event, San Gabriel Valley COG general assembly, and Chris Holden's transportation forum, and suggested a workshop and closed session about homelessness, so we can understand legal risks and boundaries. Paras-Caracci suggested it include the presentation from the Sheriff Department's Lt. Dietrich.

KANG: Inquired about the status of when the monument signs and streets signs will be available (Hensley responded), inquired about the status of street sweeping (Villalobos responded), stated he sees a lot more homeless in our City, and he hopes we have a good plan to help them out and keep our City safe.

FINLAY: Stated her church ward will be feeding 225 homeless on December 3, announced Rotary breakfast with Santa on December 2, received information from the Sierra Club about the Oakview Estates project in Bradbury, provided an update about China's ban on solid waste, shared a letter from Neil Earle, stated she spent Veterans' Day with veterans from the 87th infantry in South Carolina, thanked all veterans, and wished all a happy Thanksgiving.

ADJOURNMENT

Fasana moved, Paras-Caracci seconded to adjourn the meeting at 9:02 p.m. in memory of Robert Reyes and Beverly Haynes, and carried unanimously.

Mayor

ATTEST:

City Clerk



City of Duarte

Council Warrant Register Over \$5000

By Payment Number

Payment Dates 11/15/2017 - 11/28/2017

Payment Number	Payment Date Payable Number	Vendor # Description	Vendor Name	Account Number	Project Account Key	Payment Amount Item Amount
208885	11/28/2017	5817	CITY OF BRADBURY			56,000.00
	102417	Fund Exchange GF/Prop A		100-1825-7980		56,000.00
208886	11/28/2017	3889	BRIGHTVIEW LANDSCAPE SERVICES INC			22,264.41
	5495539	Landscape Maintenance 11/2017		100-1020-7724		115.00
	5495539	Landscape Maintenance 11/2017		100-1415-7916		2,130.00
	5495539	Landscape Maintenance 11/2017		100-1825-7945	990002 - Oper of Acq Prop - Duarte Trailer Park	41.67
	5495539	Landscape Maintenance 11/2017		100-1825-7945	250016-Oper of Acq Prop-1229 Pops Road	41.67
	5495539	Landscape Maintenance 11/2017		240-2410-7915		7,500.00
	5495539	Landscape Maintenance 11/2017		240-2410-7917		4,630.00
	5495539	Landscape Maintenance 11/2017		240-2420-7914		345.16
	5495539	Landscape Maintenance 11/2017		240-2421-7914		1,300.00
	5495539	Landscape Maintenance 11/2017		240-2422-7914		480.58
	5495539	Landscape Maintenance 11/2017		240-2423-7914		900.00
	5495539	Landscape Maintenance 11/2017		240-2424-7914		550.00
	5495539	Landscape Maintenance 11/2017		240-2425-7914		400.00
	5495539	Landscape Maintenance 11/2017		240-2426-7914		180.00
	5495539	Landscape Maintenance 11/2017		240-2427-7914		630.33
	5495539	Landscape Maintenance 11/2017		240-2431-7914		800.00
	5495539	Landscape Maintenance 11/2017		240-2432-7914		835.00
	5495539	Landscape Maintenance 11/2017		240-2433-7914		530.00
	5495539	Landscape Maintenance 11/2017		240-2434-7914		355.00
	5495539	Landscape Maintenance 11/2017		240-2435-7914		500.00
208889	11/28/2017	5120	CHARLES ABBOTT ASSOCIATES INC			35,978.95
	57525	Building & Safety Svcs 10/2017		100-1405-7800		35,978.95
208914	11/28/2017	5637	LA MOBO BUS SERVICE INC			13,863.39
	6508	Veh 26 Trans Shifter Cable/PM Svc/B		440-4405-7887		1,027.12
	6520	Bus 103 Transmission Hose Replace/		440-4405-7887		623.59
	6558	Bus 104 Air Bags/Engine Water Pump		440-4405-7887		6,959.21
	6559	Bus 103 A/C Generator		440-4405-7887		1,070.30
	6571	Bus 102 PM Service		440-4405-7887		366.61
	6582	Bus 103 PM Svc/Radiator/Fuel Filter		440-4405-7887		3,185.99
	6609	Bus 103 A/C Repair		440-4405-7887		630.57
208921	11/28/2017	0056	LOS ANGELES COUNTY SHERIFF'S DEPARTMENT			333,841.74
	180796CY	Sheriff Contract 9/2017		100-1205-7781		304,799.91
	180796CY	Sheriff Contract 9/2017		100-1205-7781	201716-Sheriff's-CalGrip 2017-2018 (3 of 3 MOU	15,291.83
	180796CY	Sheriff Contract 9/2017		290-2905-7781		13,750.00
208930	11/28/2017	0904	RKA CONSULTING GROUP			7,220.00
	26780	Las Lomas Gas Line Inspections 9/201		100-1405-7969	201719-Engineering-Gas Co-Las Lomas/Calle Ma	3,920.00
	26781	Contract City Engineer 9/2017		100-1405-7969		3,300.00
208942	11/28/2017	5809	THE B&H SUPERSTORE			21,298.85
	133375022	Lexar 32B Prof 1066x Compact FLASH		100-1020-7720		224.85
	133375022	Blackmagic Design Micro Converter S		100-1020-7720		340.00
	133375022	DJI Osmo Mobile Gimbal Stabilizer for		100-1020-7720		598.00
	133375022	Apple 64GB iPod Touch-Space Gray, 6		100-1020-7720		747.00
	133375022	Canon EOS 80D DSLR Camera w/18-1		100-1020-7720		1,499.00
	133375022	Apple MAC Mini 3.0 GHz Desktop Co		100-1020-7720		2,298.00
	133384754	Canon XF205 ENG Backpack Kit		100-1020-7720		9,597.00
	133398191	NewTek TriCaster Mini HD-4		100-1020-7720		5,995.00

Council Warrant Register Over \$5000

Payment Dates: 11/15/2017 - 11/28/2017

Payment Number	Payment Date	Vendor #	Description	Vendor Name	Account Number	Project Account Key	Payment Amount Item Amount
208943	11/28/2017	4674	TYLER TECHNOLOGIES INC				11,279.78
	025-200772		Finance System Support 10/1/17 - 12	100-1815-7820			11,279.78
208944	11/28/2017	5301	LISA DIANE WILSON				5,450.00
	2017-2		CalGrip CBO 5/2017 - 9/2017	100-1205-7980	201716-Other Expense-CalGrip 2017-2018 (3 of		5,450.00
Payment Total:							507,197.12

Report Summary**Fund Summary**

Fund	Payment Amount
100 - GENERAL FUND	459,647.66
240 - LIGHTING AND LANDSCAPE DISTRICT FUND	19,936.07
290 - SUPPLEMENTAL LAW ENFORCEMENT FUND	13,750.00
440 - PROPOSITION A TRANSIT FUND	13,863.39
Grand Total:	507,197.12

Account Summary

Account Number	Account Name	Payment Amount
100-1020-7720	DCTV	21,298.85
100-1020-7724	Post Office Parking	115.00
100-1205-7781	Contract Law Enforceme	320,091.74
100-1205-7980	Other Expenses	5,450.00
100-1405-7800	Building Department Ser	35,978.95
100-1405-7969	City Engineer	7,220.00
100-1415-7916	Landscape-Sport Park	2,130.00
100-1815-7820	Finance System Support	11,279.78
100-1825-7945	Operation Of Acq Prop	83.34
100-1825-7980	Other Expenses	56,000.00
240-2410-7915	Landscape-Citywide	7,500.00
240-2410-7917	Landscape-Medians	4,630.00
240-2420-7914	Landscape Maintenance	345.16
240-2421-7914	Landscape Maintenance	1,300.00
240-2422-7914	Landscape Maintenance	480.58
240-2423-7914	Landscape Maintenance	900.00
240-2424-7914	Landscape Maintenance	550.00
240-2425-7914	Landscape Maintenance	400.00
240-2426-7914	Landscape Maintenance	180.00
240-2427-7914	Landscape Maintenance	630.33
240-2431-7914	Landscape Maintenance	800.00
240-2432-7914	Landscape Maintenance	835.00
240-2433-7914	Landscape Maintenance	530.00
240-2434-7914	Landscape Maintenance	355.00
240-2435-7914	Landscape Maintenance	500.00
290-2905-7781	Contract Law Enforceme	13,750.00
440-4405-7887	Repairs & Replacements	13,863.39
Grand Total:		507,197.12

Project Account Summary

Project Account Key	Payment Amount
None	482,451.95
201716-Other Expense-CalGrip 2017-2018 (3 of 3 MOU	5,450.00
201716-Sheriff's-CalGrip 2017-2018 (3 of 3 MOU)	15,291.83
201719-Engineering-Gas Co-Las Lomas/Calle Martos	3,920.00
250016-Oper of Acq Prop-1229 Pops Road	41.67
990002 - Oper of Acq Prop - Duarte Trailer Park	41.67
Grand Total:	507,197.12



City of Duarte

Council Warrant Register by Account By Fund

Payment Dates 11/15/2017 - 11/28/2017

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
Fund: 100 - GENERAL FUND					
100-1005-7614	GRAND PRINTING INC	John Fasana Business Cards	208907		200.60
100-1005-7647	LIZ REILLY	Conference/Meeting Expense Reimb	208929		131.88
100-1005-7647	U.S. BANK	Liz Reilly Contract Cities Hotel 9/29/17 - 10/1/17	208874		404.46
100-1005-7647	LIZ REILLY	Conference/Meeting Expense Reimb	208929		210.45
100-1005-7980	VERIZONWIRELESS	Reilly-Granicus iPad 10/19/17 - 11/18/17	EFT05444		18.60
100-1005-7980	VERIZONWIRELESS	Paras-Granicus iPad 10/19/17 - 11/18/17	EFT05444		18.60
100-1005-7980	VERIZONWIRELESS	VW-City Hall 9/19/17 - 10/18/17	EFT05445		57.98
100-1005-7980	VERIZONWIRELESS	VW-City Hall 9/19/17 - 10/18/17	EFT05445		57.98
100-1010-7610	U.S. BANK	Iliana Garcia CAPIO Training 10/19/17	208874		60.00
100-1010-7610	U.S. BANK	Darrell George Mtg w/Chamber CEO (Old Spaghetti)	208874		39.12
100-1010-7610	U.S. BANK	Darrell George SCAG Economic Summit 11/9/17	208874		100.00
100-1010-7614	STAPLES ADVANTAGE	Office Supplies	208936		383.33
100-1010-7650	U.S. BANK	Darrell George Fastrak Replenish 10/20/2017	208874		40.00
100-1010-7650	ADVANTAGE FORD LINCOLN	Veh 33 Battery	208878		212.27
100-1010-7650	SHELL	Fuel-City Vehicles	208873		26.50
100-1010-7980	SMART & FINAL	Closed Session Supplies	50		80.59
100-1010-7980	U.S. BANK	Commission Workshop Gift Cards (Starbucks)	208874		65.00
100-1010-7980	U.S. BANK	Jim Kirchner Chamber Retirement Gift	208874		100.04
100-1010-7980	U.S. BANK	Commission Workshop Supplies (Dollar Tree)	208874		4.00
100-1010-7980	VERIZONWIRELESS	DG-Granicus iPad 10/19/17 - 11/18/17	EFT05444		18.60
100-1010-7980	VERIZONWIRELESS	KP-Granicus iPad 10/19/17 - 11/18/17	EFT05444		18.60
100-1010-7980	VERIZONWIRELESS	CH-Granicus iPad 10/19/17 - 11/18/17	EFT05444		18.60
100-1010-7980	VERIZONWIRELESS	KH-Social Media iPad 10/19/17 - 11/18/17	EFT05444		18.60
100-1010-7980	VERIZONWIRELESS	CM-Granicus iPad 10/19/17 - 11/18/17	EFT05444		18.60
100-1010-7980	VERIZONWIRELESS	KH2-Social Media iPad 10/19/17 - 11/18/17	EFT05444		18.60
100-1010-7980	VERIZONWIRELESS	BV-Granicus iPad 10/19/17 - 11/18/17	EFT05444		18.60
100-1010-7980	VERIZONWIRELESS	VW-City Hall 9/19/17 - 10/18/17	EFT05445		9.99
100-1010-7980	DUARTE PETTY CASH	Closed Session Mtg Food/Paper Goods	208865		34.87
100-1010-7980	DUARTE PETTY CASH	Public Hearing Desserts	208865		19.76
100-1015-7686	LOS ANGELES COUNTY DISTRICT AT	Municipal Code Prosecution 7/2017	208919		395.04
100-1020-7710	LUDECKE PROPERTY MANAGEMEN	Chamber Lease 11/2017	208870		1,600.00
100-1020-7710	LUDECKE PROPERTY MANAGEMEN	Chamber Lease 12/2017	208870		1,600.00
100-1020-7711	DUARTE PETTY CASH	Halloween Breakfast Juice	208865		7.98
100-1020-7711	DUARTE PETTY CASH	Turkey Feast Hams	208865		42.85
100-1020-7711	DUARTE PETTY CASH	Holiday Raffle Wraps	208865		5.57
100-1020-7711	DUARTE PETTY CASH	Postage-Holiday Party Invites	208865		39.20
100-1020-7711	DUARTE PETTY CASH	Holiday Party Decorations	208865		32.56
100-1020-7711	DUARTE PETTY CASH	Halloween Party Decorations	208865		17.62
100-1020-7711	RAVEN FIERRO AND THE BAND SW	Holiday Party Music	208901		850.00
100-1020-7711	RAVEN FIERRO AND THE BAND SW	Holiday Party Music	208900		100.00
100-1020-7711	CURO MANAGED PRINT PRODUCTI	Photo Booth-Holiday Party 12/1/17 (Balance)	208892		333.98
100-1020-7711	SMART & FINAL	Turkey Feast Supplies	50		151.61
100-1020-7711	KELLY BARNES	Holiday Party Dessert	208860		522.00
100-1020-7716	SMART & FINAL	Veterans Day Food	50		115.09
100-1020-7720	THE B&H SUPERSTORE	DJI Osmo Mobile Gimbal Stabilizer for Smartphone	208942		598.00
100-1020-7720	THE B&H SUPERSTORE	Apple MAC Mini 3.0 GHz Desktop Computer-Late 2014	208942		2,298.00
100-1020-7720	THE B&H SUPERSTORE	Canon EOS 80D DSLR Camera w/18-135mm Lens	208942		1,499.00
100-1020-7720	THE B&H SUPERSTORE	Apple 64GB iPod Touch-Space Gray, 6th Gen	208942		747.00
100-1020-7720	THE B&H SUPERSTORE	Blackmagic Design Micro Converter SDI to HDMI	208942		340.00
100-1020-7720	THE B&H SUPERSTORE	Lexar 32B Prof 1066x Compact FLASH Memory	208942		224.85
100-1020-7720	THE B&H SUPERSTORE	Canon XF205 ENG Backpack Kit	208942		9,597.00
100-1020-7720	THE B&H SUPERSTORE	NewTek TriCaster Mini HD-4	208942		5,995.00
100-1020-7724	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886		115.00

Council Warrant Register by Account

Payment Dates: 11/15/2017 - 11/28/2017

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
100-1020-7980	U.S. BANK	Photo Contest Winners Gift Cards (Target)	208874		75.00
100-1205-7610	U.S. BANK	Brian Villalobos SCAG Economic Summit 11/9/17	208875		100.00
100-1205-7614	STAPLES ADVANTAGE	Credit for Invoice # 3357175123	208936		-4.80
100-1205-7615	U.S. BANK	(3) White Boards w/Easels (Amazon)	208875		266.97
100-1205-7650	ALEX ROMO AUTO & TRUCK REPAIR	Veh 23 Trottle Body Clean/Front Window Repair	208881		504.28
100-1205-7650	U.S. BANK	CSO Vehicle Part (Amazon)	208875		8.99
100-1205-7655	VERIZONWIRELESS	VW-Emergency Radio 9/19/17 - 10/18/17	EFT05446		718.98
100-1205-7655	GETGO INC	EOC	208905		348.00
100-1205-7761	SUPERIOR CT OF CAL CO OF LOS AN	Citation Revenue Tax 10/2017	208939		4,620.73
100-1205-7779	U.S. BANK	YouthTrip 10/5/17 (Sky Zone)	208875		270.00
100-1205-7779	U.S. BANK	Red Ribbon Week Lunch 10/21/17 (Subway)	208875	201629-Youth Prgm-Community Outreach	300.00
100-1205-7779	U.S. BANK	Red Ribbon Week March Coffee (Starbucks)	208875		15.95
100-1205-7779	U.S. BANK	Youth Knott's Scary Farm Parking 10/5/17	208875		100.99
100-1205-7779	U.S. BANK	DART Volunteer Project Dinner 9/27/17 (In-N-Out)	208875		54.46
100-1205-7779	U.S. BANK	Youth Magic Mtn Trip 9/29/17	208875		169.98
100-1205-7779	U.S. BANK	Youth Knott's Scary Farm Tickets 10/5/17	208875		146.99
100-1205-7779	U.S. BANK	Red Ribbon Week Lunch 10/21/17 (Subway)	208875		30.00
100-1205-7779	U.S. BANK	Red Ribbon Week Supplies (Target)	208875		131.67
100-1205-7779	U.S. BANK	Red Ribbon Week Supplies (Target)	208875		50.09
100-1205-7779	U.S. BANK	Parking-Youth Magic Mtn Trip 9/29/17	208875		25.00
100-1205-7779	U.S. BANK	LA Zoo Lights Trip 11/17/17 (GLAZA Ticketing)	208875		232.05
100-1205-7779	KIWANIS CLUB OF DUARTE	A-Team Family Fun Fest Entrance	208913		675.00
100-1205-7779	DUARTE PIZZA COMPANY	DART Red Ribbon Week Removal	208897		29.05
100-1205-7780	NATIONAL BAND & TAG CO	Add'l 2017/18 Dog Tags	208925		110.38
100-1205-7780	DUARTE-AZUSA ANIMAL HOSPITAL	Emergency Animal Care	208898		52.50
100-1205-7780	DUARTE-AZUSA ANIMAL HOSPITAL	Emergency Animal Care	208898		100.00
100-1205-7780	DUARTE-AZUSA ANIMAL HOSPITAL	Emergency Animal Care	208898		100.00
100-1205-7780	DUARTE-AZUSA ANIMAL HOSPITAL	Emergency Animal Care	208898		40.00
100-1205-7780	DUARTE-AZUSA ANIMAL HOSPITAL	Emergency Animal Care	208898		100.00
100-1205-7780	DUARTE-AZUSA ANIMAL HOSPITAL	Emergency Animal Care	208898		40.00
100-1205-7780	DUARTE-AZUSA ANIMAL HOSPITAL	Emergency Animal Care	208898		40.00
100-1205-7780	DUARTE-AZUSA ANIMAL HOSPITAL	Emergency Animal Care	208898		50.00
100-1205-7780	DUARTE-AZUSA ANIMAL HOSPITAL	Emergency Animal Care	208898		100.00
100-1205-7780	DUARTE-AZUSA ANIMAL HOSPITAL	Emergency Animal Care	208898		50.00
100-1205-7780	D & D SERVICES INC	Deceased Animal Disposal 10/2017	208893		288.00
100-1205-7781	LOS ANGELES COUNTY SHERIFF'S D	Sheriff Contract 9/2017	208921	201716-Sheriff's-CalGrip 2017-2018 (3 of	15,291.83
100-1205-7781	LOS ANGELES COUNTY SHERIFF'S D	Sheriff Contract 9/2017	208921		304,799.91
100-1205-7980	SMART & FINAL	S Yard Breakroom Supplies	50		25.27
100-1205-7980	U.S. BANK	Breakfast w/Council 10/4/17 (Corner Bakery)	208875		183.18
100-1205-7980	U.S. BANK	Breakfast w/Council Supplies (Target)	208875		9.87
100-1205-7980	LISA DIANE WILSON	CalGrip CBO 5/2017 - 9/2017	208944	201716-Other Expense-CalGrip 2017-201	5,450.00
100-1205-8030	HOME DEPOT CREDIT SERVICES	Posting Notices Tools	208868		54.86
100-1405-7612	AMERICAN PLANNING ASSOCIATIO	Jason Golding Dues 1/1/18 - 12/31/18	208882		343.00
100-1405-7613	RICOH USA INC	Lg Format Copier Maint 11/1/17 - 1/31/18	208872		49.37
100-1405-7614	STAPLES ADVANTAGE	Office Supplies	208936		142.95
100-1405-7614	STAPLES ADVANTAGE	Office Supplies	208936		55.10
100-1405-7614	STAPLES ADVANTAGE	Office Supplies	208936		23.03
100-1405-7614	STAPLES ADVANTAGE	Credit for Invoice # 3358477609	208936		-23.03
100-1405-7800	LIFE STORAGE #530	Building Plan Storage 12/1/17 - 1/1/2018	208917		225.00
100-1405-7800	CHARLES ABBOTT ASSOCIATES INC	Building & Safety Svcs 10/2017	208889		35,978.95
100-1405-7965	MORE SERVICES	Redius Maps & Labels	208924	201406-Prof Serv-City of Hope EIR Reimb	325.00
100-1405-7965	BUCKNAM INFRASTURE GROUP IN	Pavement Management Database	208887		1,539.10
100-1405-7969	RKA CONSULTING GROUP	Las Lomas Gas Line Inspections 9/2017	208930	201719-Engineering-Gas Co-Las Lomas/C	3,920.00
100-1405-7969	RKA CONSULTING GROUP	Contract City Engineer 9/2017	208930		3,300.00
100-1405-7975	GCR MARKETING NETWORK	Demographics Web Licensing 11/2017 - 11/2018	208904		450.00
100-1405-7975	U.S. BANK	Facebook Ads	208874		31.04
100-1405-7975	U.S. BANK	Hootsuite 11/2/17 - 12/1/17	208874		14.99
100-1405-7980	VERIZONWIRELESS	VW-City Hall 9/19/17 - 10/18/17	EFT05445		36.90
100-1410-7612	STATE OF CALIFORNIA-DEPARTMEN	Mike Tarr DPR 2018 License	208937		60.00
100-1410-7614	VERIZONWIRELESS	VW-City Hall 9/19/17 - 10/18/17	EFT05445		25.62
100-1410-7621	AIRGAS USA LLC	Welding Cylinder Rental	208880		46.20

Council Warrant Register by Account

Payment Dates: 11/15/2017 - 11/28/2017

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
100-1410-7650	ALEX ROMO AUTO & TRUCK REPAIR	Veh 18 PM Srvc/Turn Signal Switch/Brake Pads	208881		771.45
100-1410-7650	AUTOZONE	Tractor Lights	208883		104.55
100-1410-7650	AUTOZONE	Tractor Lights	208883		87.28
100-1410-7656	AUTOZONE	Emergency Generator Anti-Freeze	208883		42.67
100-1410-7656	LOS ANGELES COUNTY FIRE DEPAR	Underground Fuel Tank Hazmat Fee	208920		2,014.00
100-1410-7814	SUPERIOR PROPERTY SERVICES INC	Graffiti Removal 10/2017	208940		824.35
100-1410-7887	HOME DEPOT CREDIT SERVICES	Dust Masks	208868		35.01
100-1410-7980	HOME DEPOT CREDIT SERVICES	Rebar-S Yard Parking Stops	208868		8.74
100-1410-7980	SMART & FINAL	S Yard Breakroom Supplies	50		25.27
100-1410-7980	HOME DEPOT CREDIT SERVICES	Bike Trail Fence Repair	208868		16.03
100-1410-7980	HOME DEPOT CREDIT SERVICES	Stump Grinder Shields	208868		47.61
100-1415-7916	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886		2,130.00
100-1605-7614	STAPLES ADVANTAGE	Office Supplies	208936		58.37
100-1605-7650	ALEX ROMO AUTO & TRUCK REPAIR	Veh 100 Smog Inspection/Renew Battery	208881		211.78
100-1605-7650	JAN'S TOWING INC	Van 100 Towing	208911		200.00
100-1605-7691	SMART & FINAL	Parks & Rec Commission Meeting	50		50.26
100-1605-7691	SMART & FINAL	Parks & Rec Commission Meeting	50		14.99
100-1605-7728	DUARTE RECREATION PETTY CASH	AmeriCorp Holiday Promise Boxes/Supplies	208866	201709- Duarte's Promise - America's Pro	21.37
100-1605-7728	ASCENSION BENEFITS & INSURANC	AmeriCorps Health Insurance 12/2017	208862	201709- Duarte's Promise - America's Pro	281.92
100-1605-7733	RUBEN FLORES	SC Brunch 12/7/2017	208902		810.96
100-1605-7733	SMART & FINAL	SC Thanksgiving Favors Supplies	50		92.91
100-1605-7733	SMART & FINAL	SC Computer Mouse Batteries	50		28.45
100-1605-7733	THEODORE SIEGEL	SC '12 Angry Men' Screening/Presentation	208933		150.00
100-1605-7733	DUARTE RECREATION PETTY CASH	SC Craft Supplies	208866		9.75
100-1605-7733	DUARTE PETTY CASH/BINGO PRIZE	SC Bingo Prize Money	208896		100.00
100-1605-7733	ABRAHAM MARTINEZ	SC Christmas Brunch Entertainment	208922		300.00
100-1605-7733	CURO MANAGED PRINT PRODUCTI	SC Christmas Photo Booth Deposit	208864		109.50
100-1605-7733	CURO MANAGED PRINT PRODUCTI	SC Christmas Photo Booth Balance	208891		109.50
100-1605-7733	ARCADIA PARTY RENTALS	SC Thanksgiving Dinner Linens	208861		72.80
100-1605-7733	SMART & FINAL	SC Thanksgiving Supplies	50		207.93
100-1605-7735	SMART & FINAL	TC Special Event Supplies	50		72.67
100-1605-7735	DUARTE CHAMBER OF COMMERCE	TC Special Event Movie Tickets	208895		113.00
100-1605-7735	THE SAUCE CREATIVE SERVICES CO	TC Unity March Shirts	208931		1,353.10
100-1605-7735	SMART & FINAL	TC Unity March/TC Snack Bar Supplies	50		280.74
100-1605-7736	AGI ACADEMY	Instructor Fee-SC Intro to Computers	208879		227.50
100-1605-7736	JATARA NEWELL	Instructor Fee-Hip Hop	208926		330.75
100-1605-7736	BEGINNERS EDGE SPORTS TRAININ	Instructor Fees-3 Sport Program	208884		315.00
100-1605-7736	ALEJANDRO FUENTES	Instructor Fee-Circus Gymnastics	208903		803.25
100-1605-7736	BEGINNERS EDGE SPORTS TRAININ	Instructor Fees-Soccer Skills Training	208884		78.75
100-1605-7736	BEGINNERS EDGE SPORTS TRAININ	Instructor Fees-Soccer & Baseball	208884		105.00
100-1605-7737	LINN'S RESTAURANT	Christmas at Hearst Castle Dinner	208918		999.00
100-1605-7737	SEGERSTROM CENTER FOR THE AR	Book of Mormon Tickets 3/29/2018	208932		1,765.50
100-1605-7741	SOUTHERN CALIFORNIA MUNICIPA	Football/Volleyball Registration	208935		21.00
100-1605-7745	DUARTE RECREATION PETTY CASH	TC Boxing Special Event Socks	208866		32.64
100-1605-7750	INLAND EMPIRE TOURS & TRANSP	Pala Casino Transportation 11/2/17	208869		672.00
100-1605-7750	INLAND EMPIRE TOURS & TRANSP	Richard Nixon Library Transportation 10/25/17	208869		867.50
100-1605-7980	SMART & FINAL	S Yard Breakroom Supplies	50		25.27
100-1605-7980	VERIZONWIRELESS	SC ActiveNet 10/19/17 - 11/18/17	EFT05444		18.60
100-1605-7980	VERIZONWIRELESS	VW-City Hall 9/19/17 - 10/18/17	EFT05445		57.98
100-1610-7618	HOME DEPOT CREDIT SERVICES	Bleacher Repairs	208868		228.23
100-1610-7618	SMART & FINAL	Community Ctr Supplies	50		245.23
100-1610-7618	WAXIE SANITARY SUPPLY	Credit on Invoice #77036151	208876		-516.66
100-1610-7618	WAXIE SANITARY SUPPLY	Waxie 3x5 Brown Brush Step Mat	208876		219.34
100-1610-7618	WAXIE SANITARY SUPPLY	Waxie 4x6 Gray Brush Mats	208876		516.66
100-1610-7618	WAXIE SANITARY SUPPLY	Andersen Super Scrape 3x5 Black Mat	208876		1,060.97
100-1610-7618	WAXIE SANITARY SUPPLY	Andersen Super Scrape 4x6 Black Mat	208876		912.70
100-1610-7618	HOME DEPOT CREDIT SERVICES	Propane Tank	208868		52.80
100-1610-7636	CINTAS CORPORATION #693	Facility Maint Uniforms	208863		69.63
100-1610-7636	CINTAS CORPORATION #693	Facility Maint Uniforms	208863		69.63
100-1610-7636	CINTAS CORPORATION #693	Facility Maint Uniforms	208863		66.13

Council Warrant Register by Account

Payment Dates: 11/15/2017 - 11/28/2017

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
100-1610-7650	ALEX ROMO AUTO & TRUCK REPAIR	Veh 6 Smog Inspection	208881		35.00
100-1610-7652	POST ALARM SYSTEMS	S Yard Alarm Service Call	208871		170.47
100-1610-7652	POST ALARM SYSTEMS	S Yard Alarm Monitoring 12/1/17 - 12/31/17	208871		42.00
100-1610-7652	EXPLORE CUSTOM CABINETS	SC Coffee Area Cabinet Work	208899		1,380.00
100-1610-7652	MONROVIA LOCK SHOP	Locksmith Service-Public Safety	208923		488.80
100-1610-7652	MONROVIA LOCK SHOP	(5) Keys	208923		19.16
100-1610-7652	JOE'S JANITORIAL SERVICE	Duarte Pk Bldg Floor Strip/Wax	208912		450.00
100-1610-7652	CINTAS CORPORATION #693	Town Ctr Floor Mats-Final	208863		318.36
100-1610-7652	GLENDORA PLUMBING & HEATING	Backflow Inspections	208906		116.00
100-1610-7652	SIMON EQUIPMENT RENTALS	Scissor Lift Rental	208934		161.79
100-1610-7830	STAPLES ADVANTAGE	S Yard Phones	208936		109.49
100-1610-7830	THE TECHNOLOGY DEPOT INC	Phone Support 12/2017	208941		422.00
100-1805-7610	KRISTEN PETERSEN	Meeting w/Councilmember	208928		26.66
100-1805-7610	DUARTE PETTY CASH	Kristen Petersen Breakfast w/Councilmember	208865		27.42
100-1805-7610	DUARTE PETTY CASH	K Petersen Parking-Training in Los Angeles	208865		16.75
100-1805-7614	OFFICE SOLUTIONS INC	Office Supplies	208927		49.05
100-1805-7965	HINDERLITER, DE LLAMAS & ASSOC	Sales Tax Audit Q4 2017	208909		2,138.38
100-1805-7980	VERIZONWIRELESS	VW-City Hall 9/19/17 - 10/18/17	EFT05445		4.35
100-1810-7614	STAPLES ADVANTAGE	HR Printer Ink	208936		101.04
100-1810-7614	STAPLES ADVANTAGE	HR Printer Ink	208936		128.70
100-1810-7614	STAPLES ADVANTAGE	Printer Ink Return (Inv 3326869136)	208936		-69.27
100-1810-7614	STAPLES ADVANTAGE	HR Batteries	208936		15.75
100-1810-7614	OFFICE SOLUTIONS INC	Office Supplies	208927		47.08
100-1810-7980	DUARTE PETTY CASH	Health Fair Supplies	208865		6.97
100-1810-7980	CALIFORNIA STATE DEPARTMENT O	Fingerprint Apps 10/2017	208888		64.00
100-1815-7820	TYLER TECHNOLOGIES INC	Finance System Support 10/1/17 - 12/31/17	208943		11,279.78
100-1815-7821	THE TECHNOLOGY DEPOT INC	VITA Mgmt 12/2017	208941		578.00
100-1825-7613	OFFICE SOLUTIONS INC	Copier Paper	208927		342.86
100-1825-7626	DUARTE PETTY CASH	Postage-CalTrans ATP Project	208865		34.20
100-1825-7626	FEDEX	Document Delivery	208867		27.07
100-1825-7945	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886	250016-Oper of Acq Prop-1229 Pops Roa	41.67
100-1825-7945	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886	990002 - Oper of Acq Prop - Duarte Traile	41.67
100-1825-7980	CITY OF BRADBURY	Fund Exchange GF/Prop A	208885		56,000.00
100-1830-8100	10-8 RETROFIT INC	Vehicle 19 Lights	208877		2,505.33
100-2120	MARIA CARDINA LEON	CC Rent Deposit Refund	208916		500.00
100-2120	INLAND ENGINEERING SERVICE INC	Cash Bond Refund (Pmt # 6-0010)	208910		1,000.00
100-2121	SUCCESSOR AGENCY OF DUARTE R	Excess Interest Earned on 2007 Series B	208938		401.54
100-2121	U.S. BANK	Union Mtg Lunch 9/27/17 (Janet's)	208874		437.00
100-2121	STAPLES ADVANTAGE	Coffee Creamer	208936		5.00
100-2122	DIVISION OF THE STATE ARCHITECT	Disability Access Fee Q3 2017	208894		87.00
100-4806	GLORIA GRAVES	Adult Excursion Refund-Nixon Library/Arboretum	208908		52.00
Fund 100 - GENERAL FUND Total:					511,496.40

Council Warrant Register by Account

Payment Dates: 11/15/2017 - 11/28/2017

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
Fund: 220 - GAS TAX FUN					
220-2210-7813	HOME DEPOT CREDIT SERVICES	Regulatory Signs-Hacienda @ Encanto Pkwy	208868		7.12
220-2210-7813	HOME DEPOT CREDIT SERVICES	Concrete-40 mph Signs (Duarte Rd)	208868		3.56
220-2220-7980	DUARTE PETTY CASH	Amanda Hamilton TCSA Membership 7/17 - 12/17	208865		25.00
Fund 220 - GAS TAX FUN Total:					35.68

Council Warrant Register by Account

Payment Dates: 11/15/2017 - 11/28/2017

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
Fund: 240 - LIGHTING AND LANDSCAPE DISTRICT FUND					
240-2405-7888	HOME DEPOT CREDIT SERVICES	Street Light Repairs	208868		43.26
240-2405-7888	HOME DEPOT CREDIT SERVICES	Street Light Repairs	208868		49.17
240-2410-7663	GLENDORA PLUMBING & HEATING	Backflow Inspections	208906		58.00
240-2410-7898	LANDSCAPE WAREHOUSE INC	Tree Ties	208915		22.82
240-2410-7915	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886		7,500.00
240-2410-7917	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886		4,630.00
240-2420-7887	LANDSCAPE WAREHOUSE INC	Irrigation Repair-Kendrick Tract	208915		20.76
240-2420-7887	GLENDORA PLUMBING & HEATING	Backflow Inspections	208906		58.00
240-2420-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886		345.16
240-2421-7887	GLENDORA PLUMBING & HEATING	Backflow Inspections	208906		116.00
240-2421-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886		1,300.00
240-2422-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886		480.58
240-2423-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886		900.00
240-2424-7887	GLENDORA PLUMBING & HEATING	Backflow Inspections	208906		58.00
240-2424-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886		550.00
240-2425-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886		400.00
240-2426-7887	GLENDORA PLUMBING & HEATING	Backflow Inspections	208906		58.00
240-2426-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886		180.00
240-2427-7887	GLENDORA PLUMBING & HEATING	Backflow Inspections	208906		58.00
240-2427-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886		630.33
240-2429-7887	LANDSCAPE WAREHOUSE INC	Raingun Valve Repair	208915		338.25
240-2431-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886		800.00
240-2432-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886		835.00
240-2433-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886		530.00
240-2434-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886		355.00
240-2435-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 11/2017	208886		500.00
Fund 240 - LIGHTING AND LANDSCAPE DISTRICT FUND Total:					20,816.33

Council Warrant Register by Account

Payment Dates: 11/15/2017 - 11/28/2017

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
Fund: 290 - SUPPLEMENTAL LAW ENFORCEMENT FUND					
290-2905-7781	LOS ANGELES COUNTY SHERIFF'S D	Sheriff Contract 9/2017	208921		13,750.00
Fund 290 - SUPPLEMENTAL LAW ENFORCEMENT FUND Total:					13,750.00

Council Warrant Register by Account

Payment Dates: 11/15/2017 - 11/28/2017

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
Fund: 440 - PROPOSITION A TRANSIT FUND					
440-4405-7614	STAPLES ADVANTAGE	Transit Printer Ink	208936		77.74
440-4405-7619	AUTOZONE	Bus Coolant	208883		97.17
440-4405-7821	VERIZONWIRELESS	VW-City Hall 9/19/17 - 10/18/17	EFT05445		51.24
440-4405-7887	10-8 RETROFIT INC	Veh 26 Battery Jumper Cable Kit	208877		353.04
440-4405-7887	LA MOBO BUS SERVICE INC	Veh 26 Trans Shifter Cable/PM Srvc/Brakes	208914		1,027.12
440-4405-7887	LA MOBO BUS SERVICE INC	Bus 103 Transmission Hose Replace/Oil	208914		623.59
440-4405-7887	LA MOBO BUS SERVICE INC	Bus 104 Air Bags/Engine Water Pump/Hoses	208914		6,959.21
440-4405-7887	LA MOBO BUS SERVICE INC	Bus 103 A/C Generator	208914		1,070.30
440-4405-7887	LA MOBO BUS SERVICE INC	Bus 102 PM Service	208914		366.61
440-4405-7887	LA MOBO BUS SERVICE INC	Bus 103 PM Srvc/Radiator/Fuel Filter	208914		3,185.99
440-4405-7887	LA MOBO BUS SERVICE INC	Bus 103 A/C Repair	208914		630.57
440-4405-7980	SMART & FINAL	S Yard Breakroom Supplies	50		25.27
Fund 440 - PROPOSITION A TRANSIT FUND Total:					14,467.85
Grand Total:					560,566.26

Report Summary

Fund Summary

Fund	Payment Amount
100 - GENERAL FUND	511,496.40
220 - GAS TAX FUN	35.68
240 - LIGHTING AND LANDSCAPE DISTRICT FUND	20,816.33
290 - SUPPLEMENTAL LAW ENFORCEMENT FUND	13,750.00
440 - PROPOSITION A TRANSIT FUND	14,467.85
Grand Total:	560,566.26

Account Summary

Account Number	Account Name	Payment Amount
100-1005-7614	Office Supplies	200.60
100-1005-7647	Travel & Exp - Reilly	746.79
100-1005-7980	Other Expenses	153.16
100-1010-7610	Travel, Mtgs & Conf	199.12
100-1010-7614	Office Supplies	383.33
100-1010-7650	Vehicle Maintenance	278.77
100-1010-7980	Other Expenses	444.45
100-1015-7686	Other Legal Services	395.04
100-1020-7710	Chamber Of Commerce	3,200.00
100-1020-7711	Employee Recognition C	2,103.37
100-1020-7716	Special Community Even	115.09
100-1020-7720	DCTV	21,298.85
100-1020-7724	Post Office Parking	115.00
100-1020-7980	Other Expenses	75.00
100-1205-7610	Travel, Mtgs & Conf	100.00
100-1205-7614	Office Supplies	-4.80
100-1205-7615	Emergency Supplies	266.97
100-1205-7650	Vehicle Maintenance	513.27
100-1205-7655	Emergency Services	1,066.98
100-1205-7761	Parking Ticket Collect	4,620.73
100-1205-7779	Youth Programs	2,231.23
100-1205-7780	Animal Control	1,030.88
100-1205-7781	Contract Law Enforceme	320,091.74
100-1205-7980	Other Expenses	5,668.32
100-1205-8030	Other Equipment	54.86
100-1405-7612	Publications and Dues	343.00
100-1405-7613	Duplications And Photos	49.37
100-1405-7614	Office Supplies	198.05
100-1405-7800	Building Department Ser	36,203.95
100-1405-7965	Professional Services	1,864.10
100-1405-7969	City Engineer	7,220.00
100-1405-7975	Economic Development	496.03
100-1405-7980	Other Expenses	36.90
100-1410-7612	Publications and Dues	60.00
100-1410-7614	Office Supplies	25.62
100-1410-7621	Other Supplies	46.20
100-1410-7650	Vehicle Maintenance	963.28
100-1410-7656	Emergency Generator	2,056.67
100-1410-7814	Graffiti Removal	824.35
100-1410-7887	Repairs & Replacements	35.01
100-1410-7980	Other Expenses	97.65
100-1415-7916	Landscape-Sport Park	2,130.00
100-1605-7614	Office Supplies	58.37
100-1605-7650	Vehicle Maintenance	411.78
100-1605-7691	Parks & Rec Commission	65.25
100-1605-7728	Americorp's VIP Progra	303.29
100-1605-7733	Senior Center	1,991.80
100-1605-7735	Teen Center	1,819.51

Account Summary

Account Number	Account Name	Payment Amount
100-1605-7736	Recreation Classes	1,860.25
100-1605-7737	Adult Excursions	2,764.50
100-1605-7741	Sports/Playground Progr	21.00
100-1605-7745	Boxing Program	32.64
100-1605-7750	Bus Rentals	1,539.50
100-1605-7980	Other Expenses	101.85
100-1610-7618	Building Supplies	2,719.27
100-1610-7636	Uniforms	205.39
100-1610-7650	Vehicle Maintenance	35.00
100-1610-7652	Building Maint Services	3,146.58
100-1610-7830	Telephones	531.49
100-1805-7610	Travel, Mtgs & Conf	70.83
100-1805-7614	Office Supplies	49.05
100-1805-7965	Professional Services	2,138.38
100-1805-7980	Other Expenses	4.35
100-1810-7614	Office Supplies	223.30
100-1810-7980	Other Expenses	70.97
100-1815-7820	Finance System Support	11,279.78
100-1815-7821	Personal Computer Supp	578.00
100-1825-7613	Duplications And Photos	342.86
100-1825-7626	Postage	61.27
100-1825-7945	Operation Of Acq Prop	83.34
100-1825-7980	Other Expenses	56,000.00
100-1830-8100	Vehicle Replacement (Ca	2,505.33
100-2120	Refundable Deposits	1,500.00
100-2121	Pass Through Deposits	843.54
100-2122	Disability Access & Educ	87.00
100-4806	Excursion Fees	52.00
220-2210-7813	Regulatory Signs	10.68
220-2220-7980	Other Expenses	25.00
240-2405-7888	Repairs-Citywide	92.43
240-2410-7663	Other Serv-Medians	58.00
240-2410-7898	Tree Plant-Medians	22.82
240-2410-7915	Landscape-Citywide	7,500.00
240-2410-7917	Landscape-Medians	4,630.00
240-2420-7887	Repairs & Replacements	78.76
240-2420-7914	Landscape Maintenance	345.16
240-2421-7887	Repairs & Replacements	116.00
240-2421-7914	Landscape Maintenance	1,300.00
240-2422-7914	Landscape Maintenance	480.58
240-2423-7914	Landscape Maintenance	900.00
240-2424-7887	Repairs & Replacements	58.00
240-2424-7914	Landscape Maintenance	550.00
240-2425-7914	Landscape Maintenance	400.00
240-2426-7887	Repairs & Replacements	58.00
240-2426-7914	Landscape Maintenance	180.00
240-2427-7887	Repairs & Replacements	58.00
240-2427-7914	Landscape Maintenance	630.33
240-2429-7887	Repairs & Replacements	338.25
240-2431-7914	Landscape Maintenance	800.00
240-2432-7914	Landscape Maintenance	835.00
240-2433-7914	Landscape Maintenance	530.00
240-2434-7914	Landscape Maintenance	355.00
240-2435-7914	Landscape Maintenance	500.00
290-2905-7781	Contract Law Enforceme	13,750.00
440-4405-7614	Office Supplies	77.74
440-4405-7619	Fuel And Oil	97.17
440-4405-7821	Person'l Computr Suppo	51.24

Account Summary

Account Number	Account Name	Payment Amount
440-4405-7887	Repairs & Replacements	14,216.43
440-4405-7980	Other Expenses	25.27
	Grand Total:	560,566.26

Project Account Summary

Project Account Key	Payment Amount	
None	534,892.80	
201406-Prof Serv-City of Hope EIR Reimb	325.00	
201629-Youth Prgm-Community Outreach Program	300.00	
201709- Duarte's Promise - America's Promise Exp	303.29	
201716-Other Expense-CalGrip 2017-2018 (3 of 3 MOU	5,450.00	
201716-Sheriff's-CalGrip 2017-2018 (3 of 3 MOU)	15,291.83	
201719-Engineering-Gas Co-Las Lomas/Calle Martos	3,920.00	
250016-Oper of Acq Prop-1229 Pops Road	41.67	
990002 - Oper of Acq Prop - Duarte Trailer Park	41.67	
	Grand Total:	560,566.26



AGENDA MEMO

TO: DUARTE CITY COUNCIL

FROM: Karen Herrera, Deputy City Manager

SUBJECT: Adoption of Resolution 17-R-51 approving the 4th Amendment to the San Gabriel Valley Council of Governments Joint Powers Agreement

DATE: November 28, 2017

RECOMMENDATION:

That the Duarte City Council by motion, adopt Resolution 17-R-51 approving the 4th Amendment to the San Gabriel Valley Council of Governments' (SGVCOG) Joint Powers Agreement (JPA), and authorize the Mayor to execute on behalf of the City.

BACKGROUND:

As part of its Strategic Planning process in early 2016, the SGVCOG Governing Board identified the need to conduct an assessment about the future of ACE and the role of the SGVCOG in planning, funding, and constructing large capital projects.

The Alameda Corridor-East Construction Authority (ACE) was created by the San Gabriel Valley Council of Governments in 1998 as a subsidiary of the SGVCOG, with a narrow mission to address the traffic congestion caused by the expansion of freight rail traffic from the Ports of Los Angeles and Long Beach. For the past 18 years, ACE has had great success in securing more than \$1.6 billion in funding to construct grade separations to facilitate freight railroad movement through the southern portion of the San Gabriel Valley.

With the passage of Measure M, Measure A, and SB 1, there is extensive opportunity for the SGVCOG to assist with the planning, design, and construction of numerous large capital projects across the San Gabriel Valley. The expertise and excellent reputation of the ACE organization presented an opportunity to address an expanded and new scope of projects.

Duarte and the other members of the COG benefit in numerous ways from participating in the SGVCOG. The SGVCOG serves as a unified voice representing the cities in the San Gabriel Valley on County, regional, and statewide level. The most recent update to the SGVCOG's Strategic Plan identified the following priority areas:

- Large Capital Transportation Projects
- Active Transportation (i.e. Bicycle and Pedestrian Improvements)
- Stormwater
- Homelessness
- Legislative Advocacy

Continued participation in the SGVCOG is critical because the COG will be directly responsible for programming \$1.481 billion in Measure M funding for various transportation programs as follows

- Active Transportation/Greenway Network (\$231 million)
- Bus System Improvement (\$55 million)
- First/last mile and Complete Streets (\$198 million)

- Highway Demand (\$231 million)
- Goods Movement (\$33 million)
- Highway Efficiency (\$534 million)
- Subregional Equity Funds (\$199 million)

DISCUSSION:

After extensive discussion and review, the SGVCOG Governing Board recently approved the full integration of Alameda Corridor East Construction Authority into the SGVCOG to accomplish the following objectives:

- Restructure ACE so it will be an ongoing operation as a division of SGVCOG, and not expire at the end of its mission (currently estimated to be in FY 2022-23).
- Expand the jurisdiction of ACE as a construction and projects entity that can serve all of the San Gabriel Valley.
- Restructure the ACE Board so that it has representation from the entire San Gabriel Valley and revise its role so it is no longer a separate Board with management control over ACE but instead will be a standing committee advisory to the Governing Board regarding the ACE operation.
- Integrate SGVCOG and ACE staff under a single personnel system reporting to the Executive Director of SGVCOG.

A first step in this integration process is the revision of the SGVCOG JPA and bylaws. Any revision of the JPA requires the approval of the governing bodies of a majority of the member agencies. Note: The bylaws solely are revised by the SGVCOG Governing Board. The new amendment also reflects additional language to protect cities from any liability associated with these expanded construction activities. The SGVCOG Governing Board approved the revised JPA on October 19, 2017, and directed staff to distribute the JPA to all member agencies for adoption.

Aside from minor modifications for clarification, the primary revisions to the JPA are as follows:

- To expand the jurisdiction of the SGVCOG's construction scope to include projects anywhere in the San Gabriel Valley.
- Modify all references to the ACE Construction Authority to instead reference Capital Projects and Construction Committee (Committee).
- Strike all details regarding the operations and authority of the Committee, with all of that information being moved to the SGVCOG bylaws.

FISCAL IMPACT: None. No dues increase is proposed in conjunction with this amendment process.

ATTACHMENTS:

Resolution 17-R-51

Amendment – Fourth Amended and Restated Joint Exercise of Powers Agreement

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE
APPROVING AMENDMENTS TO THE SAN GABRIEL VALLEY COUNCIL OF
GOVERNMENTS JOINT POWERS AGREEMENT AS ADOPTED
BY THE COUNCIL'S GOVERNING BOARD**

WHEREAS, the San Gabriel Valley Council of Governments (the "Council") is a Joint Powers Authority, which was established pursuant to Chapter 5 of Division 7, Title 1 of the Government Code of the State of California (Sections 6500, et seq.); and

WHEREAS, the City of Duarte is one of the member agencies of the Council; and

WHEREAS, the Council is currently governed by the Third Amended and Restated Joint Exercise of Powers Agreement, effective March 12, 2007, which was entered into, and modified from time to time, by its public entity members (the "Agreement"); and

WHEREAS, the Duarte City Council desires to approve modifications to the Agreement, as adopted by the Council of Government's Governing Board, in order to revise the structure of the Council and extend the role of the Council in developing and constructing projects in the San Gabriel Valley, and to restructure and integrate the Alameda Corridor East Construction Authority ("ACE Construction Authority"), as well as to clarify member tort liability and indemnification obligations of member agencies under the Agreement;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Duarte as follows:

Section 1. The City Council adopts, ratifies, and approves the modifications to the Agreement, namely the Fourth Amended and Restated Joint Exercise of Powers Agreement, approved by the Governing Board of the Council on October 19, 2017, relating to the extension of the Council of Government's role in developing and constructing projects throughout the San Gabriel Valley, to establish the Capital Projects and Construction Committee, and to clarify the agreement regarding tort liability and indemnification of member agencies, which Amendment is attached hereto and incorporated herein by reference as "Exhibit A."

Section 2. The City Council expressly states its intent that the City not be responsible for the debts, liabilities, and obligations of the Council to the maximum extent permitted by law, and that each member agency shall indemnify other member agencies to the extent of any agency liability, as specified in the revisions adopted and ratified hereby.

Section 3. This Resolution shall take effect immediately upon its adoption. The City Clerk of the City of Duarte shall send a certified copy of this resolution to the Secretary of the San Gabriel Valley Council of Governments upon adoption.

PASSED, APPROVED, AND ADOPTED this 28th day of November, 2017.

Mayor

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

I, Marla Akana, City Clerk of the City of Duarte, County of Los Angeles, State of California, hereby attest to the above signature and certify that Resolution No. 17-51 was adopted by the City Council of said City of Duarte at a regular meeting of said Council held on the 28th day of November, 2017, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk Marla Akana
City of Duarte, California

**SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS
A JOINT POWERS AUTHORITY**

**FOURTH AMENDED AND RESTATED
JOINT EXERCISE OF POWERS AGREEMENT**

EFFECTIVE November 28, 2017

TABLE OF CONTENTS

	<u>Page No.</u>
Section 1. <u>Recitals</u>	1
Section 2. <u>Creation of Separate Legal Entity</u>	2
Section 3. <u>Name</u>	2
Section 4. <u>Purpose and Powers of the Council</u>	2
a. <u>Purpose of Council</u>	2
b. <u>Common Powers</u>	2
c. <u>Exercise of Powers</u>	4
Section 5. <u>Creation of Governing Board</u>	4
a. <u>Designation of Governing Board Representatives</u>	4
b. <u>Designation of Alternate Governing Board Representatives</u>	4
c. <u>Eligibility</u>	5
Section 6. <u>Use of Public Funds and Property</u>	5
Section 7. <u>Functioning of Governing Board</u>	5
a. <u>Voting and Participation</u>	5
b. <u>Proxy Voting</u>	5
c. <u>Quorum</u>	5
d. <u>Committees</u>	5
e. <u>Actions</u>	6
Section 8. <u>Duties of the Governing Board</u>	6
Section 9. <u>Roberts Rules of Order</u>	6
Section 10. <u>Meetings of Governing Board</u>	6
Section 11. <u>Election of President and Vice-President</u>	6
Section 12. <u>Executive Director</u>	6
Section 13. <u>Designation of Treasurer and Auditor</u>	7
Section 14. <u>Council Treasurer</u>	7
Section 15. <u>Designation of Other Officers and Employees</u>	7

Section 16.	<u>Obligations of Council</u>	7
Section 17.	<u>Control and Investment of Council Funds</u>	7
Section 18.	<u>Implementation Agreements</u>	7
Section 19.	<u>Term</u>	8
Section 20.	<u>Application of Laws to Council Functions</u>	8
Section 21.	<u>Members</u>	8
a.	<u>Withdrawal</u>	8
b.	<u>Non-Payment of Dues</u>	8
c.	<u>Admitting Eligible Members</u>	9
d.	<u>Admitting New Members</u>	9
Section 22.	<u>Interference With Function of Members</u>	9
Section 23.	<u>Dues of Members</u>	9
Section 24.	<u>Disposition of Assets</u>	10
Section 25.	<u>Amendment</u>	10
Section 26.	<u>Effective Date</u>	10
Section 27.	<u>Capital Projects and Construction</u>	10

**FOURTH AMENDED AND RESTATED JOINT EXERCISE OF POWERS
AGREEMENT OF THE "SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS"
(A JOINT POWERS AUTHORITY)**

This Fourth Amended and Restated Joint Exercise of Powers Agreement ("Agreement") is made and entered into by and between the public entities (individually, "Member" and collectively, "Members") whose names are set forth on Exhibit A, attached hereto and incorporated herein by this reference, pursuant to Section 6500, *et seq.* of the Government Code and other applicable law:

WITNESSETH:

The parties hereto do agree as follows:

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

a. Historically, the San Gabriel Valley Council of Governments, formerly known as the San Gabriel Valley Association of Cities, an unincorporated association, played a valuable role in serving as a forum for the exchange of ideas and information among its Member cities; however, the growing need for the cities in the San Gabriel Valley to develop and implement their own subregional policies and plans and voluntarily and cooperatively resolve differences among themselves required a more representative and formal structure;

b. There is further a growing need for the cities in the San Gabriel Valley to involve the unincorporated areas of Los Angeles County (the "County") and other public agencies located in the San Gabriel Valley in the development and implementation of subregional policies, plans, and projects, and in the voluntary and cooperative resolution of differences between the cities, public agencies and the unincorporated areas.

c. The public interest requires a joint powers agency to conduct studies and projects designed to improve and coordinate the common governmental responsibilities and services on an area-wide and subregional basis through the establishment of a council of governments;

d. The public interest requires that an agency explore areas of inter-governmental cooperation and coordination of government programs and provide recommendations and solutions to problems of common and general concern to its Members;

e. The public interest requires that an agency with the aforementioned goals not possess the authority to compel any of its Members to conduct any activities or implement any plans or strategies that they do not wish to undertake (except for the payment of dues);

f. Each Member is a public agency as defined by Section 6500 of the Government Code;

g. Each Member, by and through its legislative body, has determined that a subregional organization in the San Gabriel Valley is required in furtherance of the public interest, necessity and

convenience to assist in planning, voluntary coordination and implementing projects among the cities, unincorporated areas and other public agencies; and

h. Each Member, by and through its legislative body, has independently determined that the public interest, convenience and necessity requires the execution of this Agreement by and on behalf of each such Member.

i. This Fourth Amended and Restated Joint Exercise of Powers Agreement of the San Gabriel Valley Council of Governments is intended to supersede and replace the Third Amended and Restated Joint Exercise of Powers Agreement dated March 12, 2007, as amended by Amendment One, effective on May 9, 2008.

Section 2. Creation of Separate Legal Entity. It is the intention of the Members to create, by means of this Agreement, a separate legal entity within the meaning of Section 6503.5 of the Government Code. Accordingly, there is hereby created a separate legal entity which shall exercise its powers in accordance with the provisions of this Agreement and applicable law.

Section 3. Name. The name of the said separate legal entity shall be the San Gabriel Valley Council of Governments ("Council").

Section 4. Purpose and Powers of the Council.

a. Purpose of Council. The purpose of the creation of the Council is to provide a vehicle for the Members to voluntarily engage in regional and cooperative planning and coordination of government services and responsibilities to assist the Members in the conduct of their affairs, including the ability to design and construct public works projects to benefit the region or individual Members. It is the clear intent among Members that the Council shall not possess the authority to compel any of its Members to conduct any activities or implement any plans or strategies that they do not wish to undertake (except for the payment of dues). The goal and intent of the Council is one of voluntary cooperation among Members for the collective benefit of cities, other public agencies and unincorporated areas in the San Gabriel Valley.

b. Common Powers. The Council shall have, and may exercise, the following powers:

- (1) Serve as an advocate in representing the Members of the Council at the regional, state and federal levels on issues of importance to the San Gabriel Valley;
- (2) Serve as a forum for the review, consideration, study, development and recommendation of public policies and plans with regional significance;
- (3) Assemble information helpful in the consideration of problems peculiar to the Members;
- (4) Utilize Member resources or presently existing single purpose public and public/private groups to carry out its programs and projects;

- (5) Explore practical avenues for voluntary intergovernmental cooperation, coordination and action in the interest of local public welfare and improving the administration of governmental services;
- (6) Assist in coordinating subregional planning efforts and in resolving conflicts among the cities, other public agencies, and unincorporated areas in the San Gabriel Valley as they work toward achieving planning goals;
- (7) Build a consensus among the Members on the implementation of policies and programs for addressing subregional and regional issues;
- (8) Serve as a mechanism for obtaining state, federal and regional grants to assist in financing the expenditures of the Council;
- (9) Make and enter into contracts, including contracts for the services of engineers, consultants, planners, attorneys, contractors, and single purpose public/private groups;
- (10) Employ agents, officers and employees;
- (11) Apply for, receive and administer a grant or grants under any federal, state, or regional programs;
- (12) Receive gifts, contributions and donations of property, funds, services and other forms of financial assistance from persons, firms, corporations and any governmental entity;
- (13) Lease, manage, maintain, and operate any buildings, works, or improvements;
- (14) Delegate some or all of its powers to the Executive Director as hereinafter provided; and
- (15) To make and enter into contracts for the services of engineers, consultants, planners, and single purpose public or private groups, including contracts for design, materials and public works construction contracts, on behalf of and in the name of the Council;
- (16) To acquire, by purchase or eminent domain, construct, reconstruct, rehabilitate, maintain in whole or in part, dispose of in whole or part on behalf of and in the name of the Council, land, facilities and appurtenances necessary or convenient for the completion of the public works construction projects approved by the Governing Board of the Council;

- (17) To provide for or obtain insurance for the Council and its Members, and their agents, officers, and employees and contract for risk management services;
- (18) Borrow money, incur indebtedness and/or issue bonds pursuant to the Constitution of the State of California and any of the laws of the State of California and to exercise any implied power necessary to exercise the express powers provided for in this subparagraph 15, provided, however, that any borrowing hereunder shall be for the purpose of financing construction projects approved by the Governing Board and shall be repaid solely from funds pledged or otherwise designated for such projects. Borrowings authorized hereunder shall be in the name of the Council and shall be subject to Section 16 of this Agreement.

c. Exercise of Powers. The Council shall, in addition, have all implied powers necessary to perform its functions. It shall exercise its powers only in a manner consistent with the provisions of applicable law, this Agreement and the Bylaws. For the purposes of determining the restrictions to be imposed on the Council in its manner of exercising its powers pursuant to Government Code section 6509, reference shall be made to, and the Council shall observe, the restrictions imposed upon the City of West Covina, a general law city.

Section 5. Creation of Governing Board. There is hereby created a Governing Board for the Council ("Governing Board") to conduct the affairs of the Council. The Governing Board shall be constituted as follows:

a. Designation of Governing Board Representatives. Except with regard to the County, one person, who is a resident of the San Gabriel Valley, shall be designated as a representative to the Governing Board by the legislative body of each of the Members ("Governing Board Representative"). The County, in its sole discretion but subject to the requirement that it shall pay dues and assume all obligations under this Agreement in proportion to the number of its Representatives, shall have one, two or three Governing Board Representatives. The Governing Board Representative(s) for the County shall reside in and/or represent one of the First, Fourth or Fifth Supervisorial Districts and shall be selected by the respective County Supervisor. No Member shall be entitled to "ex officio" non-voting representation on the Governing Board; however, the Governing Board, at its sole discretion, may allow "ex officio" non-voting representation from public entities that are not Members.

b. Designation of Alternate Governing Board Representatives. Except with regard to the County, one person, who shall be a resident of the San Gabriel Valley, shall be designated as an alternate representative to the Governing Board by the legislative body of each of the Members ("Alternate Governing Board Representative"). The County shall have one, two or three Alternate Governing Board Representatives, each acting as an alternate for only one of the First, Fourth and/or Fifth Supervisorial Districts. The Alternate Governing Board Representative(s) for the County shall be selected by the respective County Supervisor(s) for the First, Fourth or Fifth Supervisorial Districts and shall reside in and/or represent that same Supervisorial District.

c. Eligibility. No person shall be eligible to serve as a Governing Board Representative or an Alternate Governing Board Representative unless that person is, at all times during the tenure of that person as a Governing Board Representative or Alternate Governing Board Representative, either a member of the legislative body of the appointing Members for city Members or an elected official of a public agency for public agency Members, except that Governing Board Representatives and Alternate Governing Board Representatives for the County do not have to be members of any legislative body but shall serve at the pleasure of their respective County Supervisors. Should any person serving on the Governing Board fail to maintain the status as required by this Section 5, that person's position on the Governing Board shall be deemed vacated as of the date such person ceases to qualify pursuant to the provisions of this Section 5 and the Member shall be entitled to appoint a qualified replacement.

Section 6. Use of Public Funds and Property. The Council shall be empowered to utilize for its purposes, public and/or private funds, property and other resources received from the Members and/or from other sources. Subject to the approval of the Governing Board of the Council, the Members shall participate in the funding of the Council in such a manner as the Governing Board shall prescribe, subject to the provisions of Section 23 of this Agreement. Where applicable, the Governing Board of the Council may permit one or more of the Members to provide in kind services, including the use of property, in lieu of devoting cash to the funding of the Council's activities.

Section 7. Functioning of Governing Board.

a. Voting and Participation. Each Member may cast only one vote for each issue before the Governing Board through its representative except that each Governing Board Representative for the County may cast one vote which shall be independent of and separate from the vote of any other Governing Board Representative for the County. An Alternate Governing Board Representative may participate or vote in the proceedings of the Governing Board only in the absence of the respective Governing Board Representative. Governing Board Representatives and Alternate Governing Board Representatives seated on the Governing Board shall be entitled to participate in and vote on matters pending before the Governing Board only if such person is physically present at the meeting of the Governing Board and if the Member which that Governing Board Representative or Alternate Governing Board Representative represents has timely and fully paid dues as required by this Agreement and the Bylaws. Each Governing Board Representative (or the Alternate Governing Board Representative) for the County who is physically present at the meeting of the Governing Board shall be entitled to participate in and vote on matters pending before the Governing Board without regard to the attendance or vote of any of the other Governing Board Representatives for the County if all dues owed by the County for the Supervisorial District of said Governing Board Representative are timely and fully paid as required by this Agreement and the Bylaws.

b. Proxy Voting. No absentee or proxy voting shall be permitted.

c. Quorum. A quorum of the Governing Board shall consist of not less than fifty percent (50%) plus one (1) of its total voting membership.

d. Committees. As needed, the Governing Board may create permanent or ad hoc advisory committees to give advice to the Governing Board on such matters as may be referred to such committees by the Governing Board. All committees shall have a stated purpose before they are formed. Such a committee shall remain in existence until it is dissolved by the Governing Board. Qualified persons shall be

appointed to such committees by the pleasure of the Governing Board. Committees, unless otherwise provided by law, this Agreement, the Bylaws or by direction of the Governing Board, may be composed of representatives to the Governing Board and non-representatives to the Governing Board.

e. Actions. Actions taken by the Governing Board shall be by not less than fifty percent (50%) plus one (1) of the voting Governing Board Representatives who are present with a quorum in attendance, unless by a provision of applicable law, this Agreement, the Bylaws or by direction of the Governing Board, a higher number of votes is required to carry a particular motion.

Section 8. Duties of the Governing Board. The Governing Board shall be deemed, for all purposes, the policy making body of the Council. All of the powers of the Council, except as may be expressly delegated to others pursuant to the provisions of applicable law, this Agreement, the Bylaws or by direction of the Governing Board, shall be exercised by and through the Governing Board.

Section 9. Robert's Rules of Order. The substance of Robert's Rules of Order shall apply to proceedings of the Governing Board, except as may otherwise be provided by provisions of applicable law, this Agreement, the Bylaws or by direction of the Governing Board.

Section 10. Meetings of Governing Board. The Governing Board shall, by means of the adoption of Bylaws, establish the dates and times of regular meetings of the Governing Board. The location of each such meeting shall be as directed by the Governing Board.

Section 11. Election of President and Vice-President. The President shall be the chairperson of the Governing Board, shall conduct all meetings of the Governing Board and perform such other duties and functions as required of such person by provisions of applicable law, this Agreement, the Bylaws or by the direction of the Governing Board. The Vice-President shall serve as President in the absence of the President and shall perform such duties as may be required by provisions of applicable law, this Agreement, the Bylaws, or by the direction of the Governing Board or the President. Additional officers of the Governing Board shall be as provided in the Bylaws.

A Governing Board Representative shall be elected to the position of President of the Governing Board, and a different Governing Board Representative shall be elected to the position of Vice-President of the Governing Board at the first regular meeting of the Governing Board held in May of each calendar year. The terms of office of the President and Vice-President shall commence and expire on July 1.

If there is a vacancy, for any reason, in the position of President or Vice-President, the officer in the next successive position shall fill that position for the remainder of the term, and every successive officer below shall accordingly move up one position. Except as the Governing Board by two thirds (2/3) vote may otherwise decide, the Governing Board shall forthwith conduct an election to fill any remaining vacancy for the unexpired term of such prior incumbent, unless the remaining term to be filled is three month or less.

Section 12. Executive Director. The Governing Board may appoint by a vote of fifty percent (50%) plus one (1) of the total voting membership a qualified person to be Executive

Director on any basis it desires including, but not limited to, a contract or employee basis. The Executive Director shall be neither a Governing Board Representative, nor an Alternate Governing Board Representative, nor an elected official of any Eligible Public Entity (as defined in Section 21 (c) of this Agreement). The Executive Director shall be the chief administrative officer of the Council. The Executive Director shall serve at the pleasure of the Governing Board and may be relieved from such position at any time, without cause, by a vote of fifty percent (50%) plus one (1) of the total voting membership of the Governing Board taken at a regular, adjourned regular or special meeting of the Governing Board. The Executive Director shall perform such duties as may be imposed upon that person by provisions of applicable law, this Agreement, the Bylaws, or by the direction of the Governing Board.

Section 13. Designation of Treasurer and Auditor. The Governing Board shall, in accordance with applicable law, designate a qualified person to act as the Treasurer for the Council and a qualified person to act as the Auditor of the Council. If the Governing Board so designates, and in accordance with provisions of applicable law, a qualified person may hold both the office of Treasurer and the office of Auditor of the Council. The compensation, if any, of a person or persons holding the offices of Treasurer and/or Auditor shall be set by the Governing Board.

Section 14. Council Treasurer. The person holding the position of Treasurer of the Council shall have charge of the depositing and custody of all funds held by the Council. The Treasurer shall perform such other duties as may be imposed by provisions of applicable law, including those duties described in Section 6505.5 of the Government Code, and such duties as may be required by the Governing Board. The Council's Auditor shall perform such functions as may be required by provisions of applicable law, this Agreement, the Bylaws and by the direction of the Governing Board.

Section 15. Designation of Other Officers and Employees. The Governing Board may employ such other officers or employees as it deems appropriate and necessary to conduct the affairs of the Council.

Section 16. Obligations of Council. The debts, liabilities and obligations of the Council shall be the debts, liabilities or obligations of the Council alone. No Member of the Council shall be responsible, directly or indirectly, for any obligation, debt or liability of the Council, whatsoever, to the fullest extent allowed by law. No Member of the Council shall be responsible for the debts or liabilities of any other Member solely by reason of Membership on the Council. Implementation Agreements to provide for the design and/or construction of projects with Members or other agencies ("Implementation Agreement") shall provide for indemnification of the individual Members of the Council who are not parties to the Contracts.

Section 17. Control and Investment of Council Funds. The Governing Board shall adopt a policy for the control and investment of its funds and shall require strict compliance with such policy. The policy shall comply, in all respects, with all provisions of applicable law.

Section 18. Implementation Agreements. When authorized by the Governing Board, affected Members may execute an Implementation Agreement for the purpose of authorizing the Council to implement, manage and administer area-wide and regional programs or projects in the interest of the local public welfare. The costs incurred by the Council in implementing a program

or projects, including indirect costs, shall be assessed only to those Members who are parties to that Implementation Agreement. Such Implementation Agreements shall provide for appropriate insurance and indemnification by the parties to the Agreement for whom the local project is being designed and/or built to protect the Council and all of its Members who are not parties to the Implementation Agreement.

Section 19. Term. The Council created pursuant to this Agreement shall continue in existence until such time as this Agreement is terminated. This Agreement may not be terminated except by an affirmative vote of not less than fifty percent (50%) plus one (1) of the then total voting membership of the Governing Board.

Section 20. Application of Laws to Council Functions. The Council shall comply with all applicable laws in the conduct of its affairs, including, but not limited to, the Ralph M. Brown Act. (Section 54950, *et seq.*, of the Government Code.)

Section 21. Members.

a. Withdrawal. A Member may withdraw from the Council by filing its written notice of withdrawal with the President of the Governing Board 60 days before the actual withdrawal. Such withdrawal shall be effective at 12:00 o'clock a.m. on the last day of that 60-day period. The withdrawal of a Member shall not in any way discharge, impair or modify the voluntarily-assumed obligations for the withdrawn Member in existence as of the effective date of its withdrawal. Withdrawal of a Member shall not affect the remaining Members. Withdrawn Members shall not be entitled to any reimbursement of annual dues paid. Withdrawal from any Implementation Agreement shall not be deemed withdrawal from the Council. At a minimum, withdrawal from an Implementation Agreement shall not relieve the withdrawing party from liability or obligations for any work undertaken pursuant to the Implementation Agreement already completed, or partially completed. In addition to being entitled to completely withdraw from the Council, the County may also partially withdraw and prospectively reduce its annual dues with a corresponding reduction in its ability to participate in and vote on matters before the Governing Board by filing a written notice of partial withdrawal with the President of the Governing Board 60 days before the actual partial withdrawal. Such notice of partial withdrawal shall indicate which Supervisorial District(s) shall remain active in the Council and which are being withdrawn and shall be effective at 12:00 o'clock a.m. on the last day of that 60-day period. Partial withdrawal shall not change the rights and obligations of the County under this Agreement except that the County shall no longer be able to participate in or vote on behalf of the withdrawn Supervisorial District(s) on any matter before the Governing Board or Council committees.

b. Non-Payment of Dues. If a Member fails to pay dues within three months of its annual dues assessment as required under Section 23 of this Agreement and the Bylaws, and after a 30-day written notice is provided to that Member, the Member shall be deemed to be suspended from this Agreement and the Council. When a Member is suspended, no representative of that Member shall participate or vote on the Governing Board or any committee. Such a Member shall be readmitted only upon the payment of all dues then owed by the Member, including dues incurred prior to the suspension and during the suspension. In the case of the County, if the County fails to pay dues for one or more of its Supervisorial Districts within three months of the County's annual dues assessment as required under Section 23 of this Agreement and the Bylaws, and after a 30-day written notice is provided to the County, no representative of the delinquent Supervisorial District(s) shall participate or vote on the Governing Board. The delinquent Supervisorial District(s) shall be able to resume participation and voting on the Governing Board only upon the payment

of all dues then owed by the County on behalf of the delinquent Supervisorial District including dues incurred prior to and during the period of non-payment by the County.

c. Admitting and Readmitting Eligible Members. Eligible public entities whose names are set forth on Exhibit A to this Agreement ("Eligible Public Entities") shall be admitted to the Council by: adopting this Agreement by majority vote of the legislative body of the Eligible Public Entity; properly signing this Agreement; and paying in full all dues owed for the then current fiscal year. Since the County may be admitted to the Council with voting representatives from one, two or three Supervisorial Districts, the dues to be paid by County will be based upon the number of Supervisorial Districts that will represent the County in the Council. County, in its sole discretion, may be admitted to the Council with representation from fewer than three Supervisorial Districts and may subsequently increase County's representation by one or more additional Supervisorial Districts contingent only on payment in full at the time that any additional Supervisorial District commences representation of the County of all dues for the then current fiscal year for said Supervisorial District. An Eligible Public Entity may be admitted regardless of whether it adopted and signed this Agreement before or after the Effective Date (as defined in Section 26 of this Agreement). An Eligible Public Entity that has withdrawn from the Council in accordance with Section 21 may be readmitted to the Council by adopting this Agreement or any subsequent version of this Agreement by a majority vote of the legislative body of the Eligible Public Entity; properly signing this Agreement or any subsequent version of this Agreement and paying in full all dues owed for the current fiscal year and any fiscal years for which the Eligible Public Entity had been withdrawn from the Council. No vote of the Governing Board shall be required to admit or readmit an Eligible Public Entity. County may reactivate representation by any withdrawn Supervisorial District (as defined in this Section 21) by paying in full all dues owed for the then current fiscal year and any fiscal years for which the Supervisorial District has been withdrawn and no vote of the Governing Board shall be required for said reactivation.

d. Admitting New Members. New Members who are not Eligible Public Entities may be admitted to the Council upon an affirmative vote of not less than fifty percent (50%) plus one (1) of the total voting membership of the Governing Board provided that such a proposed new Member is a city or public entity whose jurisdiction, or part thereof, lies within and/or immediately adjacent to, the San Gabriel Valley. Admission shall be subject to such terms and conditions as the Governing Board may deem appropriate.

Section 22. Interference with Function of Members. The Governing Board shall not take any action which constitutes an interference with the exercise of lawful powers by a Member of the Council.

Section 23. Dues of Members. The Members of the Council shall be responsible for the payment to the Council, annually, of dues for each fiscal year in the amounts periodically budgeted by the Governing Board, as and for the operating costs of the Council as provided in the Bylaws. The dues of any non-city and non-County Members of the Council shall be no more than the maximum dues assessed to any of the city Members of the Council. An annual dues assessment will be issued to all Members in July of each calendar year except that the annual dues assessment for the County will be issued in July of each calendar year for those Supervisorial Districts whose representation of the County began in the first six months of a Council fiscal year and in January of the following calendar year for those whose representation of the County began in the last six months of a Council fiscal year. Further, the annual dues assessment will also be issued each January for any new Members, including Eligible Public Entities and other entities, who have

become Members of the Council for the first time and whose membership commenced in the last six months of a Council fiscal year.

Section 24. Disposition of Assets. Upon termination of this Agreement, after the payment of all obligations of the Council, and subject to any grant funding restrictions or other funding agreements, any assets remaining shall be distributed to the Members in proportion to the then obligation of those Members' obligation to participate in the funding of the Council as provided in Section 23 hereof.

Section 25. Amendment. This Agreement may be amended at any time with the consent of fifty percent (50%) plus one (1) of all of the legislative bodies of the then parties hereto.

Section 26. Effective Date. The effective date ("Effective Date") of this Amended and Restated Agreement shall be the first date on which fifty percent (50%) plus one (1) of the Eligible Public Entities, whose names are set forth in Exhibit A, adopt this Agreement by a majority vote of the legislative body of each Eligible Public Entity and sign this Agreement.

Section 27. Capital Projects and Construction.

a. The Council shall have the authority to plan, review, design, manage, oversee, monitor and/or construct projects throughout the San Gabriel Valley as authorized in Section 4 of this Agreement. In addition, the Council may contract with other public agencies within or outside of the San Gabriel Valley to perform these functions outside of the San Gabriel Valley. Such projects will be determined by the Governing Board. The management and implementation of these projects will be the ultimate responsibility of the Executive Director.

b. The Governing Board of the Council previously formed the Alameda Corridor – East, Gateway to America Construction Authority (the "ACE Construction Authority") to implement a Project known as the Alameda Corridor – East, Gateway to America Project (the "Project"), which was expected to be of limited scope and duration. All responsibilities of the construction authority previously known as Alameda Corridor – East, Gateway to America Construction Authority shall continue to be the responsibilities of the Council. The ACE Project shall continue to completion and the Council will continue to use the name ACE in connection with its capital projects until such time as the Governing Board takes action to change identification of the Council's construction activities.

c. The Governing Board shall be advised regarding capital project and construction activities by a Standing Policy Committee established pursuant to the Council By-Laws. Such capital project and construction policy committee shall have a membership comprised of Council Governing Board members selected to represent the Council as provided in the By-Laws.

d. Implementation Agreements between the Council and any of its Members or other agencies shall provide for the agency or entity which will accept the project upon completion to properly approve the plans and specifications for any such project designed by Council employees, agents or contractors in order to ensure that all defenses and immunities available to public entities are fully preserved. Insurance shall be purchased for any such project.

That the Members of this Joint Powers Agreement have caused this Fourth Amended and Restated Agreement to be executed on their behalf, respectively, as follows:

PUBLIC AGENCY

CITY OF DUARTE

Mayor

ATTEST

City Clerk

DATE

EXHIBIT A

Eligible Public Entities

Alhambra

Arcadia

Azusa

Baldwin Park

Bradbury

Claremont

County of Los Angeles

Covina

Diamond Bar

Duarte

El Monte

Glendora

Industry

Irwindale

La Canada-Flintridge

La Puente

La Verne

Monrovia

Montebello

Monterey Park

Pasadena

Pomona

Rosemead

San Dimas

San Gabriel

San Gabriel Valley Water
Districts Joint Powers
Authority

Sierra Madre

South El Monte

South Pasadena

Temple City

Walnut

West Covina

Duarte and Duarte Dispatch

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5007700

CITY OF DUARTE
1600 E. HUNTINGTON DRIVE
DUARTE, CA 91010

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:

11/11/2017

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

Executed at West Covina, LA Co. California
On this 13th day of November, 2017.



Signature

(Space below for use of County Clerk Only)

Legal No. 0011037534

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Duarte (the "City") will hold a Public Hearing at 7:00 p.m., or as soon thereafter as the hearing may be held, on Tuesday, November 28, 2017, in the City Council Chambers, Duarte Community Center, 1600 Huntington Drive, Duarte, California 91010, with respect to the issuance by the California Enterprise Development Authority (the "Authority") from time to time, pursuant to a plan of finance, of its revenue obligations (the "Obligations"). The proceeds of the Obligations in an amount not to exceed \$7,750,000 will be loaned to SMG Arts Property, LLC, a California limited liability company (or any affiliate thereof or successor thereto) (the "Borrower"), the sole member of which is the California School of the Arts-San Gabriel Valley, a California nonprofit public benefit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "School"), for the purpose of (1) financing and refinancing the cost of the acquisition, construction, development, renovation, equipping and furnishing of educational facilities on approximately 8.9 acres of real property leased from the Duarte Unified School District located at 1401 Highland Avenue, Duarte, California 91010, including, but not limited to, acquisition and installation of portable educational facilities and rehabilitation of existing educational facilities and related facilities comprising of approximately 90,000 square feet of classrooms, dance and art studios and administrative space (collectively, the "Facilities"); and (2) paying certain costs of issuance of the Obligations. The Facilities constructed on the property will be owned by the Borrower and operated by the School, a public charter school, in connection with the School's mission of providing a creative, challenging, and nurturing educational environment and offering bright and talented students a rigorous college-preparatory academic program and pre-professional arts conservatory training.

The Obligations will not be deemed to constitute a debt or liability of the City, the State of California (the "State") or any political subdivision thereof, but will be payable solely from the funds provided therefor by the Borrower. The Authority will not be obligated to pay the principal of the Obligations, or the redemption premium, if any, or interest thereon, except from funds provided from loan repayments by the Borrower. Neither the faith and credit nor taxing power of the City, the State or any political subdivision thereof, will be pledged to the payment of the principal or redemption premium, if any, or interest on the Obligations. The issuance of the Obligations will not directly, indirectly or contingently obligate the City, the State or any political subdivision thereof to levy or to pledge any form of taxation or to make any appropriation for their payment. The City is conducting the public hearing as an accommodation to the School to facilitate the financing of the cost of the acquisition, construction, development, renovation, equipping and furnishing of the Facilities. The City will not be the issuer of the Obligations and takes no responsibility for the financing the cost of the acquisition, construction, development, renovation, equipping and furnishing of the Facilities.

Those wishing to comment on the proposed financing, the nature and location of the Facilities may either appear in person at the public hearing or submit written comments, which must be received by the City prior to the hearing. Written comments should be sent to the City Clerk, City of Duarte, 1600 Huntington Drive, Duarte, California 91010.

Mañaki Akana
City Clerk

PUBLISH: Duartean, Saturday, November 11, 2017
POSTED: Duarte City Hall, Duarte Public Safety Office, Duarte Library

11/7/17

CITY COUNCIL STAFF REPORT

DATE: NOVEMBER 28, 2017
TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: DAVID B. COSGROVE, CITY ATTORNEY
SUBJECT: PUBLIC HEARING FOR THE ISSUANCE OF OBLIGATIONS BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,000,000 FOR THE PURPOSE OF FINANCING AND REFINANCING FACILITIES FOR THE BENEFIT OF SMG ARTS PROPERTY, LLC, OR ANY AFFILIATE THEREOF OR SUCCESSOR THERETO

RECOMMENDED ACTION:

It is recommended that the City Council:

1. Hold a public hearing for the issuance of tax-exempt obligations by the California Enterprise Development Authority (the "Authority") in an aggregate principal amount not to exceed Seven Million Seven Hundred Fifty Thousand Dollars (\$7,750,000) for the purpose of financing and refinancing facilities located in Duarte, California, for the benefit of SMG Arts Property, LLC; and
2. After the hearing, adopt the enclosed approving Resolution.

DISCUSSION:

SMG Arts Property, LLC, a California limited liability company (or any affiliate thereof or successor thereto) (the "Applicant"), the sole member of which is the California School of the Arts-San Gabriel Valley, a California nonprofit public benefit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "School") has requested that the Authority issue revenue obligations in the maximum principal amount of \$7,750,000 (the "Obligations") for the purpose of financing and refinancing the cost of acquisition, construction, development, renovation, furnishing and equipping facilities located at 140 Highland Avenue, Duarte, California 91010 (the "Facilities"). A portion of the proceeds of the Obligations will be used to pay costs of issuance in connection with the financing.

The Council may recall that a similar hearing was conducted, and a similar resolution (17-R-33) was unanimously passed, earlier this year on June 13, 2017. That resolution related to a financing of \$3,000,000. This requested financing is in the amount of \$7,750,000, and is consistent with the original plan of financing for the school.

By way of background, the School operates a public charter school providing a creative, challenging, and nurturing educational environment and offering bright and talented students a rigorous college-preparatory academic program and pre-professional arts conservatory training. The School plans to begin operations of a middle and high school in the City in August 2018. Once fully enrolled, the School will serve approximately 1,200 students in grades 7-12. The School will operate under a charter granted by the Duarte Unified School District (the "District"). The Facilities will be located on portion of the Northview Intermediate school campus pursuant to an agreement with the District.

The City of Duarte is an associate member of the Authority, a joint powers agency established by the California Association for Local Economic Development whose purpose is to issue tax-exempt and taxable conduit revenue bonds to fund commercial and industrial development projects within member jurisdictions.

The Joint Powers Act, comprising Articles 1, 2, 3 and 4 of Chapter 5 of Division 7 of Title 1 (commencing with Section 6500) of the Government Code of the State of California and Internal Revenue Code Section 145 provide for the issuance of tax-exempt “private activity” obligations by a conduit governmental issuer on behalf of a 501(c)(3) corporation to finance facilities used, owned and/or operated by such entity. For interest on such private activity obligations to be tax-exempt, Section 147(f) of the Internal Revenue Code requires, among other things, the obligations and the facilities financed thereby must be approved by both the governmental unit which will issue the obligations (in this case, the Authority) and the governmental unit in which the obligation-financed facilities are located (City of Duarte). Further, a public hearing, for which reasonable notice has been given, must be held. This hearing and process is referred to as TEFRA, after the Tax Equity and Fiscal Responsibility Act of 1982.

The assets to be financed with the proceeds of the Obligations are located within the jurisdiction of the City. Therefore, the City has been asked to conduct the public hearing, and to approve the Obligations as the host governmental unit. The City has effectuated proper notice of the hearing via publication at least 14 days in advance.

The Obligations will be payable solely from amounts received pursuant to the terms and provisions of one or more loan agreements to be executed by the Authority and the Foundation. The City will not be a party to any loan agreement or any other documents in connection with the issuance of the Obligations. The Obligations will not be secured by any form of taxation or by any obligation of either the City or the Authority. Neither will the Obligations represent or constitute a general obligation of either the City or the Authority.

As announced in the published notice, the TEFRA hearing is an opportunity for all interested persons to speak or to submit written comments concerning the proposal to issue the Obligations to finance the Facilities. There is no requirement that either the Foundation or the City Council respond to any specific comments made or submitted at the hearing.

FISCAL IMPACT:

The City’s approval of this financing bears with it no cost or other financial obligation, but serves as a public acknowledgement of the refinancing of the Facilities by the host jurisdiction.

- Exhibits:
1. Notice of Public Hearing
 2. Resolution Approving Issuance

RESOLUTION NO.**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE APPROVING THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$7,750,000 FOR THE PURPOSE OF FINANCING AND REFINANCING THE COST OF ACQUIRING, CONSTRUCTING, DEVELOPING, RENOVATING, EQUIPPING, AND FURNISHING FACILITIES FOR THE BENEFIT OF SMG ARTS PROPERTY, LLC, AND OTHER MATTERS RELATING THERETO HEREIN SPECIFIED**

WHEREAS, SMG Arts Property, LLC, a California limited liability company (or any affiliate thereof or successor thereto) (the “Borrower”), the sole member of which is the California School of the Arts-San Gabriel Valley, a California nonprofit public benefit corporation (the “School”), has submitted, and the California Enterprise Development Authority (the “Authority”), a joint exercise of powers agency established pursuant to the laws of the State of California (the “State”), has accepted, an application requesting the Authority to issue, from time to time, pursuant to a plan of finance, its tax-exempt revenue bonds or other obligations in an aggregate principal amount not to exceed \$7,750,000 (the “Obligations”) for the benefit of the Borrower pursuant to Chapter 5 of Division 7 of Title 1 of the Government Code of the State (commencing with Section 6500) (the “Act”); and

WHEREAS, the proceeds of the Obligations will be used for the purpose of financing and refinancing the cost of the acquisition, construction, development, renovation, equipping and furnishing of educational facilities on property leased from the Duarte Unified School District located at 1401 Highland Avenue, Duarte, California 91010, including, but not limited to, the acquisition and installation of portable educational facilities and the rehabilitation of existing educational facilities and related facilities (collectively, the “Facilities”); and

WHEREAS, a portion of the proceeds of the Obligations will be used to pay certain costs of issuance of the Obligations; and

WHEREAS, the Facilities are owned by the Duarte Unified School District and operated by the School, a public charter school, in connection with the School’s mission of providing a creative, challenging, and nurturing educational environment and offering bright and talented students a rigorous college-preparatory academic program and pre-professional arts conservatory training; and

WHEREAS, the issuance of the Obligations must be approved by the governmental unit on behalf of which the Obligations are issued and a governmental unit having jurisdiction over the territorial limits in which the Facilities are located pursuant to the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”); and

WHEREAS, the Facilities are located within the territorial limits of the City of Duarte (the “City”) and the City Council of the City (the “City Council”) is the elected legislative body of the City; and

WHEREAS, the Authority and the Borrower have requested that the City Council approve the issuance of the Obligations by the Authority and the financing and refinancing of the acquisition,

construction, development, renovation, equipping and furnishing of the Facilities with the proceeds of the Obligations pursuant to Section 147(f) of the Code; and

WHEREAS, the Facilities provide significant benefits to the City's residents through the educational services provided by the School to the City's residents and the Facilities will also create and retain employment opportunities for the City's residents; and

WHEREAS, the Authority's issuance of the Obligations will result in a more economical and efficient issuance process because of the Authority's expertise in the issuance of conduit revenue obligations; and

WHEREAS, it is intended that this Resolution shall comply with the public approval requirements of Section 147(f) of the Code; *provided, however*, that this Resolution is neither intended to nor shall it constitute an approval by the City Council of the Facilities for any other purpose; and

WHEREAS, pursuant to Section 147(f) of the Code, the City Council of the City, following notice duly given, held a public hearing regarding the issuance of the Obligations and now desires to approve the issuance of the Obligations by the Authority.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the City Council of the City as follows:

Section 1. The City Council hereby finds and determines that all of the recitals are true and correct. The City Council finds that the Facilities will provide the significant benefits set forth in the recitals above. The City Council hereby approves the issuance of the Obligations by the Authority, which Obligations may be tax-exempt and/or taxable as approved by the Authority in its resolution, in an amount not to exceed \$7,750,000 to finance and reimburse the cost of the acquisition, construction, development, renovation, equipping and furnishing of the Facilities. This Resolution shall constitute "host" approval and "issuer" approval of the issuance of the Obligations within the meaning of Section 147(f) of the Code and shall constitute the approval of the issuance of the Obligations within the meaning of the Act; *provided, however*, that this Resolution shall not constitute an approval by the City Council of the Facilities for any other purpose. The City shall not bear any responsibility for the tax-exempt status of the Obligations, the repayment of the Obligations or any other matter related to the Obligations.

Section 2. All actions heretofore taken by the officers, employees and agents of the City with respect to the approval of the issuance of the Obligations are hereby approved, confirmed and ratified, and the officers and employees of the City and their authorized deputies and agents are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all certificates and documents which they or special counsel may deem necessary or advisable in order to consummate the issuance of the Obligations and otherwise to effectuate the purposes of this Resolution.

Section 3. The adoption of this Resolution shall not obligate the City or any department thereof to (i) provide any financing for the Facilities; (ii) approve any application or request for or take any other action in connection with any planning, approval, permit or other action necessary for the acquisition, construction, development, renovation, equipping and furnishing of the Facilities; or (iii) make any contribution or advance any funds whatsoever to the Authority.

Section 4. This Resolution shall take effect from and after its adoption.

PASSED, APPROVED, AND ADOPTED this 28th day of November, 2017.

Mayor

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

I, Marla Akana, City Clerk of the City of Duarte, County of Los Angeles, State of California, hereby attest to the above signature and certify that Resolution No. 17-50 was adopted by the City Council of said City of Duarte at a regular meeting of said Council held on the 28th day of November, 2017, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk Marla Akana
City of Duarte, California