

MEMORANDUM

TO: City Council
FROM: City Manager
DATE: September 8, 2016
SUBJECT: Comments on Agenda Items, Meeting of September 13, 2016

ITEM 8.A. The City Council will recognize the student graduates who participated in the City of Hope Career Technical Education (CTE) 2016 Summer Mentorship program, and the graduates of the Science Education Partnership Award (SEPA) Summer Research program.

The Summer Mentorship program matches students from Duarte High School with dynamic and interesting City of Hope professionals, including doctors, nurses, and scientists, as well as those who work in the fields of finance, information technology, marketing, philanthropy, and human resources. These students already received City certificates at their recent graduation ceremony.

SEPA was created to encourage active biomedical and/or behavioral scientists to work as partners with educators, media experts, community leaders, and other interested organizational leaders on projects that improve student understanding of the health sciences in K-12 education, and increase the public's understanding of science. These students will receive City certificates at the Council Meeting.

ITEM 8.B. A representative from the Mayor's Youth Council will provide an update on recent activities they have undertaken.

ITEM 8.C. The City Council will be introduced to Daina Moore, the City's new representative from the Los Angeles County Economic Development Corporation (LAEDC).

ITEM 8.D. A presentation on Measure M will be made by L.A. County Metropolitan Transportation Authority Chief Communications Officer Pauletta Tonilas. The Metro Board of Directors voted to place a sales tax measure on the November 8, 2016, ballot. The measure (called the Los Angeles County Traffic Improvement Plan) was crafted through a collaborative process with regional stakeholders and input from the public. The Metro Board of Directors placed this sales tax measure on the ballot to establish a new tax, and extend an existing tax, which is expected to help fund transportation improvements for today and in the future. The measure proposes to build new rail lines and highway improvement projects, enhance bus and rail service, fund local street, sidewalk, and signal improvements, keep fares affordable for seniors, students, and the disabled, maintain our growing, but aging, transportation system, and better connect bike and pedestrian paths to transit facilities. The measure is expected to generate an estimated \$860 million a year in 2017 dollars.

ITEM 12.D (Consent). This item will continue the declaration of a local emergency due to the San Gabriel Complex Fire.

ITEM 12.E (Consent). This is a request by the City of Hope for the City to act as a co-sponsor for the Walk For Hope Los Angeles event to be held on November 6, 2016, at the City of Hope.

ITEM 12.F (Consent). This is a request by the Duarte Health Fair committee for the City to co-sponsor the Duarte Health Fair to be held on March 4, 2017, at the Duarte Senior Center.

ITEM 12.G (Consent). This is a request by Congressmember Grace Napolitano for the City to co-sponsor an Export Trade Seminar to be held on October 20, 2016, at the Duarte Performing Arts Center.

ITEM 12.H (Consent). This is a resolution supporting Measure A, the Safe, Clean Neighborhood Parks, Open Space, Beaches, Rivers Protection, and Water Conservation Measure. The City of Duarte participated in the 2016 County-wide Park Needs Assessment and conducted a public workshop to identify local needs. To help meet these needs, the City of Duarte would be eligible to apply for grants and maintenance and servicing funds for future park projects, repairs, and improvements through the passing of Measure A.

ITEM 12.I (Consent). This is a resolution supporting Measure M, the Los Angeles County Metropolitan Transportation Authority Sales Tax Measure, to generate additional revenues for transportation improvements throughout Los Angeles County.

ITEM 12.K (Consent). Staff is recommending that the City Council reject all bids submitted for the “Gold Line Station Pedestrian and Bicycle Improvements” project. A total of one bid was received and opened for the project on September 1, 2016. Elecnor Belco Electric, Inc., in Chino was the sole bidder in the amount of \$1,856,971, which represents a 32% premium over the Engineer’s estimate. Due to the lack of other competitive bids and the significant cost above the Engineer’s estimate, staff recommends that the City Council reject all bids, and authorize staff to re-advertise the project.

ITEM 12.L (Consent). This is to authorize the City Manager to execute an Exchange Agreement with Los Angeles County Metro for the exchange of Federal Surface Transportation Project Local (STP-L) funds. The City of Duarte is offered an opportunity to exchange these funds for flexible LACMTA local transportation funds. The STP-L funds consist of the unobligated balance and two additional fiscal years. LACMTA will deduct a 2% administrative fee to process the exchange of \$385,671.30 of STP-L funds to the City of Duarte local funds. The proposed exchanged funds are earmarked for street rehabilitation projects.

ITEM 12.M (Consent). This is to consider approving an amendment to the Joint Exercise of Powers Agreement to form the Foothill Policy Board. It is recommended that the City Council approve the amendment to the agreement between the cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena entered into on June 12, 2000, for the purpose of forming a consortium to administer employment and training programs under the Workforce Investment Act (WIA) of 1998. WIA has been replaced by the Workforce Innovation and Opportunity Act of 2014 (WIOA). Similar to WIA, WIOA permits a consortium of units of local government designated as a Workforce Investment Area under the WIA that had acceptable programmatic outcomes and financial management, to be designated as a Workforce Development Area. This amendment does not make any material changes to the Joint Powers Agreement.

ITEM 12.N (Consent). This item is a resolution establishing an hourly rate schedule for a part-time temporary Clerk-Typist/Receptionist position. Currently, the City does not have an approved part-time job description or salary range for a Clerk-Typist/Receptionist. However, we do have the existing full-time job description and salary range that was approved, and staff is recommending that the part-time position utilize the same description and hourly salary range, recognizing that this position will be part-time temporary, and will not include retirement or health benefits.

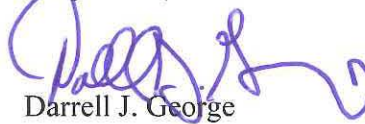
ITEM 14. After many years of hoping for a Town Center, a plan for the area has been developed and is before the City Council for consideration. The Town Center Specific Plan is creative and forward thinking, and it sets in place standards and guidelines that will encourage quality growth, and provide incentives for quality development. The plan is also a strong economic tool for the City. Staff has been working with the consultant and the Town Center Ad Hoc Committee for the past 15 months, and there has been extensive public outreach. The Planning Commission has heard the item and recommended approval. A detailed presentation of the plan will be provided at the meeting.

The Public Hearing for this item will include: 1) A resolution approving a General Plan Amendment to amend the land use element and land use policy map of the Duarte General Plan from various general plan designations to Town Center Specific Plan; 2) A resolution certifying the final supplemental environmental impact report for the Town Center Specific Plan as adequate and complete; 3) An ordinance modifying the City's zoning map from various zones to Town Center Specific Plan; and 4) An ordinance adopting the Town Center Specific Plan on properties generally north of the 210 Freeway on Highland Avenue and Buena Vista Street to Huntington Drive, and on Huntington Drive generally between Santo Domingo Avenue and Buena Vista Street.

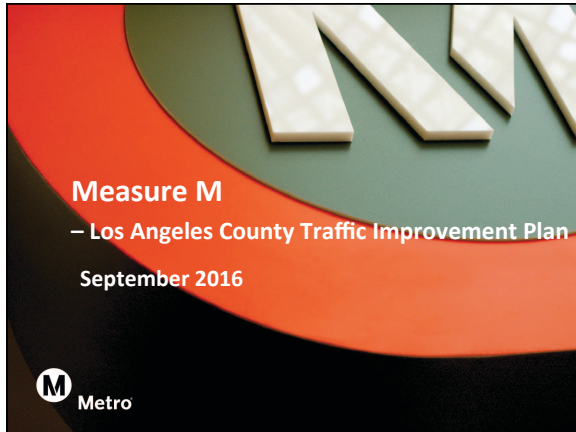
ITEM 15.A. The City Council will recognize members of the Duarte Town Center Ad Hoc Committee for all of their time, expertise, and commitment to working with the City on the preparation of the Town Center Specific Plan and related documents.

ITEM 15.B. This item is for the City Council to consider authorizing: 1) Emergency purchases related to the Fish Fire; 2) The City Manager to enter into a Cooperative Agreement with the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS); 3) The City Manager to execute a temporary right-of-entry agreement with Duarte Unified School District; 4) The Purchasing Officer to execute all contracts and purchase orders related to the implementation of the NRCS Agreement; and 5) A budget amendment in the amount of \$400,000 pertaining to the post-Fish Fire emergency response.

Respectfully submitted,



Darrell J. George
City Manager

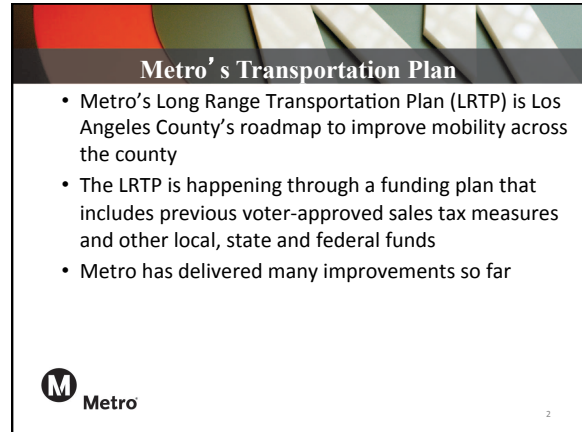


Measure M

– Los Angeles County Traffic Improvement Plan

September 2016

 Metro



Metro's Transportation Plan

- Metro's Long Range Transportation Plan (LRTP) is Los Angeles County's roadmap to improve mobility across the county
- The LRTP is happening through a funding plan that includes previous voter-approved sales tax measures and other local, state and federal funds
- Metro has delivered many improvements so far

 Metro

2

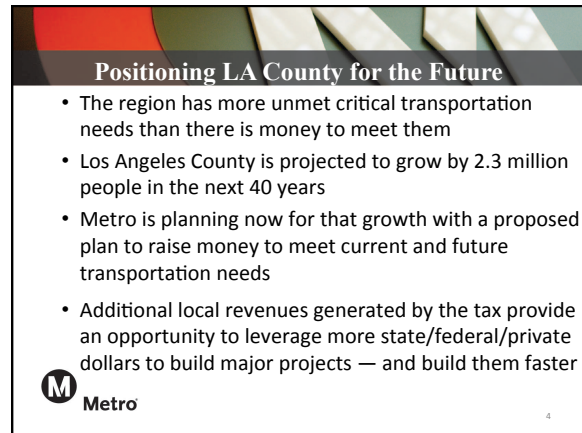


Metro's Progress in Easing Traffic

- Metro provides 450 million rides a year
- Two rail lines opened in 2016
- Three additional rail lines in construction
- Several highway improvements underway



 Metro



Positioning LA County for the Future

- The region has more unmet critical transportation needs than there is money to meet them
- Los Angeles County is projected to grow by 2.3 million people in the next 40 years
- Metro is planning now for that growth with a proposed plan to raise money to meet current and future transportation needs
- Additional local revenues generated by the tax provide an opportunity to leverage more state/federal/private dollars to build major projects — and build them faster

 Metro

4



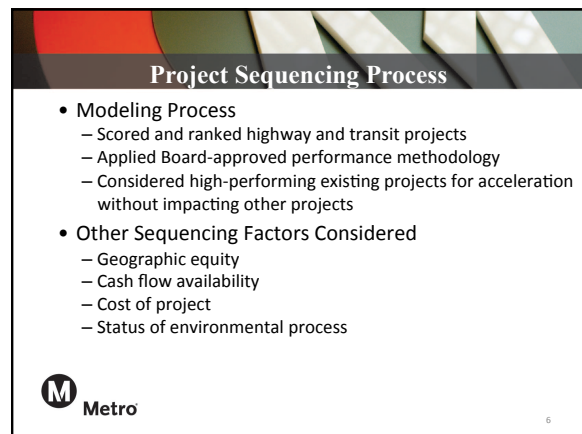
A Collaborative Regional Process

- Metro conducted a collaborative process with regional partners for the past three years to identify major projects for future implementation
- Metro staff has maintained an open dialogue with stakeholders throughout plan development



 Metro

5



Project Sequencing Process

- Modeling Process
 - Scored and ranked highway and transit projects
 - Applied Board-approved performance methodology
 - Considered high-performing existing projects for acceleration without impacting other projects
- Other Sequencing Factors Considered
 - Geographic equity
 - Cash flow availability
 - Cost of project
 - Status of environmental process

 Metro

6

Public Input Process

- **11** public meetings across the county
- **1** virtual online public meeting
- **14** Telephone Town Halls
- **84 meetings** attended by Metro staff
- **1,600** comments received
 - Voice mail comments
 - Written comments received through:
 - US mail, e-mail, comment cards and flip charts at public meetings, website and social media




Public Input

- General themes from the public:
 - Accelerate projects, especially rail
 - Provide more reliable bus service and BRT lines
 - Increase/don't increase funding for Local Return
 - Increase funding for Active Transportation
 - Increase funding for senior, disabled and student programs
 - Increase funding for Metrolink
 - Build in funding for safety, security and technology
 - Continue part of the tax to keep the system in good working condition



Public Poll Results

- After educating poll respondents about the ballot measure, 72 percent would vote for a “no sunset” measure
- Potential benefits that resonate most:
 - Keep fares affordable for seniors, students and persons with disabilities
 - Create jobs
 - Repair potholes
 - Earthquake-retrofit bridges
 - Improve freeway traffic flow



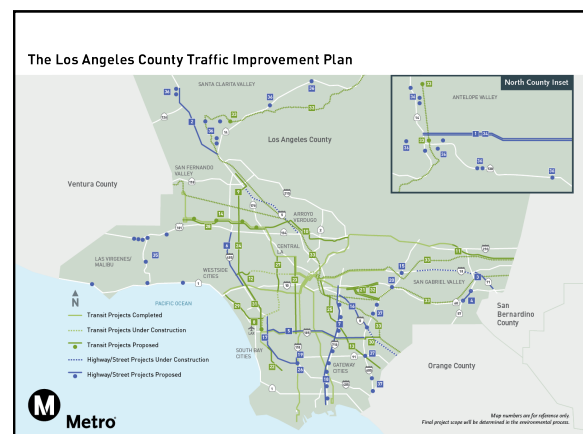
Ballot Measure Overview

- In June, Metro Board approved placing a “No Sunset” measure on the November ballot
- New ½ cent sales tax starting in July 2017
- Increases to 1-cent in 2039 when current ½ cent Measure R expires
- Continues until voters decide to repeal it
 - Through an initiative or Metro-sponsored measure
- Needs two-thirds approval by voters



Elements of the Measure

- New rail and bus rapid transit projects
- New highway projects
- Enhanced bus and rail service
- Local street, signal, bike/pedestrian improvements
- Affordable fares for seniors, students and persons with disabilities
- Maintenance/replacement of aging system
- Bike and pedestrian connections to transit facilities

Goals of the Measure

- Improve freeway traffic flow
- Expand rail and enhance bus service
- Repave local streets and fix potholes
- Keep fares affordable for seniors, students and persons with disabilities
- Embrace technology and innovation
- Create jobs and more quality of life
- Keep the system in good working condition
- Provide accountability and transparency



13

Accountability Built into the Measure

- Establishes an independent oversight process to provide an enhanced level of accountability on the use of sales tax revenues
 - Taxpayers Oversight Committee
- Establishes a comprehensive assessment of the plan every 10 years
- Reviews funding to each city and uses of those revenues



14

Impacts of the Measure

- 5 cents on a \$10 purchase
- \$24 per person, per year based on average spending
- 465,690 jobs created through Measure M
- \$79.3 billion in economic output across Southern California
- 40 major highway & transit projects in the first 40 years
- Some projects will be complete in later years



15

Next Steps

- Metro Public Information Program – July-November
- Program Management Plan Presentation – October
- Expenditure Plan Guidelines – Late 2016/early 2017
- Long Range Transportation Plan Update – 2017

For complete information about Metro's Long Range Transportation Plan and Ballot Measure visit:

www.metro.net/theplan

16

Questions?



17

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 – AUGUST 23, 2016

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 Kang called the meeting to order at 5:10 p.m.
RECORDATION OF ATTENDANCE	The following were in attendance: PRESENT: Fasana, Finlay, Paras-Caracci, Reilly, Kang ABSENT: None ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Cosgrove
ADOPTION OF AGENDA	Reilly moved, Finlay seconded to adopt the Agenda, as amended to add a letter of support for AB 2853 to the Consent Calendar, and carried unanimously.
CLOSED SESSION Potential Litigation	There was no public input. Cosgrove announced the Closed Session was pursuant to Government Code Sections 54956.9 (d)(2) and (e)(1); One potential case of litigation. City Council reconvened at 7:07 p.m., with all members present.
PLEDGE TO THE FLAG	Congressmember Grace Napolitano led the Pledge of Allegiance.
MOMENT OF REFLECTION	A moment of reflection was observed.
FITNESS/MENTAL WARM-UP	George and Finlay provided the warm-up.
PUBLIC REPORT OF CLOSED SESSION ITEMS	Cosgrove announced the City Council met in a Closed Session concerning one case of potential litigation, with no reportable action taken.
SPECIAL ITEMS Introduction – Mayor’s Youth Council	Cesar Monsalve introduced members of the Mayor’s Youth Council. Mayor Kang presented Certificates of Appointment to the members, and congratulations were extended.
Recognition – ACT-SO participants	Karen Herrera described the NAACP’s ACT-SO competition. Mayor Kang presented certificates to the medalists and participants, and extended congratulations.
Presentation – Gas Company Aliso Canyon – Reliability	Bob Cruz, Southern California Gas Company Public Affairs Manager, presented an overview of the Gas Company, including energy systems, Aliso Canyon natural gas storage facility status, energy reliability, well inspection, mitigating outage risks, and the importance of energy conservation. Mayor Kang presented a certificate of appreciation to the Gas Company for providing air purifiers to Duarte residents who were affected by the San Gabriel Complex Fire.

08/23/16

Presentation – Parks Measure	Jane Beesley, L.A. County Regional Park and Open Space District Administrator, made a presentation about the Safe, Clean Neighborhood Parks Measure, which will be on the November ballot, and answered questions from Councilmembers. City Council requested that the Safe, Clean Neighborhood Parks Measure of 2016 be brought back so Council can take a position on it.
ANNOUNCEMENTS	Arturo Nevarez announced a health fair in Azusa that will be sponsored by Assemblymember Hernandez. Joanna Gee, Duarte Library, announced workshops, programs, story times, and classes in August and September. Karen Herrera presented community announcements, including upcoming events, programs, and activities in August and September.
ITEMS ADDED TO CONSENT	It was noted that at the beginning of the meeting, a letter of support for AB 2853 was added to the Consent Calendar as Item J.
CONSENT CALENDAR	Fasana moved, Paras-Caracci seconded to approve the Consent Calendar as follows, and carried unanimously. Approve Items A, B, C, D, G, H. Remove Item E, F, I, J.
Item G – ORDINANCE NO. 866 Safety Assessment Placards (Second Reading)	Council Bill 16-O-06 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, ADDING CHAPTER 16.05 TO THE DUARTE MUNICIPAL CODE RELATING TO SAFETY ASSESSMENT PLACARDS USED BY THE CITY TO DENOTE THE CONDITION OF A STRUCTURE TO COMMUNICATE ALLOWED, RESTRICTED, OR PROHIBITED OCCUPANCY OF BUILDINGS FOLLOWING AN EARTHQUAKE, OTHER EMERGENCY, OR NATURAL DISASTER (Second Reading)
ITEMS REMOVED	Villalobos answered questions from Councilmembers about the regulatory signs.
Item E – Regulatory Signs Notice of Completion Superior Pavement Markings	Finlay moved, Paras-Caracci seconded to accept the New Regulatory Sign Installation project (Superior Pavement Markings), and authorize the City Clerk to initiate the Notice of Completion, and carried unanimously.
ITEM E – APPROVED	
Item F – Letter of Support Foothill Family Service	George answered questions from Councilmembers about the letter of support.
ITEM F – APPROVED	Reilly moved, Kang seconded to approve the letter of support for Foothill Family Service pertaining to its combined application for Early Head Start/Child Care Partnerships and Early Head Start Expansion, and carried unanimously.
Item I – Conference Attendance	Finlay stated she cannot attend the event, and she hoped there would be City representatives in attendance.

ITEM I – APPROVED	Fasana moved, Paras-Caracci seconded to approve Conference Attendance, and carried unanimously.
Item J – Support AB 2853 (Gatto) Public Records	George provided a staff report about AB 2853 (Gatto), and stated a request for support was received from the League of California Cities for support.
ITEM J – APPROVED	Reilly moved, Kang seconded to approve the letter of support for AB 2853 (Gatto), and carried unanimously.
BUSINESS ITEM Agreements/Budget amendment 1415-1437 Huntington Drive	Craig Hensley presented a staff report about the proposed agreements and budget amendment pertaining to the properties at 1415-1437 Huntington Drive, and introduced Matt Waken from MJW Investments, LLC. Mr. Waken described past projects and the proposed project, and answered questions from City Councilmembers. Paras-Caracci moved, Reilly seconded to approve and authorize the City Manager to sign an Exclusive Negotiating Agreement with MJW Investments, LLC for the properties at 1415-1437 Huntington Drive to consider a possible mixed use development; approve a Professional Services Agreement for Real Estate Advisory Services with Rosenow Spevacek Group Inc.; and approve a \$30,000 budget amendment, and carried unanimously.
ITEMS FROM CITY COUNCIL CITY MANAGER	REILLY: Attended Chamber business seminar, boxing program event, and Kiwanis Club dedication of the reading corner at the Teen Center, inquired about a notice from Cal-Am Water pertaining to water restrictions (Villalobos responded), and wished the City a happy birthday. PARAS-CARACCI: Stated she announced the bouts at the boxing program event, thanked staff and volunteers, congratulated Kiwanis and the Teen Center on the reading corner, she has seen signs on private property about saving schools and parks, she saw a lady with a sign standing on the median at Huntington Drive/Buena Vista and hopes we can make sure of the safety of persons on the median and drivers, and inquired about realtor signs on the medians (Villalobos responded). FINLAY: Wished happy birthday to the City and Councilmembers Fasana and Reilly, she has received letters about the homelessness and inquired about the joint meeting (Villalobos stated it will be held on August 31), and requested an update after the joint meeting with Irwindale, Azusa, and Army Corps. FASANA: Inquired about recent homicide (Sgt. Kearney provided an update), attended boxing tournament, Contract Cities meeting, Papa John's opening, and cultural awareness workshop, announced the NAACP is hosting an event in October, and stated Bob Wight was very active in the community, and will be missed.

KANG: Stated Starbucks is doing well, inquired about the old Starbucks site (Hensley responded), stated the walk sign by Maryvale was twisted and asked if it can be locked down, and inquired about the buildings in the shopping center where the fire was, monument signs, and ham radio status (Hensley and Villalobos responded).

ADJOURNMENT

Paras-Caracci stated she has fond memories of both Mr. and Mrs. Wight, and extended sympathies to the Wight family and the family of Monty Manibog, the former Mayor of Monterey Park.

Lino Paras spoke about Mr. Manibog and Mr. and Mrs. Wight, and stated they will be missed.

The meeting was adjourned at 9:15 p.m. in memory of Bob Wight and Monty Manibog.

Mayor Samuel Kang

ATTEST:

City Clerk



City of Duarte

Council Warrant Register Over \$5000

By Payment Number

Payment Dates 08/24/2016 - 09/13/2016

Payment Number	Payment Date	Vendor #	Description	Vendor Name	Account Number	Project Account Key	Payment Amount Item Amount
205640	8/29/2016	4559	CITY OF HOPE - CITY OF DUARTE				15,000.00
	2017FLOAT	2017	Rose Float Participation		100-1405-7975		15,000.00
205650	8/31/2016	5559	CALE AMERICA				9,999.00
	141737		WebOffice Basic		100-1205-7762		540.00
	141737		Web Terminal Pay Station		100-1205-7762		8,535.00
	141737		Installation-Labor		100-1205-7762		424.00
	141737		Training		100-1205-7762		500.00
205653	8/31/2016	5537	CONDOR INC				18,142.00
	Retention-Partial	Retention-#1-Duarte	Fitness Center P		100-1610-8100	201607-Other Cap Impr-Pool Rehab	18,142.00
205654	8/31/2016	5537	CONDOR INC				5,894.00
	Retention-Bal.	Retention-#2-Duarte	Fitness Center P		100-1610-8100	201607-Other Cap Impr-Pool Rehab	5,894.00
205655	8/31/2016	0057	COUNTY OF LOS ANGELES - ANIMAL CARE AND CONTROL				10,564.11
	081516		Animal Shelter Services 6/2016		100-1205-7780		5,472.02
	081816		Animal Shelter Srvcs 12/2015		100-1205-7780		10,053.65
	081816cm		Credit-Staff Error (A4809618) 12/201		100-1205-7780		-4,961.56
205663	8/31/2016	0056	LOS ANGELES COUNTY SHERIFF'S DEPARTMENT				290,547.15
	164862NH		Sheriff Contract 6/2016		100-1205-7781		263,050.37
	164862NH		Sheriff Contract 6/2016		100-1205-7781	201616-Sheriff Contract-Calgrip FY2016-17	15,291.83
	164862NH		Sheriff Contract 6/2016		290-2905-7781		11,834.00
	165077NH		Movie Night Patrol 6/10/16		100-1205-7781		370.95
205675	8/31/2016	4674	TYLER TECHNOLOGIES INC				11,279.75
	025-158845		Finance System Support 7/1/16 - 9/3		100-1815-7820		11,279.75
205713	9/13/2016	5612	ACTIVE NETWORK LLC				8,614.20
	1011279		ActiveNet Online Registration Contra		100-1605-7653		7,110.00
	11080087		ActiveNet Debit Pin Pad		100-1605-7980		501.40
	11080372		ActiveNet Debit Pin Pad (2)		100-1605-7980		1,002.80
205719	9/13/2016	3889	BRIGHTVIEW LANDSCAPE SERVICES INC				21,764.41
	5100132		Landscape Maintenance 8/2016		100-1020-7724		115.00
	5100132		Landscape Maintenance 8/2016		100-1415-7916		2,130.00
	5100132		Landscape Maintenance 8/2016		100-1825-7945	990002 - Oper of Acq Prop - Duarte Trailer Park	41.67
	5100132		Landscape Maintenance 8/2016		100-1825-7945	250016-Oper of Acq Prop-1229 Pops Road	41.67
	5100132		Landscape Maintenance 8/2016		240-2410-7915		7,500.00
	5100132		Landscape Maintenance 8/2016		240-2410-7917		4,630.00
	5100132		Landscape Maintenance 8/2016		240-2420-7914		345.16
	5100132		Landscape Maintenance 8/2016		240-2421-7914		1,300.00
	5100132		Landscape Maintenance 8/2016		240-2422-7914		480.58
	5100132		Landscape Maintenance 8/2016		240-2423-7914		900.00
	5100132		Landscape Maintenance 8/2016		240-2424-7914		550.00
	5100132		Landscape Maintenance 8/2016		240-2425-7914		400.00
	5100132		Landscape Maintenance 8/2016		240-2426-7914		180.00
	5100132		Landscape Maintenance 8/2016		240-2427-7914		630.33
	5100132		Landscape Maintenance 8/2016		240-2431-7914		800.00
	5100132		Landscape Maintenance 8/2016		240-2432-7914		835.00
	5100132		Landscape Maintenance 8/2016		240-2433-7914		530.00
	5100132		Landscape Maintenance 8/2016		240-2434-7914		355.00
205725	9/13/2016	2270	DUARTE HAWKS YOUTH FOOTBALL CORP				10,000.00
	090716		FY17 Sports Grant		100-1605-7753		10,000.00

Council Warrant Register Over \$5000

Payment Dates: 08/24/2016 - 09/13/2016

Payment Number	Payment Date Payable Number	Vendor # Description	Vendor Name	Account Number	Project Account Key	Payment Amount Item Amount
205743	9/13/2016	5454	MOORE IACOFANO GOLTSMAN INC			21,098.29
	0045350	Duarte Town Ctr Specific Plan 7/2016		100-1405-7965	201603-Prof Svcs-Town Center Proj	20,318.29
	0045353	Duarte Town Ctr Newspaper Notice		100-1405-7965	201603-Prof Svcs-Town Center Proj	780.00
205744	9/13/2016	2461	MOUNTAIN VISTA PLAZA			9,953.32
	9/2016	Public Safety Lease		100-1205-7787		9,953.32
205745	9/13/2016	4165	NOBEL SYSTEMS			6,500.00
	13905	GIS GeoViewer Hosting 12/1/2016 - 1		100-1405-7980		6,500.00
205753	9/13/2016	0196	RUTAN & TUCKER LLP			15,864.22
	754765	Code Enforcement Legal 7/2016		100-1015-7684		4,394.48
	754768	NPDES/Enviro/Stormwater Litigation		100-1015-7686		11,469.74
31	9/13/2016	4286	MAXTREME INC			9,037.60
	13220	IT Helpdesk 8/2016		100-1815-7965		8,700.00
	13220	Crash Plan Recovery 8/2016		100-1815-7980		200.00
	13224	Network Cables		100-1605-7980		61.33
	13224	USB & Adapter		100-1815-7980		76.27
Payment Total:						464,258.05

Report Summary

Fund Summary

Fund	Payment Amount
100 - GENERAL FUND	432,987.98
240 - LIGHTING AND LANDSCAPE DISTRICT FUND	19,436.07
290 - SUPPLEMENTAL LAW ENFORCEMENT FUND	11,834.00
Grand Total:	464,258.05

Account Summary

Account Number	Account Name	Payment Amount
100-1015-7684	Code Enforcement	4,394.48
100-1015-7686	Other Legal Services	11,469.74
100-1020-7724	Post Office Parking	115.00
100-1205-7762	Parking Pass Kiosk Costs	9,999.00
100-1205-7780	Animal Control	10,564.11
100-1205-7781	Contract Law Enforceme	278,713.15
100-1205-7787	Public Safety Cntr Lease	9,953.32
100-1405-7965	Professional Services	21,098.29
100-1405-7975	Economic Development	15,000.00
100-1405-7980	Other Expenses	6,500.00
100-1415-7916	Landscape-Sport Park	2,130.00
100-1605-7653	Active Net Fees	7,110.00
100-1605-7753	Youth Programs (CDBG)	10,000.00
100-1605-7980	Other Expenses	1,565.53
100-1610-8100	Other Capital Improvem	24,036.00
100-1815-7820	Finance System Support	11,279.75
100-1815-7965	Professional Services	8,700.00
100-1815-7980	Other Expenses	276.27
100-1825-7945	Operation Of Acq Prop	83.34
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
290-2905-7781	Contract Law Enforceme	11,834.00
Grand Total:		464,258.05

Project Account Summary

Project Account Key	Payment Amount
None	403,748.59
201603-Prof Svcs-Town Center Proj	21,098.29
201607-Other Cap Impr-Pool Rehab	24,036.00
201616-Sheriff Contract-Calgrip FY2016-17	15,291.83
250016-Oper of Acq Prop-1229 Pops Road	41.67
990002 - Oper of Acq Prop - Duarte Trailer Park	41.67
Grand Total:	464,258.05



City of Duarte

Council Warrant Register by Account

By Fund

Payment Dates 08/24/2016 - 09/13/2016

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
Fund: 100 - GENERAL FUND					
100-1002	DUARTE RECREATION PETTY CASH	Startup Cash for Park & Rec/SC ActiveNet	205683		400.00
100-1005-7647	LIZ REILLY	Conference/Meerting Expense Reimbursement	205750		164.06
100-1005-7980	SMART & FINAL	Closed Session Desserts 8/9/16	205642		23.77
100-1010-7076	LUZ SERNA	Tuition Reimbursement	205671		1,737.00
100-1010-7610	DUARTE CHAMBER OF COMMERCE	Karen H Chamber Board Mtg 8/17/16	205724		11.00
100-1010-7614	STAPLES ADVANTAGE	Office Supplies	205759		18.01
100-1010-7614	STAPLES ADVANTAGE	Office Supplies	205759		103.98
100-1010-7980	SMART & FINAL	Grocery Outlet Reception	205758		37.29
100-1015-7684	SILVER & WRIGHT LLP	Code Enforcement Legal 7/2016	205756		4,112.80
100-1015-7684	RUTAN & TUCKER LLP	Code Enforcement Legal 7/2016	205753		4,394.48
100-1015-7686	RUTAN & TUCKER LLP	NPDES/Enviro/Stormwater Litigation 7/2016	205753		11,469.74
100-1020-7716	SMART & FINAL	Council Meet and Greet w/Grocery Outlet	205642		27.82
100-1020-7716	DUARTE UNIFIED SCHOOL DISTRICT	City Anniversary Reception 8/23/16	205728		400.00
100-1020-7724	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719		115.00
100-1205-7612	KIWANIS CLUB OF DUARTE	Aida Torres 1/2016 - 7/2016 Dues	205739		280.00
100-1205-7612	KIWANIS CLUB OF DUARTE	Aida Torres 8/2015 - 11/2015 Dues	205739		160.00
100-1205-7614	WALMART COMMUNITY/RFCSLLC	Office Supplies	205643		10.74
100-1205-7614	WALMART COMMUNITY/RFCSLLC	Office Supplies	205643		27.72
100-1205-7614	FRONTIER HARDWARE	Office Keys	205732		17.35
100-1205-7614	STAPLES ADVANTAGE	Office Supplies	205759		12.70
100-1205-7650	ALEX ROMO AUTO & TRUCK REPAI	Veh 23 PM Service/Repair	205714		282.00
100-1205-7761	DATA TICKET INC	Admin Citation Processing 7/2016	205723		890.75
100-1205-7761	DATA TICKET INC	Parking Citation Processing 7/2016	205723		940.29
100-1205-7761	SUPERIOR CT OF CAL CO OF LOS A	Citation Revenue Tax 7/2016	205761		3,234.25
100-1205-7761	CITY OF ARCADIA	Admin Cite Hearing-C Galdamez #D01278	205715		50.00
100-1205-7762	CALE AMERICA	Web Terminal Pay Station	205650		8,535.00
100-1205-7762	CALE AMERICA	Training	205650		500.00
100-1205-7762	CALE AMERICA	Installation-Labor	205650		424.00
100-1205-7762	CALE AMERICA	WebOffice Basic	205650		540.00
100-1205-7779	WALMART COMMUNITY/RFCSLLC	7/9/16 Monrovia Movie Snacks	205643		22.54
100-1205-7779	WALMART COMMUNITY/RFCSLLC	Camping Supplies (DART Trip)	205643	201616-Youth Programs-Calgrip FY 2016-	17.04
100-1205-7779	WALMART COMMUNITY/RFCSLLC	DART Event Supplies	205643		3.40
100-1205-7779	WALMART COMMUNITY/RFCSLLC	Camping Supplies (DART Trip)	205643		170.73
100-1205-7779	WALMART COMMUNITY/RFCSLLC	CSU Fresno Trip 7/16 - 7/19 Snacks	205643		112.28
100-1205-7779	WALMART COMMUNITY/RFCSLLC	DART Event Supplies 7/30/16	205643		14.98
100-1205-7780	FRONTIER HARDWARE	Animal Control Equipment	205732		57.66
100-1205-7780	FRONTIER HARDWARE	Animal Control Equipment	205732		9.97
100-1205-7780	COUNTY OF LOS ANGELES - ANIMA	Animal Shelter Services 6/2016	205655		5,472.02
100-1205-7780	COUNTY OF LOS ANGELES - ANIMA	Animal Shelter Srvcs 7/2016	205722		1,760.62
100-1205-7780	COUNTY OF LOS ANGELES - ANIMA	Animal Shelter Srvcs 12/2015	205655		10,053.65
100-1205-7780	COUNTY OF LOS ANGELES - ANIMA	Credit-Staff Error (A4809618) 12/2015	205655		-4,961.56
100-1205-7781	LOS ANGELES COUNTY SHERIFF'S D	Sheriff Contract 6/2016	205663	201616-Sheriff Contract-Calgrip FY2016-1	15,291.83
100-1205-7781	LOS ANGELES COUNTY SHERIFF'S D	Sheriff Contract 6/2016	205663		263,050.37
100-1205-7781	LOS ANGELES COUNTY SHERIFF'S D	Movie Night Patrol 6/10/16	205663		370.95
100-1205-7781	HUNTINGTON & DUARTE INC	Fuel-Sheriff Dept	205667		45.65
100-1205-7781	HUNTINGTON & DUARTE INC	Fuel-Sheriff Dept	205667		48.06
100-1205-7781	HUNTINGTON & DUARTE INC	Fuel-Sheriff Dept	205667		39.68
100-1205-7787	MOUNTAIN VISTA PLAZA	Public Safety Lease	205744		9,953.32
100-1205-7980	SMART & FINAL	South Yard Breakroom Supplies	205758		53.10
100-1205-7980	STAPLES ADVANTAGE	NNO Supplies	205759		34.76
100-1205-7984	STEPHEN MARTINEZ	Phone Reimbursement	205697		30.00
100-1211	KRISTINE SWART	Computer Loan	205762		2,064.59
100-1405-7690	PAULA WATSON-GARDNER	Planning Commission Meeting	205764		50.00

Council Warrant Register by Account

Payment Dates: 08/24/2016 - 09/13/2016

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
100-1405-7690	GEORGE K FARRA	Planning Commission Meeting	205730		50.00
100-1405-7690	SARA VASQUEZ	Planning Commission Meeting	205763		50.00
100-1405-7690	SHAUNA PIERCE	Planning Commission Meeting	205747		50.00
100-1405-7690	SHERYL LEFMANN	Planning Commission Meeting	205741		50.00
100-1405-7965	MOORE IACOFANO GOLTSMAN INC	Duarte Town Ctr Specific Plan 7/2016	205743	201603-Prof Svcs-Town Center Proj	20,318.29
100-1405-7965	MOORE IACOFANO GOLTSMAN INC	Duarte Town Ctr Newspaper Notice	205743	201603-Prof Svcs-Town Center Proj	780.00
100-1405-7967	RKA CONSULTING GROUP	Engineering Svcs - PW Inspections 6/2016	205752		720.00
100-1405-7969	RKA CONSULTING GROUP	Engineering Svcs-Complex/Fish Fire 6/2016	205752	201632-Fish Fire-Engineering Svcs	750.00
100-1405-7969	RKA CONSULTING GROUP	Engineering Svcs-Bus Pad Relocate Hunt/BV 7/16	205752		168.75
100-1405-7969	RKA CONSULTING GROUP	Engineering Svcs-FY15/16 Concrete Repair 7/16	205752		187.50
100-1405-7969	RKA CONSULTING GROUP	Engineering Svcs-Las Lomas Rd Rehab 7/2016	205752		187.50
100-1405-7975	CITY OF HOPE - CITY OF DUARTE	2017 Rose Float Participation	205640		15,000.00
100-1405-7980	NOBEL SYSTEMS	GIS GeoViewer Hosting 12/1/2016 - 11/30/2017	205745		6,500.00
100-1410-7656	SUNWEST ENGINEERING	Emergency Generator Inspection 8/2016	205760		145.00
100-1410-7810	A1 MAINTENANCE SERVICES CA	Las Brisas Sweeping 8/2016	205712		58.00
100-1410-7810	A1 MAINTENANCE SERVICES CA	Las Posadas Sweeping 8/2016	205712		58.00
100-1410-7980	FRONTIER HARDWARE	Shop Repair	205732		11.97
100-1410-7980	SMART & FINAL	South Yard Breakroom Supplies	205758		53.09
100-1415-7889	FRONTIER HARDWARE	Sports Field Irrigation Repair	205732		9.00
100-1415-7889	FRONTIER HARDWARE	Sports Field Irrigation Repair	205732		-1.94
100-1415-7889	LANDSCAPE WAREHOUSE INC	Sports Field Irrigation Repair	205740		496.21
100-1415-7916	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719		2,130.00
100-1605-7612	CALIFORNIA PARK & RECREATION S	Teesha Tarr Dues 10/1/16 - 9/30/17	205721		150.00
100-1605-7612	CALIFORNIA PARK & RECREATION S	Kelly Barnes Dues 10/1/16 - 9/30/17	205721		150.00
100-1605-7614	WALMART COMMUNITY/RFCSLLC	Storage Bins	205643		10.81
100-1605-7614	STAPLES ADVANTAGE	Markers	205759		13.94
100-1605-7614	STAPLES ADVANTAGE	Correction Tape	205759		95.38
100-1605-7650	EXXONMOBIL	Fuel-City Vehicles	205685		15.72
100-1605-7653	ACTIVE NETWORK LLC	ActiveNet Online Registration Contract	205713		7,110.00
100-1605-7728	LUPE VALERIO	AmeriCorps End of Year Meeting	205708	201605 - Duarte's Promise - America's Pr	52.46
100-1605-7730	WALMART COMMUNITY/RFCSLLC	Splashatcular Candy	205643		6.36
100-1605-7730	WALMART COMMUNITY/RFCSLLC	Mystery Event Raffle Prizes/Snacks	205643		154.39
100-1605-7730	WALMART COMMUNITY/RFCSLLC	Dive-In Movie	205643		21.76
100-1605-7733	WALMART COMMUNITY/RFCSLLC	SC Sewing Supplies	205643		37.45
100-1605-7733	NATIONAL PEN CORPORATION	SC Pocket Calendars	205665		184.79
100-1605-7733	SMART & FINAL	SC Ice Cream Social	205758		68.09
100-1605-7733	DR BRICE HARRIS JR	SC Lecture on Climate Change	205692		50.00
100-1605-7733	DUARTE PETTY CASH/BINGO PRIZE	SC Bingo Prize Money	205641		100.00
100-1605-7735	WALMART COMMUNITY/RFCSLLC	TC Amazing Acts Week	205643		23.73
100-1605-7735	WALMART COMMUNITY/RFCSLLC	Return (Inv #07445)	205643		-25.70
100-1605-7735	WALMART COMMUNITY/RFCSLLC	TC Special Events Supplies	205643		14.72
100-1605-7735	WALMART COMMUNITY/RFCSLLC	TC Special Events/Game Room Supplies	205643		404.87
100-1605-7735	DUARTE CHAMBER OF COMMERCE	TC Back to School BBQ Prizes	205724		69.00
100-1605-7735	SMART & FINAL	TC Snack Bar Supplies	205642		349.96
100-1605-7735	SMART & FINAL	TC Back to School BBQ Supplies	205758		114.12
100-1605-7735	SMART & FINAL	TC Back to School BBQ Supplies	205758		7.62
100-1605-7735	RALPHS GROCERY COMPANY	TC Back to School BBQ Prizes	205748		28.95
100-1605-7735	STAPLES ADVANTAGE	TC Butcher Paper	205759		68.88
100-1605-7735	CARLOS MARTINEZ	TC Back to School BBQ Bounce House	205664		50.00
100-1605-7735	CLAIRE CHRISLOY PUNO	Youthworks Internship Stipend	205669		100.00
100-1605-7735	CETH CLARK	Youthworks Internship Stipend	205652		100.00
100-1605-7735	JULIANNA BARRAGAN	Youthworks Internship Stipend	205648		100.00
100-1605-7736	WALMART COMMUNITY/RFCSLLC	Duarte Park Classroom Equipment	205643		289.42
100-1605-7739	THE SAUCE CREATIVE SERVICES	2016 City Picnic Flyers	205754		463.26
100-1605-7739	WEBER'S PRINTING	Fall Recreation Class/Sports Flyers	205765		652.72
100-1605-7740	SMART & FINAL	Adventure Club Refreshments	205642		59.58
100-1605-7744	SMART & FINAL	Teen Nutrition Council Supplies	205642		82.59
100-1605-7744	CYNTHIA SIERRA	Youthworks Internship Stipend	205673		100.00
100-1605-7744	LINDSAY E LATHROP	Youthworks Internship Stipend	205662		100.00
100-1605-7744	FELIPE VALDEZ	Youthworks Internship Stipend	205676		100.00

Council Warrant Register by Account

Payment Dates: 08/24/2016 - 09/13/2016

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
100-1605-7744	MARISOL ARIAS	Youthworks Internship Stipend	205646		100.00
100-1605-7744	CASSANDRA GONZALEZ	Youthworks Internship Stipend	205657		100.00
100-1605-7744	ALFREDO ALVARDO	Youthworks Internship Stipend	205645		100.00
100-1605-7744	EMILY DIAZ	Youthworks Internship Stipend	205656		100.00
100-1605-7745	SMART & FINAL	Duarte Boxing Show Supplies	205758		344.92
100-1605-7745	SIMON EQUIPMENT RENTALS	Fan Rental-Duarte Boxing Show	205757	201616-Boxing Program-CalgripFY2016-1	62.64
100-1605-7753	DUARTE HAWKS YOUTH FOOTBALL	FY17 Sports Grant	205725		10,000.00
100-1605-7980	WALMART COMMUNITY/RFCSLLC	First Aid Supplies	205643		20.24
100-1605-7980	ACTIVE NETWORK LLC	ActiveNet Debit Pin Pad	205713		501.40
100-1605-7980	ACTIVE NETWORK LLC	ActiveNet Debit Pin Pad (2)	205713		1,002.80
100-1605-7980	MAXTREME INC	Network Cables	31		61.33
100-1605-7980	SMART & FINAL	TBall & Summer Park Supplies	205642		55.98
100-1605-7980	SMART & FINAL	TBall & Summer Park Supplies	205642		21.44
100-1605-7980	SMART & FINAL	TBall & Summer Park Supplies	205642		3.98
100-1605-7980	SMART & FINAL	South Yard Breakroom Supplies	205758		53.09
100-1605-7980	SMART & FINAL	Swim Team Party Drinks	205758		74.56
100-1605-7980	J & J SPORTS & TROPHIES	Swim Team Awards	205737		299.21
100-1605-7980	THE SAUCE CREATIVE SERVICES	Recreation Staff Shirts	205754		213.22
100-1605-7980	DUARTE PIZZA COMPANY	Swim Team Awards Food	205726		329.15
100-1605-7980	OFFICE SOLUTIONS INC	ActiveNet Cash Drawers (2)	205746		389.11
100-1610-7616	SEA-CLEAR POOLS INC	Replace Main Pool Pump Motor/Repair Chlorine Pump	205755		1,755.44
100-1610-7618	FRONTIER HARDWARE	Futsal Court Repairs	205732		59.74
100-1610-7618	FRONTIER HARDWARE	FC Shower Heads	205732		26.14
100-1610-7618	FRONTIER HARDWARE	CH Phone Cord/Misc Park Supplies	205732		62.04
100-1610-7618	SMART & FINAL	CC/Council Supplies	205642		297.40
100-1610-7618	STAPLES ADVANTAGE	TC Bookcase	205759		54.49
100-1610-7652	BURRTEC WASTE SERVICES LLC	Trash Svcs-3rd St Bldg	205679	210039- Bldg Maint Services - Montessori	119.67
100-1610-7652	PRONTO GYM SERVICES INC	Gym Equipment Repairs	205701		235.00
100-1610-7830	THE TECHNOLOGY DEPOT INC	Phone Support 8/24/16 - 9/23/16	205674		422.00
100-1610-7830	FRONTIER COMMUNICATIONS	Phones-S Yard 8/7/16 - 9/6/16	EFT03385		100.83
100-1610-7830	FRONTIER COMMUNICATIONS	Phone-SC Elevator 8/4/16 - 9/3/16	EFT03386		52.13
100-1610-8100	CONDOR INC	Retention-#2-Duarte Fitness Center Pool Improv	205654	201607-Other Cap Impr-Pool Rehab	5,894.00
100-1610-8100	CONDOR INC	Retention-#1-Duarte Fitness Center Pool Improv	205653	201607-Other Cap Impr-Pool Rehab	18,142.00
100-1805-7614	STAPLES ADVANTAGE	Binders (Admin Svcs)	205759		92.12
100-1805-7614	OFFICE SOLUTIONS INC	Printer Toner/File Folders-Admin Svcs	205746		401.41
100-1805-7614	OFFICE SOLUTIONS INC	Office Supplies	205746		42.70
100-1805-7614	OFFICE SOLUTIONS INC	Printer Ink-Admin Svcs	205746		39.27
100-1805-7614	OFFICE SOLUTIONS INC	Utility Invoice Filing Box	205746		32.10
100-1805-7965	HINDERLITER, DE LLAMAS & ASSOC	2016 Q3 Sales Tax Audit	205735		1,033.88
100-1810-7610	MICHELLE BROWN	CJPIA WC Symposium	205649		29.16
100-1810-7614	STAPLES ADVANTAGE	Office Supplies/Binders-HR	205759		174.74
100-1810-7614	OFFICE SOLUTIONS INC	Printer Toner-HR	205746		310.15
100-1810-7673	IRWINDALE INDUSTRIAL CLINIC	DOT Physical	205736		50.00
100-1810-7980	SMART & FINAL	Health Fair Supplies	205758		96.85
100-1815-7630	GREATAMERICA FINANCIAL SVCS	Internet Equipment Lease-Pmt 31	EFT03376		1,624.24
100-1815-7630	WELLS FARGO VENDOR FINANCIAL	CH Computer Lease #21	EFT03389		1,975.69
100-1815-7820	TYLER TECHNOLOGIES INC	Finance System Support 7/1/16 - 9/30/16	205675		11,279.75
100-1815-7821	THE TECHNOLOGY DEPOT INC	VITA Mgmt 9/2016	205674		578.00
100-1815-7965	MAXTREME INC	IT Helpdesk 8/2016	31		8,700.00
100-1815-7980	MAXTREME INC	Crash Plan Recovery 8/2016	31		200.00
100-1815-7980	MAXTREME INC	USB & Adapter	31		76.27
100-1815-7980	THE TECHNOLOGY DEPOT INC	Port Modification on VLANS-City Hall	205674		180.00
100-1815-7980	THE TECHNOLOGY DEPOT INC	4 Port Switches	205674		261.60
100-1825-7613	OFFICE SOLUTIONS INC	Credit-Overpayment (Inv I-00993089)	205746		-62.49
100-1825-7613	OFFICE SOLUTIONS INC	Copier Paper	205746		422.92
100-1825-7614	STAPLES ADVANTAGE	Business License Paper	205759		23.86
100-1825-7614	SUPERIOR PRESS	(3) A/P Endorsement Stamps	EFT03401		71.40
100-1825-7630	RICOH USA INC	Copier Lease-PS 8/19/16 - 9/18/16	205704		776.10
100-1825-7630	RICOH USA INC	Copier Lease-CH/SC/TC 9/19/16 - 10/18/16	205704		1,637.07
100-1825-7631	RICOH USA INC	Copier Maintenance-CH/SC/TC 8/19/16 - 9/18/16	205670		1,502.11

Council Warrant Register by Account

Payment Dates: 08/24/2016 - 09/13/2016

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
100-1825-7674	JACQUELINE BURCKHARD	Health Insurance Reimbursement	205720		217.60
100-1825-7674	CATHERINE BRATTA	Health Insurance Reimbursement	205718		435.21
100-1825-7674	STEVE ESBENSHADE	Health Insurance Reimbursement	205729		565.78
100-1825-7674	DOROTHY MONTGOMERY	Health Insurance Reimbursement	205742		217.60
100-1825-7674	JIM KIRCHNER	Health Insurance Reimbursement	205738		435.21
100-1825-7674	LINDA HENDERSON	Health Insurance Reimbursement	205734		435.21
100-1825-7674	PHILLIP REYES	Health Insurance Reimbursement	205751		217.60
100-1825-7674	GINNY JOYCE BELBA	Health Insurance Reimbursement	205717		217.60
100-1825-7747	YESENIA CHAVEZ	Youthworker	205680	210026 - Bev Cont Recycling - Bev Recycli	40.00
100-1825-7747	DAVID FARIAS	Youthworker	205686	210026 - Bev Cont Recycling - Bev Recycli	40.00
100-1825-7747	RODOLFO HUERTA	Youthworker	205694	210026 - Bev Cont Recycling - Bev Recycli	40.00
100-1825-7747	DANIEL STEVEN ZAMORA	Youthworker	205710	210026 - Bev Cont Recycling - Bev Recycli	80.00
100-1825-7747	OSCAR BAEZ	Youthworker	205678	210026 - Bev Cont Recycling - Bev Recycli	40.00
100-1825-7747	VALERIE VAZQUEZ	Recycling Worker	205709	210026 - Bev Cont Recycling - Bev Recycli	30.00
100-1825-7747	JOSE FERREYRA	Youthworker	205687	210026 - Bev Cont Recycling - Bev Recycli	80.00
100-1825-7747	DANIEL STEVEN ZAMORA	Youthworker	205710	210026 - Bev Cont Recycling - Bev Recycli	80.00
100-1825-7747	JAZMIN QUEZADA	Recycling Worker	205702	210026 - Bev Cont Recycling - Bev Recycli	50.00
100-1825-7747	ANDREA SANCHEZ	Youthworker	205705	210026 - Bev Cont Recycling - Bev Recycli	30.00
100-1825-7747	CYNTHIA SIERRA	Youthworker	205706	210026 - Bev Cont Recycling - Bev Recycli	30.00
100-1825-7747	SARAH QUEZADA	Youthworker	205703	210026 - Bev Cont Recycling - Bev Recycli	80.00
100-1825-7747	FELIPE VALDEZ	Youthworker	205707	210026 - Bev Cont Recycling - Bev Recycli	30.00
100-1825-7747	WILLIAM JENKINS GITTENS	Recycling Worker	205690	210026 - Bev Cont Recycling - Bev Recycli	30.00
100-1825-7747	JOSE LICEA	Recycling Worker	205695	210026 - Bev Cont Recycling - Bev Recycli	80.00
100-1825-7747	NICOLE OCHOA	Recycling Worker	205700	210026 - Bev Cont Recycling - Bev Recycli	30.00
100-1825-7747	KALINA JENKINS GITTENS	Youthworker	205689	210026 - Bev Cont Recycling - Bev Recycli	60.00
100-1825-7747	ADADINA MORALES	Youthworker	205698	210026 - Bev Cont Recycling - Bev Recycli	30.00
100-1825-7747	YESENIA CHAVEZ	Youthworker	205680	210026 - Bev Cont Recycling - Bev Recycli	80.00
100-1825-7747	EMILY DIAZ	Youthworker	205682	210026 - Bev Cont Recycling - Bev Recycli	30.00
100-1825-7747	LUPITA LICEA	Youthworker	205696	210026 - Bev Cont Recycling - Bev Recycli	30.00
100-1825-7747	CARLOS ESPINOZA	Youthworker	205684	210026 - Bev Cont Recycling - Bev Recycli	60.00
100-1825-7747	ALIYAH CONTRERAS	Youthworker	205681	210026 - Bev Cont Recycling - Bev Recycli	30.00
100-1825-7747	OSCAR BAEZ	Youthworker	205678	210026 - Bev Cont Recycling - Bev Recycli	60.00
100-1825-7747	MELISSA ZARAGOZA	Recycling Worker	205711	210026 - Bev Cont Recycling - Bev Recycli	30.00
100-1825-7747	MARISOL ARIAS	Youthworker	205677	210026 - Bev Cont Recycling - Bev Recycli	30.00
100-1825-7747	LAURYN HIGGINSON	Youthworker	205693	210026 - Bev Cont Recycling - Bev Recycli	30.00
100-1825-7747	DAVID FARIAS	Youthworker	205686	210026 - Bev Cont Recycling - Bev Recycli	80.00
100-1825-7747	JUSTINE FLOR	Youthworker	205688	210026 - Bev Cont Recycling - Bev Recycli	30.00
100-1825-7747	CASSANDRA GONZALEZ	Youthworker	205691	210026 - Bev Cont Recycling - Bev Recycli	30.00
100-1825-7747	JOSE LICEA	Recycling Worker	205695	210026 - Bev Cont Recycling - Bev Recycli	20.00
100-1825-7747	DAVID FARIAS	Youthworker	205686	210026 - Bev Cont Recycling - Bev Recycli	20.00
100-1825-7945	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719	250016-Oper of Acq Prop-1229 Pops Roa	41.67
100-1825-7945	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719	990002 - Oper of Acq Prop - Duarte Traile	41.67
100-2026	ROBERT HARO	Equipment Deposit Refund	205659		25.00
100-2120	LORINNA CASTRO	Gazebo Rent Deposit Refund	205651		50.00
100-2120	JOSE GUTIERREZ	CC Rent Deposit Refund	205658		500.00
100-2120	VANESSA HUDSON	Film Deposit Refund (Vice Media 8/22/16)	205660		500.00
100-4302	ADILENE E ALEMAN	Citation Refund (Duplicate)	205644		100.00
100-4302	RON AVILA	Citation Refund (Dismissed)	205647		45.00
100-4408	DUARTE UNIFIED SCHOOL DISTRICT	Nextel Lease 9/2016	205727	250004 - Property Rent - Nextel Rent (Oti	1,462.48
100-4808	TINA PATEL	Swim Lesson Refund (Fire)	205668		30.00
100-4815	DOUG JONES	Adventure Club Refund (Sara)	205661		135.00
Fund 100 - GENERAL FUND Total:					481,647.11

Council Warrant Register by Account

Payment Dates: 08/24/2016 - 09/13/2016

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
Fund: 240 - LIGHTING AND LANDSCAPE DISTRICT FUND					
240-2405-7890	SIEMENS INDUSTRY INC	Traffic Signal Maintenance 7/2016	205672		773.19
240-2405-7890	SIEMENS INDUSTRY INC	Traffic Signal Call Outs 7/2016	205672		566.33
240-2410-7888	LANDSCAPE WAREHOUSE INC	Encanto Park Irrigation Repair	205740		488.22
240-2410-7915	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719		7,500.00
240-2410-7917	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719		4,630.00
240-2420-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719		345.16
240-2421-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719		1,300.00
240-2422-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719		480.58
240-2423-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719		900.00
240-2424-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719		550.00
240-2425-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719		400.00
240-2426-7810	A1 MAINTENANCE SERVICES CA	Mikes Ctr Sweeping 8/2016	205712		747.00
240-2426-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719		180.00
240-2427-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719		630.33
240-2431-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719		800.00
240-2432-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719		835.00
240-2433-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719		530.00
240-2434-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance 8/2016	205719		355.00
Fund 240 - LIGHTING AND LANDSCAPE DISTRICT FUND Total:					22,010.81

Council Warrant Register by Account

Payment Dates: 08/24/2016 - 09/13/2016

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 6/2016	205663		11,834.00
Fund 290 - SUPPLEMENTAL LAW ENFORCEMENT FUND Total:					11,834.00

Council Warrant Register by Account

Payment Dates: 08/24/2016 - 09/13/2016

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
Fund: 440 - PROPOSITION A TRANSIT FUND					
440-4405-7619	AUTOZONE	Coolant Supplies	205716		84.95
440-4405-7636	RED DOT UNIFORMS	Bus Driver Uniform	205749		124.95
440-4405-7650	GRAINGER	South Yard Supplies	205733		154.41
440-4405-7887	FLEET SERVICE SPECIALIST LLC	Bus 102 PM Svc/Coolant Leak Repair	205731		748.34
440-4405-7887	NAVARRO'S TOWING SERVICE	Bus 103 Tow	205699		350.00
440-4405-7887	NAVARRO'S TOWING SERVICE	Bus 102 Tow	205666		350.00
440-4405-7887	NAVARRO'S TOWING SERVICE	Bus 103 Tow	205666		350.00
440-4405-7980	SMART & FINAL	South Yard Breakroom Supplies	205758		53.09
440-4425-7965	RKA CONSULTING GROUP	Engineering Svcs - 2015/16 ATP- 6/2016	205752	201604-Prof Svcs 440 (ATP)-ATP Design G	139.72
440-4425-7965	RKA CONSULTING GROUP	Engineering Svcs-2016/17 ATP 7/2016	205752	201604-Prof Svcs 440 (ATP)-ATP Design G	366.27
Fund 440 - PROPOSITION A TRANSIT FUND Total:					2,721.73

Council Warrant Register by Account

Payment Dates: 08/24/2016 - 09/13/2016

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
Fund: 620 - COMMUNITY IMPROVEMENT FUND					
620-6225-7965	RKA CONSULTING GROUP	Engineering Svcs - 2015/16 ATP- 6/2016	205752	201604-Prof Svcs 620 (ATP)-ATP Design G	210.28
620-6225-7965	RKA CONSULTING GROUP	Engineering Svcs-2016/17 ATP 7/2016	205752	201604-Prof Svcs 620 (ATP)-ATP Design G	551.23
Fund 620 - COMMUNITY IMPROVEMENT FUND Total:					761.51
Grand Total:					518,975.16

Report Summary

Fund Summary

Fund	Payment Amount
100 - GENERAL FUND	481,647.11
240 - LIGHTING AND LANDSCAPE DISTRICT FUND	22,010.81
290 - SUPPLEMENTAL LAW ENFORCEMENT FUND	11,834.00
440 - PROPOSITION A TRANSIT FUND	2,721.73
620 - COMMUNITY IMPROVEMENT FUND	761.51
Grand Total:	518,975.16

Account Summary

Account Number	Account Name	Payment Amount
100-1002	Petty Cash	400.00
100-1005-7647	Travel & Exp - Reilly	164.06
100-1005-7980	Other Expenses	23.77
100-1010-7076	Tuition Reimbursement	1,737.00
100-1010-7610	Travel, Mtgs & Conf	11.00
100-1010-7614	Office Supplies	121.99
100-1010-7980	Other Expenses	37.29
100-1015-7684	Code Enforcement	8,507.28
100-1015-7686	Other Legal Services	11,469.74
100-1020-7716	Special Community Even	427.82
100-1020-7724	Post Office Parking	115.00
100-1205-7612	Publications and Dues	440.00
100-1205-7614	Office Supplies	68.51
100-1205-7650	Vehicle Maintenance	282.00
100-1205-7761	Parking Ticket Collect	5,115.29
100-1205-7762	Parking Pass Kiosk Costs	9,999.00
100-1205-7779	Youth Programs	340.97
100-1205-7780	Animal Control	12,392.36
100-1205-7781	Contract Law Enforceme	278,846.54
100-1205-7787	Public Safety Cntr Lease	9,953.32
100-1205-7980	Other Expenses	87.86
100-1205-7984	Gang Interv Cal Grip FY1	30.00
100-1211	Computer Loan Program	2,064.59
100-1405-7690	Planning Commission	250.00
100-1405-7965	Professional Services	21,098.29
100-1405-7967	Public Works Inspection	720.00
100-1405-7969	City Engineer	1,293.75
100-1405-7975	Economic Development	15,000.00
100-1405-7980	Other Expenses	6,500.00
100-1410-7656	Emergency Generator	145.00
100-1410-7810	Street Sweeping	116.00
100-1410-7980	Other Expenses	65.06
100-1415-7889	Repairs-Sports Park	503.27
100-1415-7916	Landscape-Sport Park	2,130.00
100-1605-7612	Publications and Dues	300.00
100-1605-7614	Office Supplies	120.13
100-1605-7650	Vehicle Maintenance	15.72
100-1605-7653	Active Net Fees	7,110.00
100-1605-7728	Americorp's VIP Progra	52.46
100-1605-7730	Special Events	182.51
100-1605-7733	Senior Center	440.33
100-1605-7735	Teen Center	1,406.15
100-1605-7736	Recreation Classes	289.42
100-1605-7739	Publicity	1,115.98
100-1605-7740	Youth Excursions	59.58
100-1605-7744	Nutrition Program Costs	782.59
100-1605-7745	Boxing Program	407.56
100-1605-7753	Youth Programs (CDBG)	10,000.00

Account Summary

Account Number	Account Name	Payment Amount
100-1605-7980	Other Expenses	3,025.51
100-1610-7616	Pool Supplies	1,755.44
100-1610-7618	Building Supplies	499.81
100-1610-7652	Building Maint Services	354.67
100-1610-7830	Telephones	574.96
100-1610-8100	Other Capital Improvem	24,036.00
100-1805-7614	Office Supplies	607.60
100-1805-7965	Professional Services	1,033.88
100-1810-7610	Travel, Mtgs & Conf	29.16
100-1810-7614	Office Supplies	484.89
100-1810-7673	Physical Exams	50.00
100-1810-7980	Other Expenses	96.85
100-1815-7630	Equipment Lease	3,599.93
100-1815-7820	Finance System Support	11,279.75
100-1815-7821	Personal Computer Sup	578.00
100-1815-7965	Professional Services	8,700.00
100-1815-7980	Other Expenses	717.87
100-1825-7613	Duplications And Photos	360.43
100-1825-7614	Office Supplies	95.26
100-1825-7630	Equipment Lease	2,413.17
100-1825-7631	Equipment Maintenance	1,502.11
100-1825-7674	Retiree Health Insurance	2,741.81
100-1825-7747	Beverage Cont Recycling	1,440.00
100-1825-7945	Operation Of Acq Prop	83.34
100-2026	EE Equipment Deposit	25.00
100-2120	Refundable Deposits	1,050.00
100-4302	Parking Citations	145.00
100-4408	Property Rental	1,462.48
100-4808	Swim Lesson Fees	30.00
100-4815	Youth Excursion Fees	135.00
240-2405-7890	Repairs-Traffic Signal	1,339.52
240-2410-7888	Repairs-Citywide	488.22
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
240-2426-7810	Street Sweeping	747.00
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
290-2905-7781	Contract Law Enforceme	11,834.00
440-4405-7619	Fuel And Oil	84.95
440-4405-7636	Uniforms	124.95
440-4405-7650	Vehicle Maintenance	154.41
440-4405-7887	Repairs & Replacements	1,798.34
440-4405-7980	Other Expenses	53.09
440-4425-7965	Professional Services (A	505.99
620-6225-7965	Professional Services (A	761.51
Grand Total:		518,975.16

Project Account Summary

Project Account Key	Payment Amount
None	453,293.91
201603-Prof Svcs-Town Center Proj	21,098.29
201604-Prof Svcs 440 (ATP)-ATP Design Goldline	505.99
201604-Prof Svcs 620 (ATP)-ATP Design Goldline	761.51
201605 - Duarte's Promise - America's Promise Exp	52.46
201607-Other Cap Impr-Pool Rehab	24,036.00
201616-Boxing Program-CalgripFY2016-17	62.64
201616-Sheriff Contract-Calgrip FY2016-17	15,291.83
201616-Youth Programs-Calgrip FY 2016-17	17.04
201632-Fish Fire-Engineering Svcs	750.00
210026 - Bev Cont Recycling - Bev Recycling Prog	1,440.00
210039- Bldg Maint Services - Montessori School	119.67
250004 - Property Rent - Nextel Rent (Otis Gordon)	1,462.48
250016-Oper of Acq Prop-1229 Pops Road	41.67
990002 - Oper of Acq Prop - Duarte Trailer Park	41.67
Grand Total:	518,975.16



AGENDA MEMO

TO: CITY COUNCIL

FROM: Karen Herrera, Deputy City Manager

SUBJECT: City of Hope Walk for Hope Los Angeles And Hope Sweat and Cures Co-Sponsorship Requests

DATE: August 29, 2016

RECOMMENDATION: That the Duarte City Council, by motion, co-sponsor both the Walk for Hope event scheduled for November 6, 2016 and the "Hope, Sweat and Cures" endurance team that competes in a series of endurance events both raising funds for City of Hope cancer research.

DISCUSSION: The City of Hope is requesting that the City of Duarte officially co-sponsor Walk for Hope Los Angeles. The event is scheduled for November 6, 2016, running from 7:00 a.m.-1:00 p.m. along Duarte Road and passing by the Helford Clinical Research Hospital, where cancer patients will watch from the windows as walkers cheer, wave and salute their courage. The Walk for Hope is a family-friendly, 5K/2K fundraising walk with all funds raised supporting the City of Hope's Women's Cancer Program. Walk for Hope is celebrating its' 20th Anniversary this year and has raised more than \$35 million since its inception in 1994.

Hope, Sweat and Cures is City of Hope's fitness and fundraising team that participates in various endurance events including the Trick or Tri scheduled for October 29, 2016, the LA Marathon scheduled for March 18-19, 2017, and the Tinker Bell Half Marathon Weekend scheduled for May 12-14, 2017. City of Hope staff anticipates also adding additional races in 2017.

DISCUSSION: In terms of co-sponsorship, the City will provide access to the City's various marketing venues including the City website, electronic sign, social media platforms etc. which generally comes with a co-sponsorship designation. Additionally, City staff and City of Hope will work together to place street banners on Buena Vista Street between Huntington Drive and Central Ave in October 2016 running through May 2017. The City will participate in the design of the banner which will also include our logo. Additionally, the banners will be both printed, installed and removed by the City of Hope who will also be providing insurance to the City as well.

FISCAL IMPACT: None

ATTACHEMENTS: Walk for Hope Marketing Opportunities Overview
Hope, Sweat and Cures Marketing Opportunities Overview



WALK FOR HOPE LOS ANGELES | SUNDAY, NOVEMBER 6, 2016 | CITY OF HOPE, DUARTE, CA
WWW.WALK4HOPE.ORG

Walk for Hope (W4H) Marketing Opportunities:	Walk for Hope (W4H) Event Announcements:
Community Calendar	Monthly listing (August-November)
E-news sign ups	<u>Inclusion in the following:</u> • Family Events • Mayor's Youth Council (youth group volunteer opportunities) • Community Newsletter Twice a month / Top Stories
Social Media – Twitter	Monthly posts (August-November; COH will provide copy)
Internet Tiles – City of Duarte Landing Page (accessduarte.com)	October-November
Banner on Buena Vista Street	Secured September 30th - October 6th
Additional signage throughout City of Duarte (in front of Civic Center/City Hall on Huntington Drive)	September - October
Volunteer Opportunities page (accessduarte.com)	About Duarte > Volunteer Opportunities: COH to provide copy about the W4H volunteer program including link to W4H volunteer application form (August - October)
Duarte Community Center	W4H Rack cards
Duarte Fitness Center	W4H Rack cards
Duarte Teen Center	W4H Rack cards/volunteer forms
City Hall	W4H Rack cards (for employees and community board, if applicable)
City Hall Digital Board	October 6 th - November 6 th (COH to provide copy)
Public Safety	W4H Rack cards
Duarte Transit (Commuter, Blue and Green Route)	Interior card (COH can supply in both English/Spanish)



HOPE SWEAT & CURES | TRICK OR TRI - SATURDAY, OCTOBER 29, 2016 AND SKECHERS PERFORMANCE LOS ANGELES MARATHON -
 SUNDAY, MARCH 19, 2017 | TINKERBELL HALF MARATHON WEEKEND, MAY 12-14, 2017 | CITY OF HOPE, DUARTE, CA |
WWW.HOPESWEATCURES.ORG

Hope Sweat & Cures (HSC) Marketing Opportunities:	Hope Sweat & Cures (HSC) Event Announcements:
Community Calendar	Monthly listing (September-November)
E-news sign ups	Inclusion in the following: • Family Events • Mayor's Youth Council (youth group volunteer opportunities) • Community Newsletter Secure: Twice a month/Top Stories
Social Media – Twitter	Monthly posts (August-November; COH will provide copy)
Internet Tiles – City of Duarte Landing Page (accessduarte.com)	September-November
Additional signage throughout City of Duarte (in front of Civic Center/City Hall on Huntington Drive)	September-October
Volunteer Opportunities page (accessduarte.com)	About Duarte > Volunteer Opportunities: COH to provide copy about the HSC volunteer program including link to HSC volunteer form (January)
Duarte Community Center	HSC Rack cards
Duarte Fitness Center	HSC Rack cards
Duarte Teen Center	HSC Rack cards/volunteer forms
City Hall	HSC Rack cards (for employees and community board, if applicable)
City Hall Digital Board	September and November (COH to provide copy)
Public Safety	HSC Rack cards
Duarte Transit (Commuter, Blue and Green Route)	Interior card (COH can supply in both English/Spanish)



AGENDA MEMO

TO: CITY COUNCIL

FROM: Jacqueline Ruiz, Administrative Assistant

SUBJECT: Duarte Community Health Fair Committee Co-Sponsorship Request

DATE: September 13, 2016

RECOMMENDATION: That the Duarte City Council, by motion, co-sponsor the Duarte Health Fair event scheduled for Saturday, March 4, 2017, which will be held at the Duarte Senior Center from 8a.m.-11:30a.m.

BACKGROUND: The Duarte Community Health Fair committee is requesting that the City of Duarte officially co-sponsor the event on Saturday, March 4, 2017 at the Duarte Senior Center. The event is free of charge and open to all members of the public. The following screening services will be available at the Duarte Health Fair: full panel blood test; bone density screening; dental screening; blood pressure screening; ask a dietician; ask a pharmacist; vision screening; body mass index screening; colorectal cancer screening take-home kit, and various information tables. The planning committee confirmed that this year's event does not conflict with the 2017 Hayden 5K.

DISCUSSION: The Duarte Health Fair committee organized a successful Health Fair in 2016 on Saturday, March 12 at Westminster Gardens. Various free health screenings and information booths were made available to approximately 70 attendees. The Duarte Health Fair committee launched the event in March of 2015, which was also held at Westminster Gardens.

The committee is again striving to attract a cross sector of the Duarte community and neighboring communities. The Health Fair committee consists of: Methodist Hospital, City of Hope, Westminster Gardens, Duarte Unified School District, City of Duarte staff and Chap Care.

In terms of co-sponsorship, the committee is asking for access to City marketing venues including the electronic sign, social media platforms, press releases, and City website.

FISCAL IMPACT: The co-sponsorship will include waiving the Buena Vista Street Banner permit fee of \$50.00.

ATTACHMENT: Duarte Health Fair flyer

SAVE THE DATE



DUARTE Health Fair

*Methodist Hospital in partnership with City of Hope,
Westminster Gardens, Duarte Chamber of Commerce*

**Saturday, March 4
8 a.m. – 11:30 a.m.
Duarte Senior Center**



1610 Huntington Drive, Duarte, CA 91010

FREE Screenings:

NO ID REQUIRED

- Full Panel Blood Test
 - Must fast 8 hours before test
- Bone Density Screening
- Dental Screening
- Vision Screening
- Blood Pressure Screening
- Body Mass Index (BMI) Screening
- Ask a Dietitian
- Ask a Pharmacist
- Colorectal Cancer Screening
- Take-home Kit

For more information call:

Methodist Hospital 626-821-2344

City of Hope 626-218-4079 ext. 84079

Westminster Gardens 626-358-2569 ext. 151

Duarte Chamber of Commerce 626-357-3333

www.duartechamber.com/healthfair





AGENDA MEMO

TO: MAYOR KANG AND MEMBERS OF THE DUARTE CITY COUNCIL

FROM: Karen A. Herrera, Deputy City Manager

SUBJECT: Congresswoman Grace Napolitano's 10/20/16 Export Trade Seminar Request for City Co-Sponsorship

DATE: 9/13/16

RECOMMENDATION: That the Duarte City Council, by motion, co-sponsor Congresswoman Grace Napolitano's October 20, 2016, Export Trade Seminar at the Duarte Performing Arts Center.

BACKGROUND: The office of Congresswoman Grace Napolitano is formally requesting that the City of Duarte officially co-sponsor its annual Export Trade Seminar. The Export Trade Seminar is scheduled, subject to approval, for Thursday, October 20, 2016, from approximately 9:00 am – 3:00 pm at the Duarte Performing Arts Center. The event will be free and open to the public.

DISCUSSION: The Export Trade Seminar serves as an opportunity for local business owners and employees to discuss and learn about expanding export opportunities into international markets. After registration and welcoming remarks, attendees will be presented with three panel discussions. Likely subjects to be covered are: International Trade Financing, Export Logistics, and Resources Available for International Trade. Panel participants will come from a variety of organizations and agencies, including the U.S. Department of Commerce, the Export-Import Bank of the U.S., the Ports of Los Angeles & Long Beach, the Center for International Trade Development, and the Los Angeles Air Cargo Association, to name just a few. The Congresswoman's office also anticipates a Keynote Session during the lunch hour, allowing a prominent government or business leader to address the panelists and conference attendees.

In terms of co-sponsorship, the City may provide access to City marketing venues, creating a press release, posts on the electronic sign and community calendar, etc. They are also requesting to use one of the City's ten annual, free usages of the Duarte Performing Arts Center, in addition to the lunchroom facilities at Northview Intermediate School. A coordination meeting between the District, City, and Congresswoman's Office has already been conducted, and all entities were in concurrence on the date, time, and facilities requested.

FISCAL IMPACT: None



MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: CESAR MONSALVE, DIRECTOR OF PARKS AND RECREATION

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, SUPPORTING THE PASSING BY A 2/3rd MAJORITY VOTE OF THE SAFE, CLEAN NEIGHBORHOOD PARKS, OPEN SPACE, BEACHES, RIVERS PROTECTION AND WATER CONSERVATION MEASURE (MEASURE A) DURING THE NOVEMBER 8, 2016 ELECTION

DATE: SEPTEMBER 7, 2016

Recommendation

The members of the Duarte City Council asked staff to bring back a City resolution so that action can be taken to vote whether to support the passing of the **Safe, Clean Neighborhood Parks, Open Space, Beaches, Rivers Protection, and Water Conservation Measure A**. This measure is on the November 8, 2016, election ballot and will pass by a 2/3rd majority vote.

The resolution is attached.

RESOLUTION NO.**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE,
CALIFORNIA, SUPPORTING THE PASSING BY A 2/3 MAJORITY VOTE
OF THE SAFE, CLEAN NEIGHBORHOOD PARKS, OPEN SPACE, BEACHES,
RIVERS PROTECTION, AND WATER CONSERVATION MEASURE
(MEASURE A) DURING THE NOVEMBER 8, 2016, ELECTION**

WHEREAS, the **Safe, Clean Neighborhood Parks, Open Space, Beaches, Rivers Protection, and Water Conservation Measure (Measure A)** would replace funding under the 1996 Proposition A Safe Neighborhoods Parks measure that was passed more than 20 years ago and that is set to expire in 2019; and

WHEREAS, the City of Duarte has historically benefitted through parks measures, including several major Duarte projects and maintenance efforts completed through the 1992 and 1996 Prop A Safe Neighborhood Parks measures, such as Hacienda Park playground equipment, Third Street Park playground equipment, Duarte Teen Center partial construction funding, Royal Oaks Park playground equipment and refurbishment, Encanto Park playground equipment, Duarte Park playground equipment and building refurbishment, Otis Gordon Park renovation/restrooms/playground equipment, Encanto Park Nature Walk, Glen Miller Park playground equipment, and Duarte Fitness Center pool renovation projects; and

WHEREAS, if approved by voters, Los Angeles County officials estimate Measure A would raise \$94 million annually to use for parks related projects with an emphasis on prioritizing projects that are consistent with those identified in the 2016 Countywide Park Needs Assessment; and

WHEREAS, the 2016 Countywide Park Needs Assessment identified significant deficiencies in parks, park amenities, and open space areas county-wide; and

WHEREAS, the City of Duarte participated in the 2016 Countywide Park Needs Assessment and conducted a public workshop to identify local needs and, to help meet these needs, the City of Duarte would be eligible to apply for grants and maintenance and servicing funds to fund future park projects, repairs, and improvements through the passing of Measure A; and

WHEREAS, the City Council of the City of Duarte finds that neighborhood and community parks and community centers, natural areas, sports/aquatic facilities, and playing fields are a vital and necessary part of our community and help to preserve the quality of life in the City of Duarte;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Duarte hereby supports the passing of the **Safe, Clean Neighborhood Parks, Open Space, Beaches, Rivers Protection, and Water Conservation Measure (Measure A)** by the voters of Los Angeles County on Election Day, Tuesday, November 8, 2016.

PASSED, APPROVED, AND ADOPTED this 13th day of September, 2016.

Mayor Samuel Kang

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. 16-25 was adopted by the City Council of said City of Duarte at a regular meeting of said Council held on the 13th day of September, 2016, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk Marla Akana
City of Duarte, California

RESOLUTION NO.**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE,
CALIFORNIA, SUPPORTING THE LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY SALES TAX MEASURE (MEASURE M) ON
THE NOVEMBER 8, 2016, BALLOT TO GENERATE ADDITIONAL REVENUES
FOR TRANSPORTATION IMPROVEMENTS IN LOS ANGELES COUNTY**

WHEREAS, under the State of California Public Utilities Code Section 130050.2 et seq., Metro (Los Angeles County Metropolitan Transportation Authority) is a State-created agency formed for the local operation of a comprehensive mass rapid transit system in Los Angeles County; and

WHEREAS, one of the State-mandated functions of Metro is to further the declared policy of the State to foster the development of trade and movement of people in and around Los Angeles County for the benefit of the entire State; and

WHEREAS, mobility of goods and people throughout Los Angeles County is critical to a vibrant economy that provides opportunities throughout the region; and

WHEREAS, Los Angeles County already experiences among the highest levels of congestion and delay of any area in the United States; and

WHEREAS, these mobility needs will increase given that the county is projected to add nearly 2.3 million people and 1.4 million jobs over the next 40 years; and

WHEREAS, Metro's 2009 LRTP (Long Range Transportation Plan) identified the Foothill Extension of the Gold Line to Claremont as a "first priority for new funding to close any funding gaps;" and

WHEREAS, Metro is developing an updated LRTP that will help address these challenges and needs; and

WHEREAS, Metro has already demonstrated success and leveraging local funds to garner Federal matching funds;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Duarte hereby supports the Los Angeles County Metropolitan Transportation Authority sales tax measure (Measure M) placed before the voters in Los Angeles County on November 8, 2016, to generate new revenue for transportation in Los Angeles County.

PASSED, APPROVED, AND ADOPTED this 13th day of September, 2016.

Mayor Samuel Kang

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. 16-26 was adopted by the City Council of said City of Duarte at a regular meeting of said Council held on the 13th day of September, 2016, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk Marla Akana
City of Duarte, California



MEMORANDUM

RECEIVED

AUG 25 2016

CITY OF DUARTE

TO: CITY COUNCIL
FROM: COMMISSIONER Mary Anne Ur
SUBJECT: NOTICE OF ABSENCE FROM Public Safety COMMISSION MEETING
DATE: 5-17-16

REASON FOR ABSENCE

____ ACCIDENT

____ VACATION

____ SICKNESS

☒ OTHER *

____ DEATH IN FAMILY

*came on Wednesday
instead of Tuesday
my mistake*

DATE OF MEETING ABSENCE 4-19-16

* EXPLANATION OF ABSENCE _____

Mary Anne Ur
Signature

* * * * *

Absence noted by City Council

Date



MEMORANDUM

To: Mayor and City Council

From: Rafael Casillas, P.E., Public Works Manager *RC*

Date: September 13, 2016

Subject: Gold Line Station Pedestrian and Bicycle Improvements, State Aid Project No. ATPL-5346(010)

RECOMMENDED ACTION

Staff recommends that the City Council reject all bids submitted for the "Gold Line Station Pedestrian and Bicycle Improvements" and authorize staff to re-advertise the project.

BACKGROUND

On September 1, 2016, the City Clerk's Office publicly open bids for the above project. This project includes work to construct improvements to pedestrian and bicycle facilities at various locations near and adjacent to the Gold Line Station located on Duarte Road. The proposed improvements include replacing existing or installing new concrete sidewalks, curb and gutters, curb ramps, sidewalk lighting, wayfinding signage, bicycle lanes and landscaped parkways.

A total of one bid was received and opened for the project. Elecnor Belco Electric, Inc. at 4331 Schaefer Ave., Chino, CA 91710 was the sole bidder in the amount of \$1,856,971.00 which represents a 32% premium over the Engineer's Estimate. Due to the lack of other competitive bids and the significant cost above the Engineer's Estimate, staff recommends that City Council reject all bids and authorize staff to re-advertise the project.

There were a total of 26 plan holders at the time of the bid opening. Staff made available electronic copies of the project plans and specification to ease the process of acquiring bid documents for prospective bidders. Staff is hopeful that additional contractor outreach will result in additional bids submitted improving the competitive nature of pricing the proposed work.

DISTRIBUTION: Community Development Director
City Clerk
Staff



MEMORANDUM

To: City Council

From: Rafael Casillas, PE, Public Works Manager

Date: September 13, 2016

Subject: Los Angeles County Metropolitan Transportation Authority Opportunity to Exchange Federal Surface Transportation Program Local Funds

SUMMARY

Per the Los Angeles County Metropolitan Transportation Authority (LACMTA), letter dated August 16, 2016, the City of Duarte is offered an opportunity to exchange Federal Surface Transportation – Local (STP-L) funds for flexible LACMTA local transportation funds (“LACMTA Funds”). The STP-L funds consist of the Unobligated Balance and two (2) additional fiscal years. LACMTA will deduct a 2% administrative fee to process the exchange of \$385,671.30 of STP-L funds to the City of Duarte local funds. The proposed exchanged funds are earmarked for Street Rehabilitation Projects. In order to participate in the exchange program, the City of Duarte must do the following:

1. Certify that the balance shown remains accurate; and
2. Complete and execute Enclosure Exchange Agreement.

The funds exchange will protect the Unobligated Balance and provide flexibility to accelerate capital improvement projects.

RECOMMENDATION

Staff recommends the following action(s) be taken:

That the City Council authorize the exchange of Federal Surface Transportation – Local (STP-L) funds and execute the Exchange Agreement with LACMTA.

Attachment(s):
STPL Exchange Agreement dated August 16, 2016



Los Angeles County
Metropolitan Transportation Authority

RECEIVED

AUG 24 2016

CITY OF DUARTE

Metro Transmittal

To	Darrell George Attn: Rafael Casillas City of Duarte	From	Eduardo Alvarez
Phone	626-357-7931	Email	alvarezed@metro.net
		Phone	213-922-7348
Date	8/16/2016	No. of pages	11 (including cover)
Enclosures	STPL Exchange Agreement ACH Payment Form		
☐ Per your request ☒ Please review ☐ Please comment ☒ For your approval ☐ For your information			

Please review the attached STPL Exchange Agreement. Both the City Manager and the City Attorney must sign the 3 pages at the end of the agreement. Return the signed STPL Exchange Agreement in its entirety (pages 1-4 of the STPL Exchange Agreement **and** the 3 signed pages at the end of the agreement) to Eduardo Alvarez at:

Eduardo Alvarez
One Gateway Plaza, #99-23-3
Los Angeles, CA 90012

Complete and sign the attached Automated Clearing House (ACH) Form. Return the confidential ACH Form along with a voided check to Metro Accounts Payable at:

Metro Accounts Payable
P.O. Box 512296
Los Angeles, CA 90051

Contact Remy Maranan at 213-922-6812 or at marananr@metro.net if you have any questions regarding the Automated Clearing House (ACH) form.

EXCHANGE AGREEMENT AND ASSIGNMENT OF FEDERAL SURFACE
TRANSPORTATION PROGRAM — LOCAL FUNDS

This Exchange Agreement and Assignment of Federal Surface Transportation Program-Local Funds ("AGREEMENT"), is made and entered into as of August 1, 2016, by and between the City of Duarte ("CITY") and the Los Angeles County Metropolitan Transportation Authority ("LACMTA").

RECITALS:

- A. CITY is eligible for and has available Federal Surface Transportation Program-Local funds ("STP-L Funds").
- B. CITY desires to exchange \$385,671.30 of CITY's STP-L Funds for a like amount of LACMTA Local Transportation Funds ("LACMTA Funds").
- C. LACMTA is willing to exchange \$385,671.30 in LACMTA Funds for a like amount of CITY's STP-L Funds subject to the terms and conditions contained herein.
- D. An exchange of CITY's STP-L Funds with LACMTA Funds is beneficial to and in the general interest of CITY and LACMTA.

NOW THEREFORE, in consideration of the mutual benefits to be derived by CITY and LACMTA, and of the promises contained herein, it is hereby agreed as follows:

AGREEMENT:

1. CITY hereby assigns to LACMTA \$385,671.30 of CITY's STP-L Funds. LACMTA shall be authorized to deduct such amount from CITY's STP-L Fund balance. This assignment shall be automatically effective upon full execution of this AGREEMENT without the necessity of the execution, delivery or recording of any further instrument whatsoever. Notwithstanding the foregoing, at LACMTA's request, CITY shall execute and deliver such documents and instruments as may be required to evidence such assignment of STP-L Funds.
2. LACMTA hereby accepts CITY's assignment of CITY's STP-L Funds for use on Federal-aid-eligible project(s), to be determined by LACMTA in its sole and absolute discretion.
3. Upon receipt of (i) a fully executed AGREEMENT, (ii) CITY's written certification of the amount of CITY's STP-L Fund Balance, as defined herein, which CITY's STP-L Fund Balance shows that CITY has sufficient STP-L Funds to meet its obligations hereunder, and (iii) LACMTA's deduction of CITY's STP-L Funds as provided in paragraph 1 above, LACMTA shall pay CITY \$377,957.87 of LACMTA Funds which includes the deduction for the processing fee described in paragraph 5 below. For purposes of this AGREEMENT, CITY's "STP-L Fund Balance" shall mean the amount of funds contained in CITY's STP-L Fund account as of the date that this AGREEMENT is fully executed

plus CITY's FY16 apportionment share of STP-L Funds. If the STP-L Fund Balance is insufficient to satisfy CITY's exchange obligations hereunder, CITY hereby authorizes LACMTA to deduct from CITY's future STP-L Funds until LACMTA has in the aggregate received the amount of CITY's STP-L Funds specified in paragraph 1 above.

4. CITY must complete an Automated Clearing House (ACH) form as provided in Exhibit A to allow LACMTA to make disbursements electronically. Disbursements via ACH will be made at no cost to CITY. If electronic disbursements are not the preferred method of disbursement, CITY may request an exception in writing.

5. CITY shall pay LACMTA a two-percent (2%) processing and administrative fee ("the Processing Fee") in connection with the exchange contemplated by this AGREEMENT. The Processing Fee shall be assessed against the total amount of LACMTA Funds payable to CITY. CITY hereby authorizes LACMTA to deduct the Processing Fee from the amount LACMTA is to pay CITY hereunder.

6. CITY shall expend the LACMTA Funds on STP-L-Eligible Projects by the Lapsing Date. For the purposes of this AGREEMENT, "the Lapsing Date" shall mean the date that is five (5) years from the date that this AGREEMENT is fully executed. Any LACMTA Funds not expended by the Lapsing Date shall lapse and be returned to LACMTA within thirty (30) days of the Lapsing Date for further programming to third parties as LACMTA determines in its sole discretion.

- A. For the purposes of this AGREEMENT, the term "STP-L-Eligible Project" shall mean any transportation capital improvement that would normally qualify for the STP-L program, provided however, that any applicable federal regulations and standards related to procurement and other project delivery issues may be substituted with applicable state and local regulations, standards, and policies.
- B. The term "expend" as used in Section 6 shall mean "encumbered by an awarded contract".
- C. If the LACMTA Funds have lapsed and CITY has not returned all or a portion of the lapsed LACMTA Funds to LACMTA, then CITY shall be considered to be in default and agrees that such outstanding payments shall be paid from CITY funds in the following priority: first, from any of CITY's unobligated STP-L balance funds, then from CITY's Proposition A local return funds, then from CITY's Proposition C local return funds, and then from CITY's Measure R local return funds. If CITY is in default hereunder, in addition to all rights and remedies available to LACMTA at law or in equity and without further notice or ability to cure by CITY, CITY hereby authorizes LACMTA to withhold the applicable STP-L funds or local return funds in the amount needed to satisfy the outstanding amount of lapsed LACMTA Funds due and owing to LACMTA prior to LACMTA transferring the balance of such local return funds to the CITY in accordance with the applicable state laws or ordinances.

7. CITY must use the LACMTA Funds in the most cost-effective manner. If CITY intends to use a consultant or contractor to implement all or part of the STP-L-Eligible Project, LACMTA requires that such activities be procured in accordance with CITY's contracting procedures and be consistent with State law as appropriate. CITY will also use the LACMTA

Funds in the most cost-effective manner when the LACMTA Funds are used to pay "in-house" staff time. CITY staff or consultants with project oversight roles may not award work to companies in which they have a financial or personal interest. This effective use of funds provision will be verified by LACMTA through on-going project monitoring and through any LACMTA interim and final audits.

8. LACMTA, and/or its designee, shall have the right to conduct audits of CITY's use of the LACMTA Funds, as deemed appropriate, such as financial and compliance audits; interim audits; pre-award audits, performance audits, and final audits. CITY agrees to establish and maintain proper accounting procedures and cash management records and documents in accordance with Generally Accepted Accounting Principles (GAAP). CITY's records shall include, without limitation, any supporting evidence deemed necessary by LACMTA to substantiate CITY's use of LACMTA Funds. These records must be retained by CITY for five years following CITY's last use of the LACMTA Funds. CITY shall reimburse LACMTA for any expenditure not in compliance with the Scope of Work and/or not in compliance with other terms and conditions of this AGREEMENT. The allowability of costs for CITY's own expenditures submitted to LACMTA for the STP-L-Eligible Project shall be in compliance with Office of Management and Budget (OMB) Circular A-87. The allowability of costs for CITY's contractors, consultants, and suppliers expenditures submitted to LACMTA through CITY's Monthly Progress Reports and Quarterly Expenditures shall be in compliance with OMB Circular A-87 or Federal Acquisition Regulation (FAR) Subpart 31 (whichever is applicable). Findings of the LACMTA audit are final. When LACMTA audit findings require CITY to return monies to LACMTA, CITY agrees to return the monies within thirty (30) days after the final audit is sent to CITY.

9. The terms of this AGREEMENT shall commence on the date that this AGREEMENT is fully executed and shall terminate once CITY has expended all the LACMTA Funds and all LACMTA audit and reporting requirements have been satisfied.

10. CITY shall fully indemnify, defend and hold LACMTA and its officers, agents, and employees harmless from and against any liability and expenses, including, without limitation, defend costs, any costs or liability on account of bodily injury, death or personal injury of any person, or for damages of any nature whatsoever arising out of (i) a breach of CITY's obligations under this AGREEMENT; or (ii) any act or omission of CITY or its officers, agents, employees, contractors, or subcontractors in the use of the LACMTA Funds.

11. LACMTA shall fully indemnify, defend and hold CITY and its officers, agents, and employees harmless from and against any liability and expenses, including, without limitation, defend costs, any costs or liability on account of bodily injury, death or personal injury of any person, or for damages to or loss of risk of property, any environmental obligations, any legal fees and any claims for damages of any nature whatsoever arising out of (i) a breach of LACMTA's obligations under this AGREEMENT; or (ii) any act or omission of LACMTA or its officers, agents, employees, contractors, or subcontractors in the use of CITY's STP-L Funds.

12. This AGREEMENT may be amended or modified only by mutual written consent of

LACMTA and CITY.

13. Any correspondence, communication, or contact concerning this AGREEMENT shall be directed to the following:

CITY OF DUARTE:

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

LACMTA:

Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, California 90012
Attn: William Ridder

14. This AGREEMENT shall be interpreted and governed by the laws of the State of California.

15. This AGREEMENT constitutes the entire understanding between the parties with respect to the subject matter herein.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed by their respective officers as of the date stated below.

LOS ANGELES COUNTY **CITY OF DUARTE**
METROPOLITAN TRANSPORTATION
AUTHORITY

By: _____

Phillip A. Washington
Chief Executive Officer

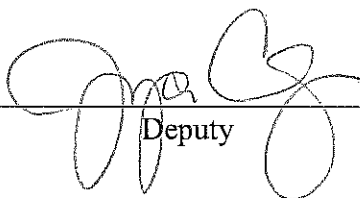
By: _____

Darrell George
City Manager

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

APPROVED AS TO FORM:

By:  _____
Deputy

By: _____
City Attorney



Metro

**LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY
AUTOMATED CLEARING HOUSE (ACH) PAYMENT
AUTHORIZATION**

SECTION I: <i>Supplier Information</i>		
Supplier Number:		
Company Name:		
Payment Address:		
City:	State:	Zip Code:
Contact Name:		Contact Phone Number:
Email Address:		
SECTION II: <i>Banking Information</i>		
Tax ID:		
Bank Name (Required):		
Account Name:		
Account Type (Required): ☒ Checking ☐ Savings		
Account Number (Required):		
Routing Number (Required):		
SECTION III: <i>Authorization</i>		
Print Name of Authorized Person:		
Print Title :		
Phone Number:		
Signature of Authorized Person:		
Date:		
SECTION IV: <i>Approval - Metro Use Only</i>		
Approved by:		Date:
Entered by:		Date:



Metro

**LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY
AUTOMATED CLEARING HOUSE (ACH) PAYMENT
AUTHORIZATION**

Field	Description
Supplier Number	If you know the supplier number, please enter. Not required if not available.
Company Name	Enter name of company doing business with L.A. Metro.
Payment Address	Enter address where payment may be mailed in accordance with Metro records.
Contact Name	Enter name of person from your company that Metro may contact for more information if required.
Contact Phone Number	Enter number where contact person may be reached.
Email Address	Enter the email address where payment detail information can be sent (i.e., information to include payment amount, payment date, description of invoices paid, etc.)
Tax ID Number	Enter company's tax identification number.
Bank Name	Enter the bank name where payments are to be sent (i.e. Bank of America, Washington Mutual, etc.)
Routing Number	Enter the first 9 numbers of the account to which you would like funds sent. This information is located on your check for the account. Do not use information from a deposit slip.
Account Name	Enter the official name of the account.
Account Number	Enter the account number to which funds are to be sent.
Account Type	Check the appropriate account type.
Authorized Person & Title	Enter name and title of person of your company authorized to approve ACH transactions.
Signature	Must be a wet signature.
Phone Number	Enter phone number where authorized person may be contacted.

Please see check sample to find Routing No and Bank Account No

John Smith 1234 Walk of the Stars, Hollywood, CA. 90012	101
Pay to the Order of _____ \$ _____ Dollars	
Bank of America	
*122000661**0101** 0195300710*	

Routing Number

Account Number



Metro

LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY
AUTOMATED CLEARING HOUSE (ACH) PAYMENT
AUTHORIZATION

Please mail your completed form along with a copy of a
voided check to:

Metro Accounts Payable
P.O. Box 512296
Los Angeles, CA 90051

Questions? Please feel free to contact:

Remy Maranan at (213)922-6812

Agenda Memo City Manager's Office

To: Mayor and Members of the Duarte City Council

From: Karen A. Herrera, Deputy City Manager

Date: 9/6/16

Re: Approval of an Amendment to the joint powers agreement dated June 12, 2000 to form the Foothill Policy Board which will administer the new Workforce Innovation and Opportunity Act which replaced the Workforce Investment Act of 1998

RECOMMENDATION: It is recommended that the City Council approve an amendment to the Joint Powers Agreement between the cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena entered into on June 12, 2000, for the purpose of forming a consortium to administer employment and training programs under the Workforce Investment Act of 1998, hereinafter referred to as WIA, P.L. 105-220, 112 Stat. 936. WIA has been replaced by the Workforce Innovation and Opportunity Act of 2014, hereinafter referred to as WIOA (29 U.S.C. 3101 et seq., Public Law 113 -128, 128 Stat. 1425). Similar to WIA, WIOA permits a consortium of units of local government designated as a Workforce Investment Area under the WIA that had acceptable programmatic outcomes and financial management, to be designated as a Workforce Development Area. This Amendment does not make any material changes to the Joint Powers Agreement.

BACKGROUND: There have been several iterations of workforce legislation since the days of the Works Progress Administration or WPA. WIA replaced the Job Training Partnership Act (JTPA) of 1982, creating workforce investment boards and the current one-stop delivery system. WIA provided for local areas with a minimum population of 200,000 to be designated as workforce investment areas and for the chief local elected officials of the area to appoint a local majority private sector Workforce Investment Board or WIB. The WIB together with the chief local elected officials for the local area were charged with oversight and policy development for the local area.

WIOA makes changes to the governance of local programs in that population is no longer the determining factor in the designation of local workforce areas. However, WIOA, requires governors to designate as local workforce development areas all workforce investment areas under WIA which met performance and fiscal integrity. The Foothill Workforce Investment Area, consisting of the cities of Arcadia, Duarte, Monrovia, Pasadena, Sierra Madre, South Pasadena is eligible for and has been informed by the state that it will be designated a workforce area to receive formula funds to implement workforce development programs in the six city local area.

Other than the elimination of population as a criteria for designation, WIOA charges states with grouping local development areas into regions which will be required to develop a

single joint plan for the deployment of programs in the region and the negotiation of performance measures for the region. WIOA maintains the majority private sector local boards, although the membership is slightly different than under WIA. WIOA also maintains the one-stop delivery system, and the three funding streams for adult, dislocated worker and youth programs.

DISCUSSION: As is the case with new legislation, the JPA needs to be updated to reflect the new legislation. The amendment if approved would:

1. Substitute the words Workforce Innovation and Opportunity Act or WIOA for the words Workforce Investment Act or WIA
2. Substitute the words Workforce Development Board for the words Workforce Investment Board or WIB
3. Substitute the words Workforce Development Area for the words Workforce Investment Area
4. Eliminate the reference to a Youth Council as WIOA no longer requires a Youth Council. Instead local boards can, but are not required, to appoint committees one of which can be a youth committee. Unlike Youth Councils, youth committees have no prescribed membership requirements other than they include a representative of a community-based organization.

None of these changes are material or change the current agreement and understanding among the municipalities who are party to the Joint Powers Agreement. When the state issues planning instructions for the new four-year plan under WIOA we will be required to attach the updated Joint Powers Agreement.

FISCAL IMPACT: The fiscal impact of this action will be none on the General Fund, as the JPA is a non-financial agreement.

ATTACHMENTS:

Attachment A - Amendment

JOINT EXERCISE OF POWERS AGREEMENT NO. _____

THIS JOINT EXERCISE OF POWERS AGREEMENT is among the cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena, each of which is a municipal corporation duly organized and existing under the laws of the State of California, hereinafter collectively referred to as "the parties."

RECITALS:

The following are the facts upon which this Agreement is based:

WHEREAS, the Workforce Innovation and Opportunity Act of 2014, hereinafter referred to as the WIOA (29 U.S.C. 3101 et seq., Public Law 113-128, 128 Stat. 1425), authorizes the expenditure of federal funds to provide workforce investment activities, through statewide and local workforce development systems, that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the Nation; and,

WHEREAS, the parties to this Agreement are willing to accept the responsibilities and duties as may be prescribed by the WIOA, as said legislation may from time to time be amended; and,

WHEREAS, WIOA directs the Governor to designate a "local area" so long as it was designated as a Workforce Investment Area under the Workforce Investment Act of 1998, and had acceptable programmatic outcomes and financial management; and,

WHEREAS, the Cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena formed the Foothill Employment and Training Consortium under the Workforce Investment Act of 1998; and,

WHEREAS, the Foothill Employment and Training Consortium had acceptable programmatic outcomes and financial management; and,

WHEREAS, the consortium would benefit the residents of the subject

communities by continuing to maintain local autonomy allowing public officials to better respond to the needs of local business; and,

WHEREAS, it is to the mutual benefit of the parties hereto and in the best public interest of said parties to continue this Joint Powers Agreement to accomplish the purposes herein set forth; and,

WHEREAS, by this Agreement, the parties hereto intend to exercise their powers jointly to accomplish common objectives;

NOW, THEREFORE, the parties agree as follows:

SECTION 1. PURPOSE.

This Agreement is made pursuant to the provisions of Article 1, Chapter 5, Division 7, Title I of the Government Code of the State of California (commencing with Section 6500) relating to the joint exercise of powers common to the parties hereto. The purpose of this Agreement is to exercise such powers jointly in the establishment of a universally accessible workforce development system and in particular to develop, coordinate, and implement the delivery of a locally based WIOA program in accordance with requirements of WIOA. An additional purpose of this Agreement is also to develop, coordinate, and implement the delivery of other education, employment, and training programs that may benefit the parties and their residents.

SECTION 2. TERM.

A. This Agreement shall become effective and binding upon the parties hereto when each of the governing bodies of the parties has authorized the execution of this Agreement and the same has been executed by the duly authorized representative of each of such parties. This Agreement shall continue in effect until terminated. Additional cities and the County of Los Angeles may by mutual consent of the parties become parties to this Agreement subject to the approval of the governing bodies of the agencies participating in this Agreement. Any party to this Agreement may withdraw from the consortium by giving 90 days written notice to the Administrator of its intent to cease participation in the consortium. Provided, however, that the within Agreement shall continue in full force and effect until all except one party have withdrawn and the

State has authorized another entity to receive and administer WIOA funding for the residents of the parties to this Joint Powers Agreement.

B. For the purpose of this Agreement, the term "fiscal year" shall mean the period from July 1 to and including June 30 of the following year.

SECTION 3. DESIGNATED ADMINISTRATOR -- CITY OF PASADENA

Pursuant to Section 6506 of the Government Code, the City of Pasadena is designated as the Grant Recipient, fiscal agent, and Administrator for the consortium of general local governmental units participating in this Agreement and shall provide the program administration necessary to implement the local Workforce Development Area WIOA Program, under the supervision and direction of the Policy Board and the Workforce Development Board.

SECTION 4. POLICY BOARD.

A. This consortium shall be administered by a Policy Board made up of an elected official of each participating public entity.

B. The legislative body of each of the participating public entities shall appoint one policy board member and one alternate board member. Each member of the Board, or subsequent replacement, shall serve a two-year term and each member shall serve at the pleasure of the appointing authority. Vacancies during a term and successors following expiration of the term of any member shall be filled in the same manner as the original appointments. Members shall receive no compensation except reimbursement for expenses incurred in conducting business on behalf of the consortium. Said expenses must be allowable under WIOA, and reasonable and necessary as determined by the Policy Board.

C. If a board member cannot attend a meeting, the alternate attending shall be fully empowered to act as the board member for the meeting so attended.

SECTION 5. RESPONSIBILITIES OF THE POLICY BOARD.

It shall be the responsibility of the Policy Board to:

A. Appoint members to the Workforce Development Board in accordance with Section 107 of WIOA;

- B. Determine general program policy;
- C. Approve the job training plan in conjunction with the Workforce Development Board;
- D. Review and approve memoranda of understanding entered into by the Workforce Development Board and required one-stop partners described in Section 121(b)(1)(B);
- E. Approve the Workforce Development Board's designation or certification of one-stop operator(s);
- F. With the Workforce Development Board, conduct oversight with respect to the local one-stop delivery system;
- G. Ensure that services rendered are in the best interest of the local Workforce Development Area residents; and
- H. Ensure that all activities are carried out in accordance with WIOA and any other related legislation.
- I. The Chairperson of the Policy Board shall be designated as the "chief elected official" as that term is used in Section 101 of the WIOA.

SECTION 6. MEETINGS OF THE POLICY BOARD.

A. Regular Meetings.

The Policy Board shall provide for its regular, and special meetings, provided, however, that it shall hold at least one regular meeting in each year and such further meetings as the parties may reasonably request depending upon the pressure of business. The date, hour and place at which any regular meeting shall be held shall be fixed by resolution and a copy of such resolution shall be filed with each party. The place of the regular meetings shall be a public building or other facility within the County of Los Angeles which complies with the requirements of the Ralph M. Brown Act. The Policy Board shall adopt rules for conducting its meetings and other business.

B. The Ralph M. Brown Act.

All meetings of the Board including, without limitation, regular, adjourned regular, and special meetings, shall be called, noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with §54950 of the Government Code).

C. Minutes.

The secretary of the Policy Board shall cause to be kept minutes of regular, adjourned regular, and special meetings, and shall, as soon as possible after each meeting, cause a copy of the minutes to be forwarded to each member of the Board and to the parties hereto.

D. Quorum - Action.

A majority of members of the Policy Board present at a meeting shall constitute a quorum for the transaction of business, except that a lesser number may adjourn for lack of quorum. No action at a meeting shall be valid unless it receives the affirmative vote of a majority of those present.

SECTION 7. OFFICERS OF THE CONSORTIUM.

The Policy Board shall elect a Chairperson and Vice-Chairperson at its first meeting and, thereafter, at the first meeting in each succeeding fiscal year, the Policy Board shall elect or re-elect its Chairperson and Vice-Chairperson. In the event that the Chairperson or Vice-Chairperson elected ceases to be a Board Member, the resulting vacancy shall be filled at the next regular meeting of the Policy Board held after such vacancy occurs. In the absence or inability of the Chairperson to act, the Vice-Chairperson shall act as Chairperson. The Chairperson, or in his absence the Vice-Chairperson, shall preside at and conduct all meetings of the Policy Board. The Executive Director shall be, and act as, the Secretary of the Policy Board. The Executive Director shall be appointed by the administrator of the consortium, the City of Pasadena. The Director of Finance of the City of Pasadena shall be, and act as, the Treasurer of consortium, and as, Controller of the consortium pursuant to Government Code §6505.5.

SECTION 8. POWERS.

A. The City of Pasadena shall have the power to operate a local Workforce Development Area under the Act in the geographical areas comprising the incorporated Cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena, and such other communities as the governing legislative bodies of said communities, by resolution or contract, shall prescribe and the Policy Board shall consent to.

B. The City of Pasadena is authorized to do all acts necessary for the exercise of said common powers for the common benefit of the parties to this Agreement and the citizens thereof and consistent with such federal and state funding provided under the Act, to acquire by lease buildings or sites, and to maintain, operate, or lease the same for public purposes and to purchase general liability insurance; the City of Pasadena is authorized to do all acts necessary for the exercise of said common powers for said purposes, including, but not limited to, any or all of the following: to make and enter into contracts, to employ agents and employees; to manage, maintain, or operate any buildings, facilities, works or improvements above enumerated; to acquire property by lease; to hold or dispose of property by lease or sale; to incur debts, liabilities or obligations required by the exercise of these powers; and to sue and be sued in its own name. Said powers shall be exercised in the manner provided in said Act, and, except as expressly set forth herein, subject only to such restrictions upon the manner of exercising such powers as are imposed upon the parties in the exercise of similar powers.

SECTION 9. DISPOSITION OF ASSETS.

At the end of the term hereof or upon the earlier termination of this Agreement, all property of the consortium shall automatically vest in the party hereto which has heretofore transferred said property to the consortium and shall thereafter remain the sole property of said party. All other property of the consortium shall be returned to the parties in proportion to their respective contribution to the cost of acquisition of such property or as the Policy Board may direct.

SECTION 10. DISPOSITION OF FUNDS UPON TERMINATION

Upon termination of this Agreement, any money in possession of the consortium after the payment of all costs, expenses and charges validly incurred under this Agreement, shall be returned to the parties in proportion to their contribution determined as of the time of termination.

SECTION 11. ASSISTANCE TO ADMINISTRATOR.

The parties may, in appropriate circumstances:

- A. make contributions from their treasuries for the purposes set forth herein;
- B. make advances of public funds for such purposes set forth in this Agreement on such terms of repayment as may be agreed to between the Administrator and the party making the advance; and,
- C. use their personnel, equipment or property in lieu of other contributions or advances. Sums so contributed or obtained shall be paid to and disbursed by the Treasurer. The provisions of Government Code Section 6513 are hereby incorporated into this Agreement by reference.

SECTION 12. DISALLOWED COSTS.

- A. Each party to this Agreement shall pay its fair share of any disallowed costs which is finally determined by the State of California or the Federal Government to be due and owing to the State or Federal Government.
- B. The apportionment of disallowed costs incurred by the consortium, and payable by the parties to this Agreement involving funds disallowed under the Act, shall be based upon the allocation formula which the State of California is obligated to use in distributing funds to local Workforce Development Areas as stated in WIOA.

SECTION 13. ACCOUNTS AND REPORTS.

- A. The Controller of the consortium shall establish and maintain such funds and accounts as may be required by good accounting practice. The books and records of the consortium in the hands of the Controller shall be open to inspection at all

reasonable times by representatives of the parties. The Controller of the consortium, within 90 days after the close of each fiscal year, shall give a complete written report of all financial activities for such fiscal year to the Executive Director of the Workforce Development Board WIB and the parties. The Controller furthermore shall either make or contract with a certified public accountant to make audits of the accounts and records of the consortium as required by the Act. Said report shall be filed within twelve months of the end of the fiscal year under examination. The audit shall comply with Section 6505 of the Government Code.

B. Any costs of such audits, including contracts with or employment of certified public accountants or public accountants in making an audit pursuant to this section, shall be borne by the consortium and shall be a charge against any unencumbered funds of the consortium available for such purpose.

C. The Treasurer of the consortium shall assume the duties described in California Government Code Section 6505.5 including to wit:

- (1) Receive and receipt for all money of consortium and place it in the City of Pasadena treasury to the credit of consortium;
- (2) Be responsible upon his official bond for the safekeeping and disbursement of all consortium money so held by him/her;
- (3) Pay sums due from consortium from consortium money, only upon warrants of the Controller of consortium; and,
- (4) Verify and report, in writing, to consortium and to the parties to this Agreement at the Policy Board's regular meetings, the amount of money held for the consortium, the amount of receipts since the last report, and the amount paid out since the last report.

SECTION 14. INSURANCE.

The Administrator shall maintain in force at all times during the terms of this Agreement, policies of insurance covering the operation of the consortium. Such insurance shall be primary and carriers shall be required to waive any right of contribution from other insurance which may be available to the parties of this

Agreement.

SECTION 15. FUNDS AND PROPERTY.

A. The Treasurer of the consortium shall have the custody of and disburse consortium funds pursuant to the accounting procedures developed in accordance with the provisions hereinabove, and as nearly as possible in accordance with normal City of Pasadena procedures.

B. The Treasurer herein designated as the person responsible for all monies of the consortium, is also designated hereby as responsible for all other property of the consortium.

SECTION 16. AMENDMENTS.

All amendments to this Agreement shall require an affirmative vote of not less than five (5) of the parties. All amendments to this Agreement shall be in writing and signed by the parties agreeing thereto.

SECTION 17. NOTICES.

Notices hereunder shall be sufficient if delivered to the City Clerk of each of the member cities, and the Clerk of the legislative body of any other participating public entities.

SECTION 18. MISCELLANEOUS.

A. The section headings herein are for convenience of reference only and are not to be construed as modifying or governing the language or meaning referred to in the section.

B. Whenever in this Agreement any consent or approval is required, the same shall not be unreasonably withheld.

C. This Agreement is made in the State of California under the Constitution and laws of such State and is to be construed in accordance with those laws.

SECTION 19. SEVERABILITY.

Should any part, term or provision of this Agreement, or the application thereof to

any person or circumstances, be held to be illegal or in conflict with any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining parts, terms, or provisions, or the application thereof to other persons or circumstances, shall be deemed severable and shall not be affected thereby, provided such remaining portions or provisions can be construed in substance to continue to constitute the Agreement that the parties intended to enter into in the first instance.

DATED:

CITY OF PASADENA

By _____

Title _____

ATTEST:

City Clerk

APPROVED AS TO FORM:

Assistant City Attorney

DATED:

CITY OF SOUTH PASADENA

By _____

Title _____

ATTEST:

APPROVED AS TO FORM:

DATED:

CITY OF ARCADIA

By _____

Title _____

ATTEST:

APPROVED AS TO FORM:

DATED:

CITY OF SIERRA MADRE

By _____

Title _____

ATTEST:

APPROVED AS TO FORM:

DATED:

CITY OF MONROVIA

By _____

Title _____

ATTEST:

APPROVED AS TO FORM:

DATED:

CITY OF DUARTE

By _____

Title _____

ATTEST:

APPROVED AS TO FORM:

MEMORANDUM

TO: Darrell J. George, City Manager
FROM: Kristen Petersen, Assistant City Manager
DATE: September 7, 2016

**SUBJECT: APPROVAL OF JOB DESCRIPTION AND RESOLUTION NO. 16-R-27
ESTABLISHING AN HOURLY RATE SCHEDULE FOR PART-TIME TEMPORARY
CLERK/TYPIST RECEPTIONIST**

Background

Recently it was announced that the vacant Community Development Technician position will be filled with an in house candidate, Yesenia Serna. Yesenia will be moving to her new position as of September 26th and we have begun a full recruitment process in order to fill Yesenia's former position of City Hall Clerk/Typist Receptionist as quickly as possible. Applications for the receptionist position are due by September 22nd and we hope to have the interview, selection, fingerprinting and hiring process completed by the end of October. In the mean time we anticipate that there may be several weeks after Yenenia transfers where the City Manager's office will need assistance with the City Hall receptionist duties.

Currently the City does not have an approved part time job description or salary range for a Clerk/Typist Receptionist. However, we do have the existing full time job description and salary range that was approved and we are recommending that the part time position utilize the same exact description and hourly salary range, recognizing that this position will be part time temporary and will not include retirement or health benefits. Attached please find the job description and Resolution No.16-R-27 establishing an hourly rate schedule for a part time temporary clerk/typist receptionist position.

Please note that this position does not require a budget amendment because it will only be filling in on an as needed basis during the full time recruitment process. The savings of the vacant full time position will more than cover the cost of this part time assistance.

Recommendation

It is recommended that the City Council approve the attached job description and Resolution No.16-R-27, establishing an hourly rate schedule for a part-time temporary Clerk/Typist Receptionist position.



CLERK/TYPIST RECEPTIONIST Part-Time Temporary

Definition:

Under general supervision, performs a wide variety of simple clerical support duties for a department.

Essential Job Duties:

The following tasks are essential for this position. Incumbents in this classification may not perform all of these tasks, or may perform similar related tasks not listed here.

1. Acts as receptionist to City Hall or other facility, answering phones and greeting visitors.
2. Participates in the maintenance of routine spreadsheet programs.
3. Performs keyboarding, data entry, and filing.
4. Assists with responding to inquiries, providing routing or procedural information, fielding calls, and directing work orders.
5. Schedules appointments.
6. Processes and sorts postal mail, faxes, and/or emails.
7. Receives telephone calls and complaints.
8. Prepares a variety of simple documents in draft and final form using a computer and relevant software.
9. Operates a variety of office equipment.
10. Provides simple clerical assistance to supported staff.
11. Screens calls and provides a variety of assistance to the public and other agencies.
12. Performs other related duties as required.

Minimum Knowledge, Skill and Ability:

Knowledge of:

- Professional writing techniques.
- Record keeping principles and procedures.
- Relevant mathematical principles and functions.
- Computers and office software applications.
- Functions, policies, and procedures of relevant departments and/or operations.
- English usage, spelling, grammar, and punctuation.

Skill and Ability to:

- Deal with the public in person or on the telephone.
- Understand and follow verbal and written direction.
- Plan, organize, prioritizes, and perform duties as assigned with minimal supervision.
- Operate standard office equipment, a personal computer, and relevant software in a Mac environment.
- Interpret and apply department policies and procedures.

- Communicate clearly and concisely, both orally and in writing.
- Research and compile information.
- Maintain records.
- Establish and maintain effective working relationships with the public and all levels of staff and management.
- Successfully adapt in a high-volume, fast-paced working atmosphere with multiple activities.

Training and Experience:

Any equivalent combination of training and experience that provides the required knowledge, skills, and abilities could be considered qualifying. A typical way to obtain the knowledge, skills, and abilities would be graduation from high school or equivalent, and one year clerical experience. Municipal experience preferred.

Licenses and Certificates:

Possession of a valid California driver's license is required by the date of hire.

Physical Requirements and Working Conditions:

- Requires vision (which may be corrected) to read small print.
- Requires mobility of arms to reach and dexterity of hands to grasp and manipulate small objects. Lower body mobility may not be required.
- Performs lifting, pushing, and/or pulling which does not exceed 50 pounds and is an infrequent aspect of the job.
- Subject to inside environmental conditions.
- May be required to work at a computer for prolonged periods.
- May be required to use personal vehicle in the course of employment.

RESOLUTION NO. 16-27**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE,
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ESTABLISHING
AN HOURLY RATE SCHEDULE FOR PART-TIME CLASSIFIED EMPLOYEES**

BE IT RESOLVED by the City Council of the City of Duarte, County of Los Angeles, State of California, as follows:

Section 1. Part-Time Temporary Employees. A part-time temporary employee is defined as one who is hired on a seasonal, temporary, or as-needed basis, maintains at-will employment status, and is limited to working less than 1,000 hours in a fiscal year. The following wage ranges and steps are hereby established:

Classifications	HOURLY RANGES – SALARY STEPS						
	A	B	C	D	E	F	G
Clerk/Typist Receptionist	\$19.28	\$19.98	\$20.67	\$21.37	\$22.07	\$22.77	\$23.49

Section 2. Except when exempted by law, hourly employees shall be enrolled in the Public Agency Retirement Services – Alternative Retirement System (PARS-ARS) and shall be fully responsible for all contributions. When mandated by virtue of prior membership to be instead enrolled in the California Public Employees Retirement System (CalPERS), hourly employees shall be responsible for paying the full cost of the employee's contribution.

Section 3. All resolutions, or portions thereof, previously adopted by the City Council and found to be in conflict with the provisions of this resolution are hereby repealed.

Section 4. This resolution will become effective immediately. The Mayor shall sign this resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

PASSED, APPROVED, AND ADOPTED this 13th day of September 2016

Mayor Samuel Kang

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. 16-27 was adopted by the City Council of said City of Duarte at a regular meeting of said Council held on the 13th day of September 2016, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk Marla Akana
City of Duarte, California

MEMORANDUM

TO: Mayor and Councilmembers
FROM: Darrell J. George, City Manager
DATE: September 8, 2016
SUBJECT: Conference Attendance – City Council Meeting of September 13, 2016

Duarte Kiwanis Installation
September 28, 2016 – 6:00 p.m.
Duarte Elks Lodge
2436 Huntington Drive, Duarte
Cost: \$30 per person

LIGHTS



CAMERA



ACTION

Duarte Kiwanis Installation

Wednesday, September 28, 2016

6:00pm

Duarte Elks Lodge
2436 E. Huntington Drive Duarte

Cost: \$30

Sponsorship Opportunities available

Proceeds from this event will benefit Compassionate Rescue,
DART, DLL Community, DUSD (Community Homeless Initiative
For Kids), Friends of the Duarte Library, FVO Solutions, and
Ronald McDonald House

RSVP to Cheryl at 626.222.8689 or catlynagri17@gmail.com

**Notice of City Council Public Hearing on
Town Center Specific Plan, General Plan Amendment, Zone
Change and Supplemental EIR**

**Tuesday September 13, 2016
7:00 p.m.**

**Supplemental Environmental Impact Report;
General Plan Amendment 15-2;
Zone Change 15-2; and
Action on Town Center Specific Plan**

Hearing Location: City Council Chambers, 1600 Huntington Drive;
Duarte CA 91010

The Duarte City Council will hold a Public Hearing to receive public comment and consider adoption of the Town Center Specific Plan and the related General Plan Amendment (G.P.A. 15-2), Zone Change (ZC 15-2), and Supplemental EIR. The meeting will start at 7:00 pm.

Project Description: The City of Duarte (City) is proposing adopting a Specific Plan for the Town Center Area (Planning Area or Town Center Area) - the Duarte Town Center Specific Plan (Specific Plan). The proposed Specific Plan would implement the community's vision for the Town Center as guided by the City's General Plan. The General Plan contemplates the creation of a Town Center Specific Plan to determine detailed standards, strategies, and policies for the Town Center, and to coordinate numerous public and private investments. A primary goal of the proposed Specific Plan is to guide future land use changes in the Planning Area towards realizing the community's vision of recognizing that a high-quality pedestrian experience is central to the success of the Town Center.

The Specific Plan identifies the long-term vision and objectives for private development and public improvement along portions of Huntington Avenue, Highland Avenue, and Buena Vista Street in the City of Duarte. The project Planning Area (shown on the diagram below) encompasses approximately 75 net acres and includes land use designations/zoning districts supporting mixed-use, commercial, residential, and public facility uses. The Specific Plan is structured around a concept called "incentive zoning," whereby increased development potential is provided only if properties meet minimum lot sizes and/or provide community benefits such as but not limited to public plazas, public art, and funding for facilities and streetscape improvements.

Public Review Process: A City Council appointed Ad Hoc Committee has met monthly since April 2015 to discuss the Specific Plan and monitor its progress. The Specific Plan's draft Supplemental EIR has been available for public review since June 27, 2016, and written comments to the draft Supplemental EIR were accepted through August 15, 2016. The Planning Commission held a duly noticed public hearing on the Specific Plan and the related General Plan Amendment (G.P.A. 15-2), Zone Change (ZC 15-2), and draft Supplemental EIR on August 15, 2016, and the Commission recommended the City Council adopt the Specific Plan, General Plan Amendment and Zone Change and certify the Supplemental EIR.

Review the Plan: Please feel free to visit the project website: www.duaretowncenter.com for a full copy of the Specific Plan and draft Supplemental EIR as well as many other helpful references.

Environmental Effects: The Supplemental EIR prepared for the Specific Plan has identified the following significant environmental effects associated with the adoption and long-term implementation of the Specific Plan: 1) long-term project-specific and cumulative air quality impacts; 2) increased demands relative to water supply; 3) traffic and circulation; 4) noise; 5) hazardous materials; 6) cultural resources; 7) wastewater; 8) police protection; and 9) solid waste. With the exception of air quality and water supply, all significant impacts can be mitigated to a level of less than significant. With regard to hazardous materials, three small-quantity generators (car dealership, dry cleaner, gas station) and two large-quantity generators (gas station, pharmacy) currently operate within the planning area, and one hazardous materials clean-up site (leaking underground fuel tank) that has been remediated.

Printed copies of the Town Center Specific Plan and Supplemental EIR are available for review at: City of Duarte - City Hall; Duarte Library; City of Duarte - Public Safety Office.

Although the 45-day public comment period closed on August 15, 2016, written comments can be sent to Duarte City Hall, Attention: Community Development Department, 1600 Huntington Drive, Duarte, CA 91010. Additionally, public comments can be submitted, either verbally or in writing, at the City Council public hearing.

If you have questions regarding the Specific Plan or the upcoming public hearing, please contact:

Community Development Department
City of Duarte
1600 Huntington Drive
Duarte CA 91010
(626) 357-7931 ext. 231

Para información en Español, favor de llamar a City Hall de Duarte,
(626) 357-7931.

Marla Akana, City Clerk

PUBLISH: Duartean, Saturday, August 27, 2016
AD#837470

DUARTE TOWN CENTER Specific Plan

City of Duarte

Notice of City Council Public Hearing on Town Center Specific Plan and Supplemental EIR



Tuesday, September 13, 2016

City Council Meeting and Public Hearing 7:00 PM



**City Council Chambers, 1600 Huntington Drive
Duarte, CA 91010**



Supplemental Environmental Impact Report (EIR)

General Plan Amendment 15-2

Zone Change 15-2

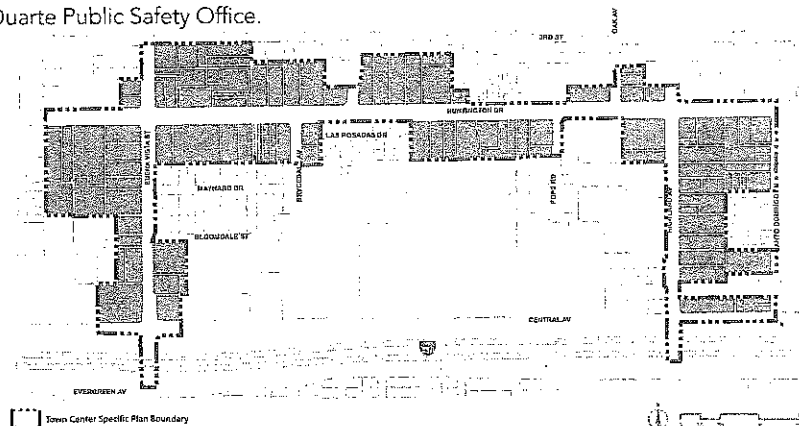
Action on Town Center Specific Plan

SPECIFIC PLAN HIGHLIGHTS

- The Specific Plan is structured around a concept called "incentive zoning," whereby increased development potential is provided if properties meet minimum lot sizes and/or provide community benefits such as, but not limited to, public plazas, public art, and funding for facilities and streetscape improvements.
- Through enhanced sidewalks, curb extensions ("bulbouts") on Huntington, and new bike routes, the Plan will increase pedestrian and bicycle connections to the Town Center area, the Duarte Metro Gold Line Station, City of Hope, and the Duarte Bike Trail.
- The Specific Plan facilitates new development and business activity and expansion by allowing a range of land uses (new hotel, residential, shopping, and entertainment opportunities) built around community planning objectives and an economic analysis of current and upcoming market opportunities.
- Easy-to-follow design guidelines in the Specific Plan encourage high-quality development in keeping with clear architectural styles.

REVIEW THE PLAN

Visit the project website: www.duartetowncenter.com for a full copy of the specific plan and EIR as well as many other helpful references. Printed copies are available for review at City of Duarte City Hall, Duarte Library, and the City of Duarte Public Safety Office.



PUBLIC REVIEW PROCESS

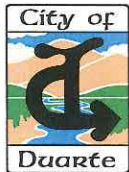
A City Council appointed Ad Hoc Committee met monthly since April 2015 to discuss the project, monitor progress, and comment on early drafts of the plan. The City hosted two open houses to review the draft plan. Environmental analysis of the Specific Plan was available for public review from June 27, 2016 - August 15, 2016. The Planning Commission reviewed the Specific Plan and recommends approval.

CONTACT INFORMATION

If you have questions or comments regarding the Specific Plan or the upcoming public hearing please contact:

Para información en Español, favor de llamar a
City Hall de Duarte: (626) 357-7931

Community Development Department
City of Duarte
1600 Huntington Drive, Duarte, CA 91010
(626) 357-7931 ext. 231



CITY COUNCIL STAFF REPORT

To: Mayor and City Council

Date: September 13, 2016

Subject: Town Center Specific Plan
General Plan Amendment 15-2; Zoning Change 15-2
Supplemental Environmental Impact Report

Summary

The concept of a town center for Duarte has been discussed for many years. Before the Council this evening is the Town Center Specific Plan, a zoning document that puts that vision in place. Staff recommends approval of the specific plan, the Supplemental EIR, general plan amendment 15-2 and zone change 15-2.

The Town Center Specific Plan is creative and forward thinking; and it sets in place standards and guidelines that will encourage quality growth and provide incentives to develop the community in a better way. The plan is also a strong economic tool for the city.

The Town Center has the potential to become an iconic and attractive place for new and existing businesses to flourish, accompanied by new residential developments, shopping opportunities and entertainment uses in an inviting, walkable, and bikeable environment. A major part of the plan philosophy and the reason that the plan received the Metro Planning Grant was its vision to provide solutions to transform the area into a memorable, vibrant, pedestrian-oriented, and interconnected Town Center that is an extension of the Duarte Station Specific Plan that was adopted in 2013.

While the town center idea started long before 2003, the following is a general timeline of activity since that time:

- 2003 - City Council adopted the Town Center Concept Plan that set forth a vision for the area. The concept plan called for a specific plan, among other things, to implement the vision.
- 2007 - City Council adopted a new General Plan for the growth of the community. The General Plan addressed the concept plan, but reduced its influence area. It may be partially because of this limited influence area that implementation has not occurred to date.
- 2012- to spur local economic development and to spark the process of implementation, the City convened a Town Center Ad Hoc Committee to review the 2003 Town Center Concept Plan vision. The Ad Hoc Committee reaffirmed the original vision and recommended that the City Council authorize development of a specific plan to implement that vision. The intent was that the specific plan would encourage and promote, higher density, mixed-use development and set forth a plan for streetscape improvements in the area.

2013 – The Ad Hoc Committee completed its work resulting in a final report to the City Council. (Town

Center Ad Hoc Committee Final Report (2013)). This report confirmed the intent of the 2003 Concept Plan, established a vision for the Town Center area, and recommended that the City Council move forward with a specific plan for the area.

2014 - The City applied for and received a Metro Planning Grant that funded the preparation of a specific plan for the Town Center area and a supplemental EIR (supplemental to the City's General Plan EIR).

2015 - City Council formed a new Town Center Ad Hoc Committee to provide community input throughout the plan preparation process. The AD Hoc Committee was formed specifically for this project and initially included 17 members; seven Economic Development Commission members and 10 appointed residents and business owners, two appointed by each Councilperson. Since that time, two members have resigned and not been replaced, so the working committee had 15 members.

The Town Center Ad Hoc Committee met monthly from April 2015 until July 2016 and received regular updates, provided input on the plan.

2016 - In addition to the regular Ad Hoc Committee meetings, a Property Owner's Open House (July 27) and a Community Open House (August 15) were held to introduce the community to the plan. The Planning Commission heard the project at its August 15 meeting and recommends approval.

Throughout the entire process, public outreach was an important focus. The Town Center Ad Hoc Committee was a major part of this outreach as the committee members represented a wide segment of the residential and commercial community. All of the monthly Ad Hoc Committee meetings were open to the public; a community meeting was held for the EIR scoping; all property owners were invited to an open house, specifically for property owners in the plan area, where a detailed overview of the plan was presented; a community open house was advertised and held prior to the public hearing this evening; several community news stories were posted on the City's website explaining the project; and a project website was developed to inform the public and to take public comment (duartetowncenter.com).

Plan Preparation

The City hired a highly qualified consultant team to assist in the preparation of the specific plan and related documents. MIG was the main consultant and was responsible for the specific plan and the related supplemental EIR. MIG worked with subconsultants that assisted in the plan development; Cambridge Systematics prepared the traffic analysis and Economic Planning Systems (EPS) prepared the Fiscal Impact Analysis.

The Ad Hoc Committee also assisted by providing regular feedback on draft versions of the plans through the preparation process. The Ad Hoc Committee members are:

Tina Carey, Chair
Lisa Magno, Vice-Chair
Henry Baltazar
Niveen Elguindi
Krista Granger
Steve Hernandez
Sean Lawrence
Rana Madain

Arun Mathur
Tony Molina
Manoj Patel
Ron Phadnis
Vince Phung
Eron Surdam
Nick Zigic



Project Discussion and Analysis

The process to adopt the Town Center Specific Plan requires an amendment to the City's General Plan; a zone change to specific plan for all the properties in the plan area; the approval of the specific plan document; and a supplemental environmental impact report (a supplement to the 2007 General Plan EIR).

The proposed specific plan area was developed early in the process. When the City applied for the Metro Planning Grant, one of the justifications for the request was the proximity of the town center area to the Gold Line station. The central portion of the Town Center area is within approximately $\frac{1}{2}$ to $\frac{3}{4}$ of a mile from the station platform. By expanding the plan area south on Highland Avenue to the Freeway, the town center area and the Duarte Station Specific Plan area meet and this new Town Center area becomes an expansion of the station area plan. To tie these projects together is just good planning; it allows a development flow between the areas and provides for improved pedestrian flow. The two plan areas together encompass about 94 acres of the central portion of Duarte. When the City Council formed the ad hoc committee, the general plan boundaries were set, but a task of the ad hoc committee was to refine the specific plan boundaries. One essential part of the decision about plan area was to extend the specific plan boundary along Buena Vista Street and Highland Avenue, underneath the freeway in the street right of way. This provides for public improvements that will tie together the area north and south of the freeway.

General Plan Amendment 15-02 –

The general plan amendment process involves two types of change: a change to the designation on the official general plan map; and a change to the text of the land use section of the general plan.

The plan area is made up of a variety of general plan designations that include: general commercial, neighborhood commercial, medium density residential, high density residential, public/quasi-public and specific plan. With the proposed change the general plan designation in this area would change to Town Center Specific Plan. The proposed general plan text and map changes are attached as exhibits to Resolution 16-R-23.

Zone Change 15-02 –

Another portion of the process to adopt the Town Center Specific Plan is a change to the zoning map that change the designation on the official zoning map from various zoning districts to Town Center Specific Plan.

The plan area is made up of a variety of zoning designations that include: Commercial-General, Commercial-Freeway, Public Facility, R-3 Multiple Family Residential – Medium Density and R-3 Multiple Family Residential – High Density. The proposed designation of the properties in the specific plan area is Town Center Specific Plan. Exhibit A of Ordinance 16-O-8 provides a map of the change in zoning to Town Center Specific Plan.

Town Center Specific Plan –

The proposed plan is the most forward thinking and creative zoning document that the city has. The specific plan features incentive zoning which sets a process where increased development potential is provided if properties meet minimum lot sizes and/or provide community benefits such as, public plazas, public art, and funding for facilities and streetscape improvements. It provides the vision for future growth to be centered around vertical and horizontal mixed use with a pedestrian and community focus. The specific plan also



facilitates new development and business activity and expansion by allowing a range of land uses such as hotel, high density residential, shopping, and entertainment uses. Strong, well thought out, and easy to follow design guidelines are another feature of the plan.

In addition to a creative zoning approach the plan also provides a creative framework for public improvements with enhanced sidewalks, curb extensions (“bulbouts”) on Huntington Drive and public art to beautify the Freeway overpasses.

For the purposes of the Town Center Specific Plan that vision was focused to the four main vision points: sense of place, Vibrant, Strong and Connected. The proposed plan incorporates all of these qualities.

Incentive Zoning:

The development standard philosophy of the plan is based on categorizing standards into three tiers. Each tier establishes the development standards that apply to a project. The base allowable development standards are described in Tier 1. If a developer wants to take advantage of increased density, FAR, residential/mixed use, and height, the developer is required to comply with the provisions of each subsequent tier; Tier 2 and Tier 3.

Tier 1 is the basic allowed development standards with no incentives or bonuses applied. A basic development does not require additional community benefits but must still meet minimum project requirements for setbacks, design and open space. This tier is designed to insure that at minimum all development is quality and an upgrade to the community but is specifically designed to be a starting point. The most valuable incentives are reserved for higher tiers.

Tier 2 is a tier that applies to only certain properties in the plan area that are specifically listed as properties where lot consolidation will create a more positive built environment for the community. It applies to properties with lot a consolidation overlay designation and requires properties to meet minimum lot size and dimension requirements to gain the additional development potential or density. Tier 2 bonuses are only allowed in areas 4, 6 and 7 on Figure 3-2 in the plan where noted.

Tier 3 provides the Community Benefit Bonus. Tier 3 projects are projects that propose additional density and intensity above the Tier 1 or Tier 2 applicable standards. Projects located within Lot Consolidation Overlay Areas must meet Tier 2 in addition to Tier 3 requirements in order to achieve Tier 3 bonus height, density, and/or intensity. Tier 3 projects are required to contribute to the community benefits program at Tier 3 levels (see Table 3-2 and Table 3-3 for the number of required benefits in each area). A menu of potential community benefits is provided in Section 3.5.2: Menu of Tier 3 Community Benefits. Applicants may also propose other community benefits that are not included in this menu, as part of a Community Benefits Plan. Tier 2 is not required to get to Tier 3 for properties that are not slated for an extra bonus (Tier 2) because of property assembly.

The best way to understand the tier bonus process is to carefully consider Section 3.4 of the specific plan, including Table 3-2 and Section 3.5 that specifically addresses incentives and bonuses. This process is creative and is essential in spurring long term, quality growth.



Overall Buildout:

The overall expected buildout of the specific plan area calls for up to: 800 residential units, 703,000 commercial square feet and 450 hotel rooms. The environmental for the project analyzed up to 1,075 residential units and commercial and hotel rooms as stated above in an effort to be as complete and comprehensive as possible in the impact analysis. The other goal of placing a limitation on residential units is to work with the incentive zoning philosophy to encourage development.

Design Guidelines:

Quality architectural and site design is essential to a successful Town Center area. The proposed specific plan addresses design issues in two major ways, development standards and design guidelines. Section 4 of the plan provides guideline that will serve to improve the overall design of projects in the area. The design guidelines focus on public and private improvements. Public area topics that are addressed include: sidewalk and crosswalks, median planting, street furniture, parklets, signs and plaza design. Private design guidelines address detailed building design issues for all buildings and building features. The guidelines also focus on a few desired architectural styles to provide a cohesive mix of buildings.

Mobility and Circulation

The proposed specific plan provides direction for mobility and circulation issues in the area. Chapters 5 and 6 address Mobility and Infrastructure respectively. The plan takes existing city policy and plans, such as the bicycle and pedestrian master plan and ties these items into the specific plan. The plan calls for a system of curb extensions, or bulb-outs, that have the purpose of slowing traffic down without limiting capacity. These curb extensions will also serve to beautify the Huntington Drive corridor. The plan also sets Huntington Drive and Buena Vista and Huntington Drive and Highland Avenue as "key intersections" that are proposed to have specific design standards, enhanced paving and other amenities. The plan also calls for working with Cal Trans to create pedestrian scale art and lighting at the freeway underpasses.

Plan Implementation (future tasks):

Plans like the Town Center Specific Plan are not implemented completely in a short period of time. This plan is a long term plan that will begin being implemented immediately but it expected that it will be a long term plan and will be implemented as such.

The implementation section of the plan addresses possible funding sources for infrastructure development. There are a variety of tasks that will be required to be completed as a part of the implementation of the plan. Table 7-2 addresses these tasks in detail.

Ordinance 16-O-9 adopts the Town Center Specific Plan.

Environmental:

Because of the scale of the project an EIR was required. The scale of the project called for a supplemental EIR to the City's general plan EIR that was completed in 2007.

The EIR looks at all possible impacts created by the proposed specific plan and the additional growth that is permitted by the plan. The EIR also considers alternatives to the proposed project.

The EIR finds that the proposed project will create no additional significant unavoidable impacts that were not analyzed as part of the 2007 general plan EIR. Resolution 16-R-24 adopts the Final supplemental EIR.

Economic Study:

As part of the specific plan preparation, a fiscal analysis was completed by, sub-consultant, EPS. The study considered the fiscal impacts of a buildout of the plan to determine the overall direct economic impact to the city.

The fiscal analysis finds that the net fiscal impact created by the project, at buildout, will be nearly 1.3 million dollars annually to the city. Much of this revenue will be generated by additional taxes such as transient occupancy tax generated by hotels and property taxes created by new construction.

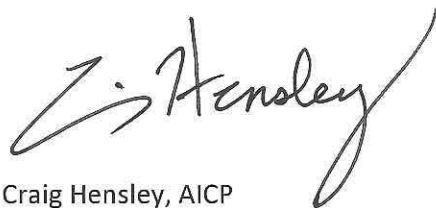
Recommendation

The Town Center Specific Plan will be good for Duarte. It is creative and well-thought out and has a strong economic development focus. It is designed to place a premium on development that contributes to the improvement of the community. It is a long term plan for the area but positive changes will begin to occur in the short term. The Planning Commission recommended approval of the project.

Staff recommends that the City Council, adopt General Plan Amendment 15-2; Zone Change 15-2; Town Center Specific Plan and the Supplemental EIR for the project by adopting the following:

Resolution 16-R-23 General Plan Amendment 15-2;
Resolution 16-R-24 Supplemental EIR and Mitigation Monitoring Program;
Ordinance 16-O-8 Zone Change 15-2; and
Ordinance 16-O-9 Adopting Town Center Specific Plan.

Respectfully submitted,



Craig Hensley, AICP
Community Development Director

Attachments: Resolution 16-R-23 General Plan Amendment 15-2
Resolution 16-R-24 Supplemental EIR & Mitigation Monitoring Program
Ordinance 16-O-8 Zone Change 15-2
Ordinance 16-O-9 Adopting Town Center Specific Plan
Fiscal Analysis and Implementation Strategy



RESOLUTION NO. 16-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, APPROVING GENERAL PLAN (G.P.A. 15-2) TO AMEND THE LAND USE ELEMENT AND LAND USE POLICY MAP OF THE DUARTE GENERAL PLAN FROM VARIOUS GENERAL PLAN DESIGNATIONS TO TOWN CENTER SPECIFIC PLAN ON PROPERTIES, GENERALLY, NORTH OF THE 210 FREEWAY ON HIGHLAND AVENUE AND BUENA VISTA STREET TO HUNTINGTON DRIVE AND ON HUNTINGTON DRIVE GENERALLY BETWEEN SANTO DOMINGO AVENUE AND BUENA VISTA STREET

WHEREAS, in accordance with Section 19.142.020 of the Duarte Development Code, the City Council of the City of Duarte ("City Council") initiated a General Plan Amendment (G.P.A. 15-2) to: (1) amend the Land Use Element as set forth in Exhibit "A," attached hereto and made a part of this Resolution, and (2) amend the Land Use Policy Map as set forth in Exhibit "B," attached hereto and made a part of this Resolution (collectively, the "General Plan Amendment") to change various General Plan designations to a "Town Center Specific Plan" designation; and

WHEREAS, on August 15, 2016 the Planning Commission of the City of Duarte ("Planning Commission") held a duly noticed public hearing on the proposed General Plan Amendment and corresponding Town Center Specific Plan, Zone Change (ZC 15-2), and Draft Supplemental Environmental Impact Report ("EIR") for the Town Center Specific Plan (State Clearinghouse No. 2015101082), at which time oral and documentary evidence was introduced along with the written recommendation of the Planning Department of the City of Duarte, and the Planning Commission received public testimony; and

WHEREAS, after the duly noticed public hearing on August 15th, the Planning Commission adopted Resolution No. PC 16-10 recommending the City Council adopt and approve of the proposed General Plan Amendment; and

WHEREAS, notice of a public hearing before the City Council on the proposed General Plan Amendment, was given in accordance with applicable law; and

WHEREAS, on September 13, 2016, the City Council held a duly noticed public hearing on the proposed General Plan Amendment and corresponding Town Center Specific Plan, Zone Change (ZC 15-2), and Final Supplemental EIR for the Town Center Specific Plan (State Clearinghouse No. 2015101082), at which time oral and documentary evidence was introduced along with the written recommendation of the Planning Department of the City of Duarte and the City Council received public testimony; and

WHEREAS, the City Council has considered the proposed General Plan Amendment, which would modify the land use designation of properties in the plan area to correspond to

the designations set forth in the Town Center Specific Plan, as set forth in Exhibits "A" and "B" to this Resolution; and

WHEREAS, the City Council has considered the staff report and all of the information, evidence, and testimony received at the public hearing.

NOW, THEREFORE, the City Council of the City of Duarte resolves as follows:

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

SECTION 2. Based upon substantial evidence presented to the City Council during the public hearing, including written staff reports and verbal testimony, the City Council hereby finds and determines:

1. The General Plan Amendment is intended to encourage the highest and best use for the subject property.
2. The General Plan Amendment is internally consistent with all other provisions of the General Plan. The Land Use Element of the General Plan contemplates that the City will develop a specific plan "for a 'City Center' whereby the city promotes mixed use, reduced parking and higher densities." (Land Use Element, p. 21.) The General Plan Amendment would implement the proposed Town Center Specific Plan, which implements the vision for the "City Center" set forth in the General Plan and the "Town Center Concept Plan" (approved by the City Council in the early 2000's).
3. The General Plan Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City. The purpose of the General Plan Amendment is to implement the Town Center Specific Plan, which is intended to create a vibrant, active Town Center that offers desirable experiences for living, working and shopping in Duarte. That Plan will define permitted uses, regulate the sizes and locations of buildings, specify design guidelines and development standards, identify project infrastructure and services, provide administrative and implementation language, depict one conceptual development scenario, amongst other stipulations, for various properties, including approximately 75 acres, north of the 210 Freeway on Highland Avenue and Buena Vista generally between Santo Domingo Street and Buena Vista Street.
4. The affected sites are physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located. The City studied the physical suitability of the proposed sites

when it adopted the "Town Center Concept Plan" in the early 2000's and further studied suitability through the preparation of the proposed Town Center Specific Plan.

SECTION 3. The City Council hereby accepts the recommendation of the Planning Commission to adopt and approve the proposed General Plan Amendment.

SECTION 4. Based upon the substantial evidence and testimony received at public hearing and the findings and conclusions set forth hereinabove, the City Council adopts and approves the General Plan Amendment.

SECTION 5. The City Council finds and determines the General Plan Amendment is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 *et seq.* (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 *et seq.* (CEQA Guidelines) because a Supplemental EIR was prepared for the Town Center Specific Plan and corresponding General Plan Amendment have been prepared and circulated for public review and comment, and will be considered for certification by the City Council prior to or concurrently with the City Council's action on the Town Center Specific Plan and the General Plan Amendment.

SECTION 6. Except as expressly amended herein, the Land Use Policy Map shall remain in full force and effect and shall apply to the property affected by this Resolution.

SECTION 7. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution, and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

SECTION 8. The Mayor shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 13th day of September, 2016.

Mayor Samuel Kang

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 16-R-23 was adopted by the City Council of said City of Duarte at a regular meeting of said Council held on 13th day of September, 2016, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk Marla Akana
City of Duarte, California

Exhibit A
(starts on following page)

CHAPTER 5

LAND USE



INTRODUCTION

Many goals and policies within the other General Plan Elements are brought together in the Land Use Element as land use policy. The Land Use Element reflects where open space areas will be located, where it is unsafe to build and how best to protect the community from natural and/or man made hazards, where jobs and revenue producing businesses will be located, where different types of housing densities will be located, how people and goods will be transported throughout the community, and much more. This Element serves as a central framework for the entire Comprehensive General Plan.

Land Use Element Statutory Requirements

California law requires that each city's General Plan included a Land Use Element.

"... a land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land. The land use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan. The land use element shall identify areas covered by the plan which are subject to flooding and shall be reviewed annually with respect to those areas..."

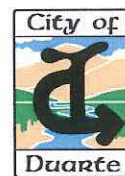
Relationship to other General Plan Elements and Program EIR

California law requires that all elements of the General Plan be consistent. The Land Use Element brings together the other eight (8) Duarte General Plan Elements. This will become evident in that some of the policies found in the other Elements will appear again in the Land Use Element.

It is a fundamental goal of the City to protect existing residential areas from higher densities and from redevelopment where practical. However, there are two general areas that are recommended for change. One is the Town Center area, located north of the I-210 along Buena Vista Street and Highland Avenue and Huntington Drive between these two streets. The other area is located north of the Gold Line Station and is slated for transit oriented mixed use.

CHAPTER 5

LAND USE



A Program Environmental Impact Report (EIR) will be part of the 2005-2020 Duarte General Plan. Policies and mitigation measures within the Land Use Element will also become mitigation measures within the Program EIR.

GOALS, OBJECTIVES AND POLICIES

This section provides draft Goals, Objectives and Policies for the Land Use Element of the Duarte General Plan.

Land Use Goal 1: Maintain a balanced community consisting of various residential housing types and densities, commercial activities, industrial development, mixed use where appropriate, and open space.

Objective 1.1 Improve on Duarte's balance of uses.

Policies

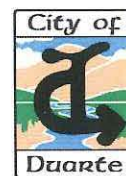
- LU 1.1.1 Where appropriate, require and review market studies to determine the mix and type of commercial development necessary to satisfy and sustain the needs for the Duarte trade area.
- LU 1.1.2 Encourage the development of a mix of housing types and densities to ensure a variety of housing to accommodate a range of tastes and incomes.
- LU 1.1.3 Encourage high-quality design for infill development, and continue to support new high-quality uses.
- LU 1.1.4 Expand regional economic development along the I – 210 corridor beyond current uses. In order to maximize revenue and enhance image, the City should investigate other major draws typical of an international trade center magnitude, hotel/convention complex, etc.

Land Use Goal 2: Develop compatible and harmonious land uses by providing a mix of uses consistent with projected future social, environmental and economic conditions.

Objective 2.1 Ensure that future development complements surrounding areas.

CHAPTER 5

LAND USE



Policies:

- LU 2.1.1 New infill residential development should be compatible in design, bulk, and height with existing nearby residential development as referenced in Duarte's Architectural Design Guidelines and applicable Specific Plans.
- LU 2.1.2 Permitted uses along Huntington Drive should accurately reflect economic market conditions and incompatible uses and activities should be eliminated.
- LU 2.1.3 Provide for the shopping and service needs of residents by conveniently clustering commercial establishments in such a way to encourage "one-stop" shopping.
- LU 2.1.4 Provide and encourage industrial development involved in research and development-oriented uses to help achieve a jobs housing balance.
- LU 2.1.5 Restrict development in areas prone to seismic and other safety hazards.
- LU 2.1.6 Hillside development must be sensitive to the local views of the hills and to the natural environment.
- LU 2.1.7 Make every effort to ensure that industry and residences, where located in close proximity, will be compatible neighbors with non-industrial uses located nearby, and with neighboring cities as well.

Land Use Goal 3: Provide unique areas to better serve the needs of Duarte residents and businesses.

Objective 3.1 Improve the land use mix in selected areas so that it generates synergies and convenience to patrons and residents.

Policies:

- LU 3.1.1 Develop and promote Specific Plan areas that provide the flexibility needed to make these places unique.

CHAPTER 5

LAND USE



- LU 3.1.2 Develop and implement a flexible specific and strategic plan for the Town Center.
- LU 3.1.3 Assess the cost/benefits of providing public improvements and assistance within a Town Center area.
- LU 3.1.4 Create and implement a flexible mixed use Transit Oriented Development Specific Plan for the current non-residential area north of the Gold Line Station.
- LU 3.1.5 If the Duarte Gold Line Station becomes a reality before 2020, consider a thorough analysis of a potential amendment to the General Plan to provide expanded Transit Oriented Development for additional area north and west and east of the Gold Line Station.
- LU 3.1.6 Promote the use of mixed land use techniques and construction methods to provide more housing and minimize housing costs without compromising basic health, safety and aesthetic qualities.

RELATED AGENCIES, LAWS AND PLANS

Duarte Development Code

The Development Code is the principal implementation tool for a General Plan. State law requires that Development Codes be consistent with the General Plan. The Duarte Development Code can be found in Title 19 of the Duarte Municipal Code. The Development Code establishes specific regulations for the use and development of land in zoning districts within the Duarte city limits.

Specific Plans

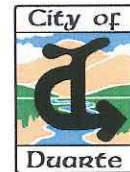
Duarte has adopted a variety of Specific Plans throughout the community. Government Code Section 65450 – 65457 provides for the adoption of Specific Plans. As with the Development Code, a Specific Plan is required to be consistent with the General Plan. A Specific Plan provides flexibility from the Development Code which can provide a unique character to a development.

Southern California Association of Governments (SCAG)

SCAG functions as the Metropolitan Planning Organization for six counties: Los Angeles, Orange, San Bernardino, Riverside, Ventura and Imperial. The region

CHAPTER 5

LAND USE



encompasses a population exceeding 15 million persons in an area of more than 38,000 square miles.

As the designated Metropolitan Planning Organization, SCAG is mandated by the federal government to research and draw up plans for transportation, growth management, hazardous waste management, and air quality. Additional mandates exist at the state level. As an example SCAG is required by State law to allocate the existing and projected housing needs for each city and county in its region. SCAG, in cooperation with the San Gabriel Valley Council of Governments (SGVCOG), the COG in which Duarte is located, prepared the "Regional Housing Needs Assessment" referenced in the Housing Element.

South Coast Air Quality Management District (AQMD)

The AQMD is the agency principally responsible for comprehensive air pollution control in the South Coast basin. Specifically, the AQMD is responsible for monitoring air quality and planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards in the district. Programs developed include air quality rules and regulations that regulate stationary source emissions, including area and point sources and certain mobile source emissions. The AQMD is also responsible for establishing permitting requirements and issuing permits for stationary sources and ensuring that new, modified, or relocated stationary sources do not create net emissions. The AQMD enforces air quality rules and regulations through a variety of means, including inspections, educational and training programs, and fines. AQMD rules and regulations have and probably will continue to affect land use decisions made by the public and private sectors.

Other General Plan Elements

The Safety Element identifies areas which could be flooded due to the failure of Morris, San Gabriel and/or Cogswell dams. The Safety Element also shows seismic, wildfire, and geologic hazards which affect land uses in Duarte. The Circulation Element shows the city's street and transit systems serving various land uses throughout the community. The Open Space/Conservation Element identifies the city's parks, school grounds used as open space, wilderness areas and the National Forest. The Housing Element includes policies for providing housing for all economic groups. The Land Use Element Diagram reflects where this housing can be provided. The Economic Development Element identified policies which will provide the revenue and jobs necessary to have balanced land use in the community. The Noise Element provides policies to mitigate noise

CHAPTER 5

LAND USE



generators from noise receptors. And, the Historic Preservation Element provides policies which will preserve significant resources in the community.

LAND USE PLAN

The Community Attitude Survey conducted in September 2005 revealed that 70% of the residents that responded to the survey (21% of the 8,940 mailed surveys responded), felt quality of life in Duarte was excellent or good. Also, Duarte is essentially built out. As a result, the Land Use Plan seeks to keep things generally as they are with a few exceptions.

The Land Use Plan describes the approach that will be used to build upon the city's sound planning base. The Goals, Objectives, Policies and Implementation Measures provide the basis for the Land Use Plan. The approach is to keep the small town atmosphere while providing a favorable balance of land uses. Of utmost importance is to continue to provide a healthy local economy so that the residents and businesses of Duarte can continue to maintain a high level of city services.

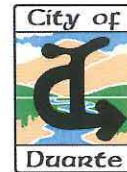
Land Use Acreage Calculation

Most General Plan Land Use plans are calculated on net acreage instead of gross acreage. Net acreage is adjusted to exclude the land area devoted to streets and roadways. Gross acreage includes the land area utilized for streets and roads. Duarte's General Plans have always used gross acreage. As a result, the 1989 Duarte Land Use Diagram, which used gross acreage, provided unattainable residential densities. To be consistent with the General Plan, the Development Code also provided unattainable residential densities. As an example, the 1989 General Plan provided for 21 units for gross acreage for medium density residential while in practice only 15 units were being produced. The 1989 General Plan provided for 28 units per gross acre for high density residential while in reality only 23 units per acre were being produced. These lower densities were not solely because of the gross acreage issue. Part of the reason was market driven because builders wanted to build detached housing with more private open space area.

The 2005 – 2020 General Plan Land Use Element adopts net acreage instead of gross acreage to make densities and intensities more realistic. Also, because Duarte is essentially built out, adopting net acreage will bring the General Plan and the Development Code into conformance with what is actually built.

CHAPTER 5

LAND USE



While the 2005-2020 General Plan Land Use Element makes allowable densities and intensities more realistic, it provides for higher densities in two Mixed Use areas. These areas are the Town Center mixed use area and the Duarte Station Specific Plan areas.

Land Use Balance

When major stakeholders were asked to define Duarte to someone who had never been to the community many said “Duarte has a small town feel”, a “bedroom community” with “wonderful parks and recreation programs”, “quality, friendly and diverse people and neighborhoods”. Half of the business survey respondents also lived in Duarte.

Except for businesses with direct access to the I-210 freeway, Duarte businesses tend to be small mom and pop establishments serving a local market. Duarte’s location and surrounding geography limit its ability to expand or attract major retailers. However, the balance between residential, commercial office commercial retail and industrial property is quite good. Duarte is home to the world renowned City of Hope with its 2,500 employees. Duarte’ parks and open spaces are numerous for such a small community and recreation programs are the envy of some surrounding communities.

Land Use Diagram

The Land Use Diagram (LU-1) shows the City’s vision for the development, redevelopment, and preservation of public and private properties within Duarte until the year 2020. The Diagram designates the distribution and general location of land to be used for housing, business, public facilities, open space, and institutional uses.

The Land Use Diagram is different from a zoning map. First, a Zoning Map is an implementation tool required to be specific and show individual parcels. Each land use designation on the Land Use Diagram typically has more than one consistent zoning district. The Land Use Diagram shows a generalized description of where land use designations are located so that it is not confused with the zoning map. Also, the Land Use Diagram is only one policy of the General Plan. Each policy within the General Plan is equally as significant.

Land Use Classifications

The Land Use Diagram (LU-1) illustrates the various types and distributions of land uses planned for Duarte. Most land use classifications and designations are

CHAPTER 5

LAND USE



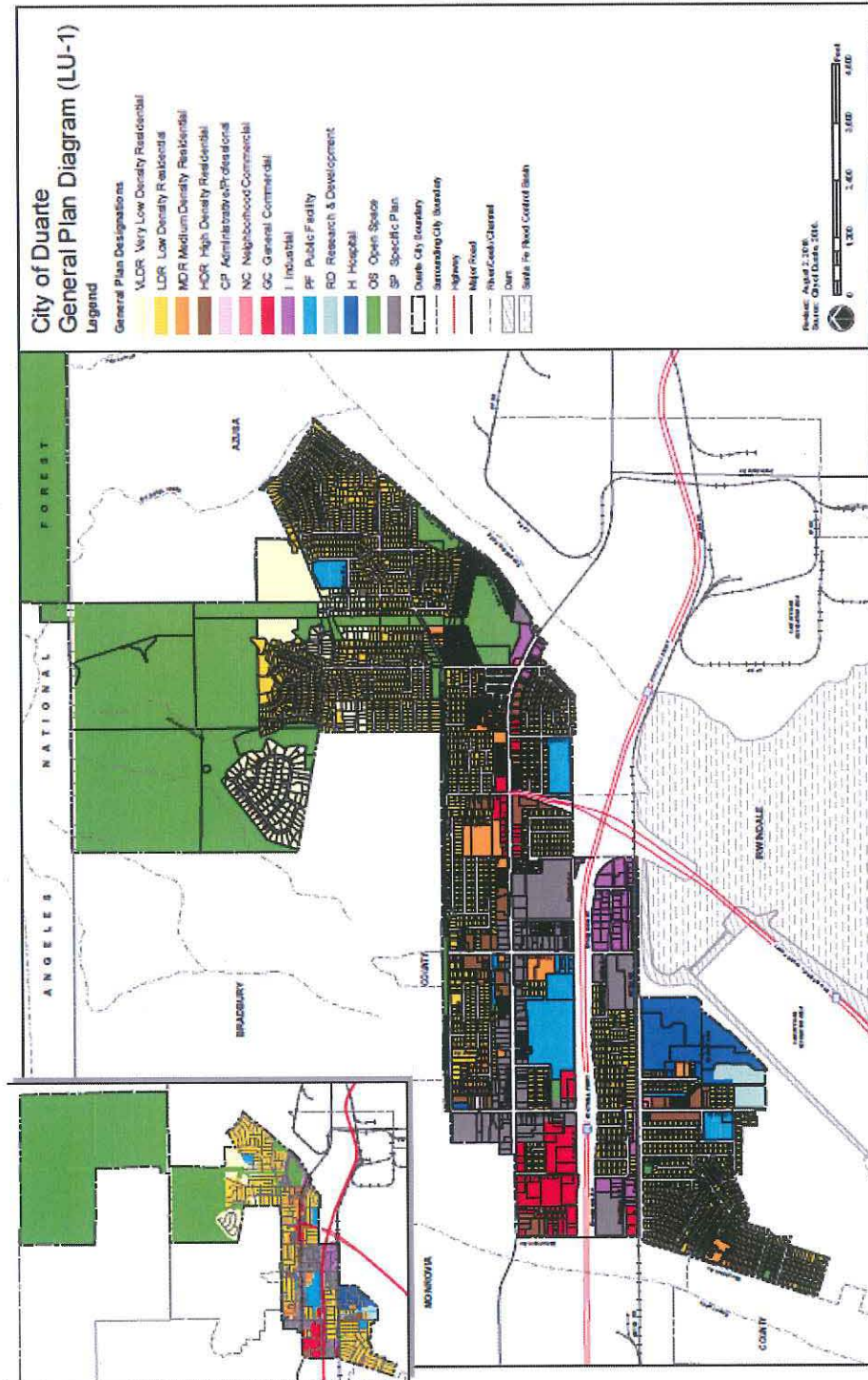
the same as those shown on the 1989 Land Use Plan except for portions identified as the Town Center and those near the proposed Gold Line Station. There are seven land use classifications which are listed in Table LU-1 (a tabular description of the Land Use Diagram). These land use classifications serve to provide an orderly approach to development and maintenance of public open spaces by identifying the types of development allowed in these areas. Duarte's land use classifications include seven general categories: Residential, Commercial, Hospital, Industrial, Public/Quasi-Public, Open Space and Specific Plan Areas. Descriptions of each general land use designation are provided in the subsequent Land Use Designations section of this Plan.

Land Use Densities and Intensities

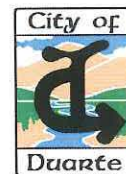
Each of the land use classifications is further divided into land use designations. There are twenty-one (21) designations in Table LU-1. The Land Use Diagram consolidates some of these designations. The term density is used for residential uses and refers to the population and development capacities of residential land. Duarte's density is described in terms of dwelling units per net acre of land (du/ac). Maximum density is the top of the range for that category. As an example, Very low density provides a range of from 0 to a maximum of 3.5 du/ac. Low density provides a range of 3.5 to a maximum of 6 du/ac.

Intensity is used to describe the extent of development on a given parcel of land. Building floor area ratio, number of stories (floors), percent of lot coverage, or total building floor area square footage all describe intensity. Intensity is usually used to describe non-residential development. In the Duarte General Plan, floor area ratio (FAR) is used as the measure of non-residential development intensity. Examples of floor area ratio are shown on Figure LU-2. FAR describes the relationship between the total square footage of development on a lot and the area of that lot. Floor area does not include area within parking structures and parking lots. The FAR is determined by dividing the gross floor area of all buildings on a lot by the gross land area of the lot, less any portion used for public roads.

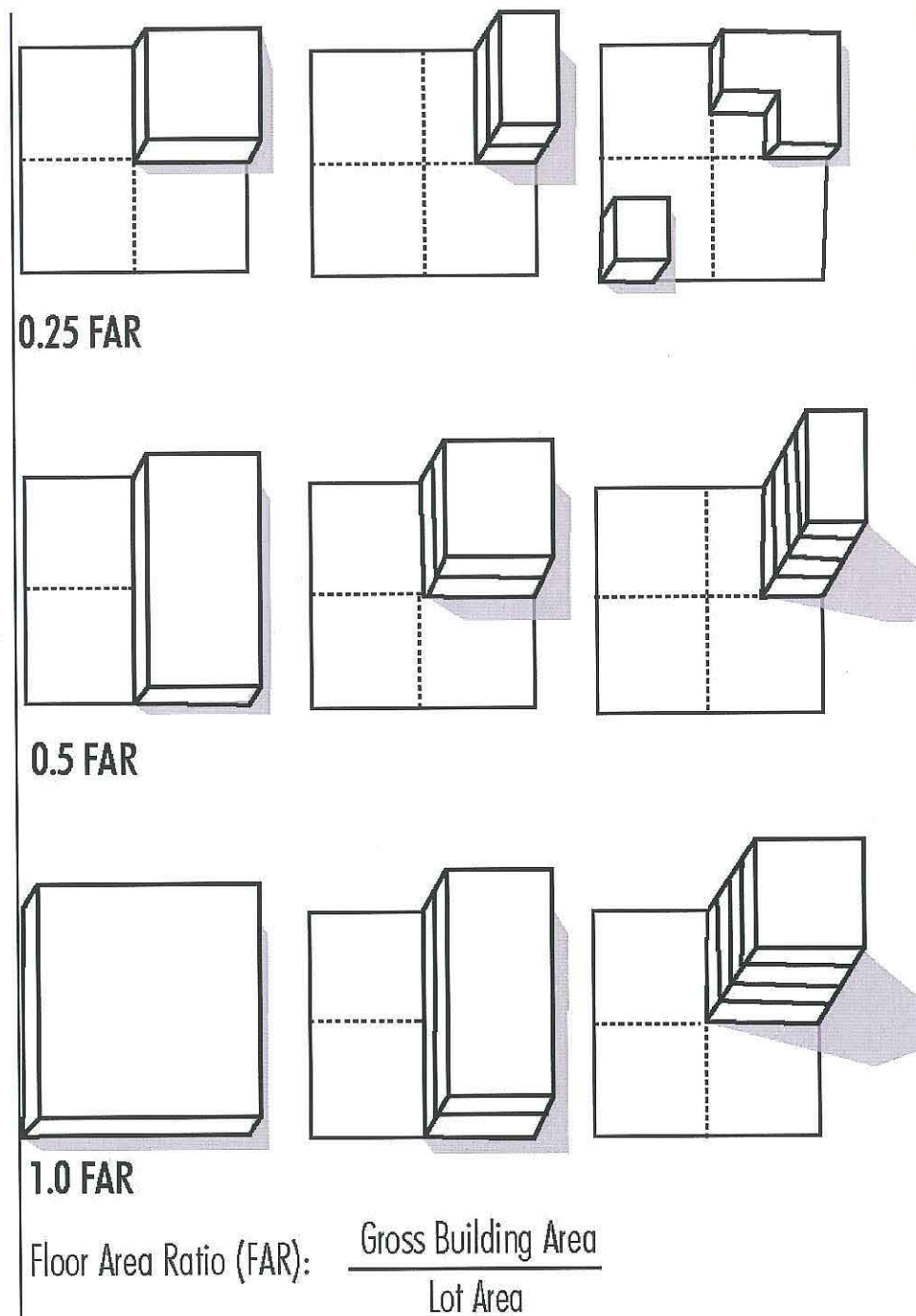
CHAPTER 5 LAND USE



CHAPTER 5 LAND USE



**Figure LU-2
Example of Floor-Area Ratio (FAR)**



CHAPTER 5

LAND USE



Table LU-1
Land Use Classifications and Designations

LAND USE DESIGNATION	DUs or FAR/net Acres Maximum	Anticipated	DESCRIPTION OF LAND USE DESIGNATION
Residential Land Use Classification			
Very Low Density	0-3.5 du/ac	2.5 du/ac	Detached homes, typically on large lots
Low Density	1-6du/ac	6du/ac	Detached single family homes
Medium Density	7-21du/ac	15 du/ac	Attached and/or detached housing
High Density	21-28 du/ac	23 du/ac	Attached housing
Commercial Land Use Classification			
Neighborhood	.25:1	.25: 1	Service uses serving neighborhood needs
General	.5:1	.5:1	General Retail, service and office uses
Administrative Professional	.5:1	.5:1	Office Professional uses
Hospital Use Classification			
Hospital	1.5:1	1.5:1	Properties owned by City of Hope and Santa Teresita
R&D	1.5:1	1.5:1	Research and development uses
Industrial Use Classification			
Industrial	.50:1	.50:1	Light industrial uses
Public/Quasi Public Classification			
Public School	N/A		Land owned by Duarte Unified School District and used for education, recreation, and administrative offices
City owned facilities	N/A		City offices, recreational facilities, maintenance facilities
County owned facilities	N/A		County Library, fire station
Utility easements	N/A		Edison, flood control easements, railroad
Streets, Freeway	N/A		City streets, I 210 Freeway
Open Space Classification			
Parks	N/A		City owned and dedicated parkland
Wilderness Area	N/A		City owned for the preservation of natural resources, and protection of health and safety
National Forest	N/A		Angeles National Forest open space for the preservation of natural resources, managed production of natural resources, protection of health and public safety, outdoor recreation
Specific Plan Areas Classification			
Planned communities and areas	varies	varies	Various single family housing, senior housing, multiple family housing, and commercial shopping centers
Town Center Mixed Use Area	Commercial use FAR varies	varies	Horizontal and/or vertical mixed commercial and high density residential housing; retail, service, office and hotel uses
Duarte Station Area Development	Commercial use FAR varies	varies	Horizontal and vertical mixed commercial and high density residential housing

CHAPTER 5

LAND USE



Land Use Designations

All land within the city limits (the planning area) of Duarte is assigned to one of twenty-one (21) land use designations as follows:

Residential Land Uses: As a predominately family oriented residential community, Duarte has four residential land use designations which provide for a variety of housing types. The maximum density listed for each residential land use designation may be exceeded by Housing Element policy as provided in California density bonus law as amended from time to time during the course of this General Plan. Mobile homes are allowed in all residential land use categories, subject to design review approval. Second units are allowed when attached to the primary residence and as authorized by Government Code Section 65852.2. Until this General Plan update, Duarte has used gross acreage to calculate densities. As a result, actual land use densities have been substantially under those found in the General Plan and Zoning Code. In an effort to make residential densities more realistic, net acres will be used in this General Plan for all densities and intensities. Also, because of builder's desires, other development requirements and, in some cases topography constraints, densities have been less than those shown in the General Plan and Zoning Code. As a result, Table LU-1 provides anticipated densities and intensities based on historical development.

1. Very Low Density: The very low density land use designation, primarily found in the foothills, provides for large lot single family detached homes. This designation allows a maximum density of 3.5 units per net acre. Based on historical records, anticipated densities for this land use designation should be 2.5 units per acre. Uses permitted include single family detached houses, horses and associated structures. Zoning Districts that correspond with this land use designation are: R-1F (80,000 sq. ft. lots), the R -1D (20,000 sq. ft. lots) and the R-1B (10,000 sq. ft. lots). Conditional uses allowed in this category include the boarding of horses.

2. Low Density: The Low Density land use designation is the predominant residential area within the city. It can be found throughout the community. This designation allows a maximum density of 6 units per net acre. Because of the size of the parcels and development standards the anticipated density for properties in this designation is 6 detached single family units per acre depending on the zoning district in which the property is located. Zoning Districts that correspond with this land use designation are the R -1A (7,500 sq. ft. lots) and R -1 (6,500 sq. ft. lots). Conditional uses allowed in this category

CHAPTER 5

LAND USE



include churches, country clubs, golf courses and related activities, educational institutions, and publicly owned facilities including parks.

3. Medium Density: There are pockets of medium density residential areas throughout Duarte. The Zoning Districts that correspond with these land use designations are Planned Unit Development (PUD), R-MH R-2 and R-3. The R -2 zone provides for one or two family detached or attached dwellings. The R-3 zone provides for denser multiple family dwellings, mixed detached and attached residential developments, Planned Residential Unit Development projects and duplexes. The R-MH zone has been created to accommodate residential mobile homes in planned, integrated mobile home parks. The purpose of the PUD zone is to allow innovative and flexible design standards. The Medium Density designation in the 1989 Plan allowed a maximum of 21 units to the gross acre. Based on historic records it is anticipated that 15 du/ac can generally be accommodated on Medium Density parcels. Allowed conditional uses are essentially the same as those in the low density designation with nursing homes, rest homes and senior housing added.

4. High Density: Pockets of high density residential tend to be concentrated between Royal Oaks Drive and Huntington Drive. Other small pockets are concentrated south of Duarte Road around Buena Vista. Until this General Plan, this had been the highest residential density allowed with a maximum of up to 28 units per gross acre (1989 Plan). This plan anticipates an average of 23 du/ac (net). More recent developments in High Density areas have provided only 17 du/ac because units tended to be large town-homes, 2-story buildings (rather than the 3 or 4 stories needed for the higher densities and developers elected to provide amenities that deducted from the total number of units provided). Allowable uses in the R-4 zone include multiple dwellings, including apartment houses, and similar permanent residential facilities and planned residential unit development projects. Conditional uses are those found in the R-2 and R-3 zones

Commercial Land Uses: Commercial uses bring revenue and jobs to a community which sustain the public services required for a healthy city. Because of physical barriers around Duarte, the mountains to the north, quarries in surrounding cities and the San Gabriel River and associated spread basin, Duarte's market area is limited. This makes retail development a challenge to attract the typical national retailers most cities seek to help generate much needed revenue. Even with these constraints, Duarte's commercial uses generate substantial revenue.

1. Administrative Professional: This is the most restrictive of the commercial land use designations. There are only two areas with this

CHAPTER 5

LAND USE



designation located on Huntington Drive and Buena Vista. The zoning district that corresponds with this designation is CP. Allowable uses tend to be general offices; medical offices, clinics, general research not including fabrication and laboratories or manufacturing/processing. Conditional uses include churches, child care facilities; general hospitals; lodges and meeting halls.

2. Neighborhood: This use designation is intended to provide neighborhood retail, service and office uses for businesses serving the daily needs of nearby residential areas, while preventing significant adverse effects on adjoining residential properties. Some smaller shopping centers are along Royal Oaks and Duarte Rd. The accompanying zoning district for these smaller centers is C - 1. Uses permitted within this zone are those found in the CP zone, including additional retail and service uses. Conditional uses include automobile service stations and drive-in restaurants.

3. General Commercial: The General Commercial designation is intended to provide for sites which will meet the shopping needs of the entire community and provide sites for regionally oriented uses along the I – 210 freeway corridor. The C – 2 zoning district corresponds with this designation. Permitted uses include those in the CP and C-1 zones, with expanded retail and service uses. Specific permitted uses in the C-2 zone include: auto sales and service; building supplies; department stores; furniture stores, sporting goods, printing and restaurants. Conditional uses include: auto rental; hotels and motels; theatres and similar uses.

Hospital Land Uses: Duarte is known as the City of Health, primarily because of the world renowned City of Hope. The City of Hope facility in Duarte has more than 300 physicians and scientists and more than 2,500 employees. The annual payroll for the City of Hope Duarte facility in 2005 was \$160 million. Santa Teresita Medical Center currently employs 250 people.

1. Hospital: The Hospital designation is intended to accommodate hospitals, rest homes, sanitariums and residential uses requiring a state or county license. The designation is also intended to accommodate medical professional offices and attendant medical facilities. There are two areas that have the Hospital designation. One is City of Hope and the other is Santa Teresita. The zoning district that corresponds with this designation is the H zone. Uses permitted include general hospitals (excluding sanitariums, nursing homes, convalescent homes, maternity homes or rest homes); medical professional offices; attendant medical facilities, including, but not limited to, pharmacies, physical therapy offices, laboratories, and clinics. Conditional uses are those typically associated with hospitals such as confectionery stores; florist; gift shops and the like.

CHAPTER 5

LAND USE



2.R & D: This is a new designation in the 2005 – 2020 General Plan. The R & D designation is intended to provide for research and development uses primarily, but not exclusively for medical related research and development. This designation will also incorporate standards for office and administrative uses sometimes associated with R&D activities. In addition, this designation provides for all uses in the hospital designation.

The City of Hope anticipates building 360,000 sq. ft. of new Science Park on their campus. In addition, a five story 108,000 sq. ft. Cancer Immunotherapeutics and Tumor Immunology Center is being planned for groundbreaking in 2007. Employees for this center will come from work areas now housed in existing portable trailers on the City of Hope campus.

Industrial Land Use: Duarte's industrial area is limited with most activities located in industrial parks at the south east corner of the city.

1.Industrial: The Industrial designation is the least restrictive of the land use designations and in Duarte is intended to provide for light industrial uses. One larger area within the city has this designation and very small areas are located elsewhere. The main industrial area is northeast of the proposed Gold Line station currently improved with an industrial park and across Highland Avenue with Lewis Business Park. Under the prior General Plan accompanying zoning was the I-P zone and the M-1 zone. The I-P industrial park zone was intended to provide a district which will assure an environment conducive to research and development, fabrication and assembly, research institutions and administrative facilities all well designed and properly landscaped. There is no property zoned I-P at this time so the proposal is to eliminate the I-P zoning district. The M-1 zone (light manufacturing) is intended to provide for the development of industrial uses which include fabrication, manufacturing, assembly, or processing of materials that are in already processed form. Permitted uses include: commercial uses customarily incidental and directly related to the services or operation of the permitted industrial uses such as: administrative or sales office; auction house, automobile repair shop and the like. Manufacturing uses include: optical products, packaging business, ceramic products, electrical and electronic items, scientific instrument and precision equipment manufacturing and the like. Wholesaling and warehousing uses include: wholesaling and warehousing facilities, storage and distribution agencies. As the least restrictive zoning district in the city, conditional uses in this zone are many and can be found in section 19.66.030 of the city's zoning code.

Public/Quasi Public Land Uses: Public and Quasi Public uses are typically exempt from the city's zoning powers and as such are listed separately from

CHAPTER 5

LAND USE



other privately regulated land uses. Also, these uses often tend to be on small parcels almost as a spot land use designation which is usually not the case with privately held land uses.

1. Public Schools: Duarte Unified School District (DUSD) owns all the public school land in Duarte. All five schools in Duarte include playgrounds, which are shared through agreement with the City of Duarte as parkland. The Land Use Diagram shows all public schools with a school symbol and have the Public/Quasi Public land use designation. However, because of the shared parkland agreements, a total of 26.54 acres of these sites are counted as open space. There are five elementary, one intermediate, one high school and one alternative education campus in Duarte and surrounding area plus administrative offices and a corporate yard for a total land area of 80 acres.

2. City Owned Facilities: A teen center is located on Buena Vista and two city corporate yards located north and south of Huntington Drive. These facilities are designated as Public/Quasi Public. City owned parks are designated as open space are addressed in the next section. The City of Duarte owns the City Hall complex including a community center, swimming pool, and senior center, which are designated part of the Town Center Specific Plan.

3. County Owned Facilities: The County of Los Angeles owns a fire station, library and the City pays the lease payments for the sheriff substation in Duarte. These facilities as well as a future location of the Sheriff sub-station are designated as Public/Quasi Public on the Land Use Diagram.

4. Utility easements: Edison high voltage power lines go through Duarte. These power lines provide substantial easements where development of structures cannot occur. The Los Angeles Flood Control also has detention and retention basins within and around Duarte. These areas are also not developable and provide open space for the community. The rail line which parallels Duarte Road is also classified as a utility.

5. Streets and Highways: In June 2006, the City of Duarte reported it maintains the following streets and roadways not including the I-210 (principal arterial) which is maintained by Cal-Trans:

- 3.010 miles of urban principal arterial (I – 210 Freeway)
- 5.910 miles of urban minor arterial (Huntington Drive)
- 5.593 miles of urban collectors
- 35.414 miles of urban local streets
- 49.927 miles of streets and roads

CHAPTER 5

LAND USE



Open Spaces Uses: Over fifty percent of Duarte's land area is open space mostly because of the amount of National Forest within the city boundaries.

1.Parks: The City owns 39.21 active park acreages not counting the 26.54 acreage it leases from the Duarte Unified School District for recreational purposes. In addition, the 18.55 acre executive golf course, which is designated open space on the Duarte General Plan, is also used for recreational purposes. Parkland is designated as Open Space.

2.Wilderness Area: In December 2005 the City of Duarte purchased 329 acres of open space access. This natural hillside area, along with an additional 70 acres owned by the city is intended to be used as a preservation area for future generations to enjoy. This area is also designated Open Space. Attalla Ranch, a low density proposed development in the hillside, is proposing to dedicate 23 acres of wilderness open space to the City of Duarte.

3.National Forest: The largest land use within the city is 2,331 acres (53% of the city's total land area) of wilderness areas including 1,909 acres within the Angeles National Forest. As a national forest this land is protected from urbanization and is designated Open Space.

Specific Plan Areas: This is a new category in the 2005-2020 General Plan. Duarte's 1989 General Plan provided for a variety of specific plans and planned communities.

1.Planned Communities and Areas: The 1989 General Plan Diagram showed a Specific Plan/Hillside Overlay and makes reference to a Planned Development/Specific Plan Overlay in the text. The text makes reference to hillside and Westminster Gardens. The 2005-2020 General plan will eliminate the Planned Development and Overlay designation and replace it with Specific Plan designations for those projects which already have a Specific Plan. See Table LU-2 for these existing Specific Plans.

The Specific Plan land use designation is also applied to two focus areas in the City, where a mixture of both high density housing and other uses would be permitted. One is the Town Center (see Town Center Mixed Use Area under Specific Plan Areas below for more details on allowable uses), and the other is the area north of the proposed Gold Line station. See Gold Line Station Area Development under Specific Plan Areas below for more details on allowable uses. Specific Plans are typically used to develop unique land uses. Specific Plan development standards are drafted to be unique to fit the type of land uses desired.

CHAPTER 5

LAND USE



2. See Town Center Mixed Use Area and Gold Line Station Area Development below for more details on this new designation.

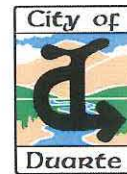
Specific Plan Areas

The City has prepared 19 specific plans shown on Table LU-2. The column labeled "Specific Plan #" of Table LU-2 corresponds with numbers on the Land Use Diagram LU-1. For the most part, the specific plans shown in Table LU-2 were not mixed use and complied with the General Plan designation shown on the Land Use Diagram at the time they were adopted.

During the General Plan update process, the Town Center area and the Gold Line Station area were the only large land use areas anticipated for change.

CHAPTER 5

LAND USE



*Insert Approved Specific Plans Table LU – 2 ?
which is in landscape*

CHAPTER 5

LAND USE



1. Town Center Mixed Use Area Specific Plan:

Some citizens of Duarte have wanted to help facilitate creation of a “downtown” area for years; a central gathering spot and a place where pedestrians can comfortably shop or stroll along storefronts, relax with friends in a plaza or come together for community events. In 2003, the Duarte Downtown Task Force studied the creation of a just such a downtown for Duarte. A “Town Center Concept Plan” was prepared by Moore Iacofano Goltsman, Inc (MIG). The Town Center Concept Plan identified an approximately one-mile stretch of Huntington Drive, along with the portion of Buena Vista Street from Huntington south to the I-210 freeway, as Duarte’s core town center, to be fostered and enhanced. The total land area identified for redevelopment or rehabilitation in the concept plan was approximately 28 acres. Given the opening of the Duarte Metro Goldline Station in 2016, the Town Center concept has been expanded to also include Highland Avenue, to promote enhanced mobility options and greater connectivity, and includes approximately 75 acres.

The Town Center Specific Plan is an action-oriented plan that sets standards and guidelines for new building forms, as well as land use and mobility regulations for activities within the Town Center. The Plan seeks to create a memorable, accessible, and economically vibrant Town Center. The Specific Plan is the result of extensive community engagement, planning, and design efforts. It builds upon community desires and aspirations from residents, businesses, property owners, stakeholders, City staff, the Planning Commission, and City Council.

The Duarte Town Center Specific Plan aims to be truly transformative. The Specific Plan is structured around a concept called “incentive zoning,” whereby increased development potential is provided if properties meet minimum lot sizes and/or provide community benefits such as, but not limited to, public plazas, public art, and funding for facilities and streetscape improvements. Through enhanced sidewalks, curb extensions (“bulbouts”) on Huntington, and new bike routes, the Plan will increase pedestrian and bicycle connections to the Town Center area, the Duarte Metro Gold Line Station, City of Hope, and the Duarte Bike Trail. The Specific Plan facilitates new development and business activity and expansion by allowing a range of land uses (new hotel, residential, shopping, and entertainment opportunities) built around community planning objectives and an economic analysis of current and upcoming market opportunities. Easy-to-follow design guidelines in the Specific Plan encourage high-quality development in keeping with clear architectural styles. This document represents the community’s cohesive vision and provides solutions to transform the area into a memorable, vibrant, pedestrian-oriented, and interconnected Town Center.

CHAPTER 5

LAND USE



2. Gold Line Station Area Development Specific Plan:

The Metro Gold Line will eventually provide alternate mobility to residents and businesses in the San Gabriel Valley from Montclair to downtown Los Angeles.

As of 2016, this light rail system operates from Azusa to Downtown Los Angeles with 19 stations now open, including one in Duarte. Six additional stations are planned from Azusa, 12.5 miles to Montclair. With congestion an ongoing concern, transit oriented development around the Gold Line stations will provide relief from current and future gridlock.

The Duarte Gold Line station is located north of Duarte Road and about 400 feet west of Highland Avenue within the vicinity of City of Hope. The area to the north of the station includes about twenty acres of industrial buildings. For purposes of this Land Use Element, this area is designated a specific plan area. This specific plan provides for a mixed use transit oriented development. The concept is to work with existing property owners and businesses to formulate a specific plan that provides for the before mentioned uses, densities and intensities as well as development standards for a true transit oriented development.

The Gold Line Station Area Development Specific Plan is a new land use designation for the 2005 – 2020 General Plan. As with the Town Center area, this area is intended to create a unique area oriented towards the future Gold Line station in Duarte. This flexible mixed use area will be located north of the Gold Line station in what is now part of the industrial park west of Highland Avenue. This mixed use area also uses a specific plan as an implementation tool to achieve the desired objective. The desired objective is to reduce vehicle miles traveled, provide transportation options for existing and future workforce and residents around the Gold Line station, provide location efficiency, expanded mobility, and provide public/private financial return and value recaptured. The specific plan to implement this objective must provide flexibility in providing vertical and/or horizontal mixed high density residential, commercial uses, office, R&D and industrial uses. As with the Town Center plan, the Duarte Station Specific Plan is the implementation tool for this area and provides unique parking standards, sufficient residential densities, housing types and appropriate pedestrian friendly design to encourage usage of the Gold Line as a primary mode of travel.

CHAPTER 5

LAND USE



Zoning Consistency and Land Use Composition

State law requires the Development Code and Zoning Map to be consistent with the General Plan. The Development Code is the primary tool for implementing land use policy. Each General Plan land use designation must have one or more corresponding zone districts. In addition, the land use regulations and development standards in the Development Code must reflect the policy statements in the Land Use Element. While General Plan policies are general, Development Code regulation and development standards are specific.

Table LU-3 identifies the relationship between land use designation and the zoning districts. Table LU-3 also identifies the net acreage within each land use designation as shown on the Land Use Diagram LU-1. This diagram serves as the guide for future land use decisions made by City Staff, various City Commissions, and the City Council. Because Duarte is built out, most of the planned land uses shown on Diagram LU-1 correspond to existing development on the ground today. Table LU-3 lists acreage for each land use designation in accordance with the Land Use Diagram.

Table LU-3
General Plan and Zoning Consistency

Land Use Designation	Corresponding Zoning Districts	Acres
Very Low Density Residential	R-1F, R-1D, R-1B	120
Low Density Residential	R-1A, R-1,	645
Medium Density Residential	PUD, R-MH, R-2, R-3	89
High Density Residential	R-4	52
Administrative Professional	C-P	4
Neighborhood Commercial	C-1	3
General Commercial	C-2	92
Hospital	H	78
R&D	R&D	15
Industrial	M-1	53
Public School	P-F	80
City Owned Facilities	P-F	12
County Owned Facilities	P-F	2
Edison, Flood Control, Railroad	O	95
Streets and Freeway	None	478
Parks	O	39
Wilderness Areas	O	422
National Forest	O	1,909
Planned Communities and areas	Varies	131
Town Center Mixed Use Area	SP	75
Gold Line Station Area Development	SP	20
Total Acres		4,350

CHAPTER 5

LAND USE



Note: a factor of .0015625 is used to convert acres to square miles. 4,350 acres = 6.8 sq. miles

Development Capacity

The Land Use Element is required to include standards of population density and building intensity. Table LU-4 provides a statistical description of the anticipated densities or intensities for the twenty-one (21) General Plan land use designations within the City. The maximum allowable development on individual parcels is governed by these measures of density or intensity.

For various reasons, many parcels in the community have not been developed to their maximum density or intensity. In the future, development is anticipated to occur in a similar manner with only a limited number of properties being developed at the maximum density or intensity. Therefore, for much of the community, the projected (anticipated) future development intensity and density listed in Table LU-4 is based upon the intensity/density of existing development. Also, not all the acreage within each land use designation may be developed during the life of this General Plan which is the year 2020. However, for planning purposes all acreage in all land use designations was calculated for development.

Anticipated density and intensity is for planning purposes only and exceeding them on individual properties will not require a General Plan Amendment. Development can occur up to the maximum allowed density or intensity with required site and/or design review. Density bonus of at least 25 percent is required by state law to be offered for certain low or very low income housing developments. Table LU-4 also includes the planned land use and/or development densities/intensities for the "Town Center" and "Gold Line Station" Special Planning Areas. Table LU – 4 shows the 2020 General Plan has a build-out capacity of 25,418 estimated population, 7,702 estimated units, and 9,953,071 estimated non-residential square footage.

CHAPTER 5

LAND USE

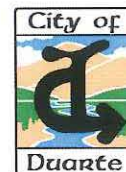


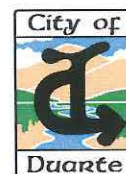
Table LU- 4
Density, Population Estimates and Intensity Potentials

LAND USE DESIGNATION	ANTICIPATED DEVELOPMENT		ACRES	ESTIMATED DWELLING UNITS	ESTIMATED POPULATION	ESTIMATED SQ. FT. NON-RES.*
	DU/ACRE	FAR/ACRE				
Residential Land Use Classification						
Very Low Density	2.5	N/A	120	300	990	N/A
Low Density	6	N/A	645	3,870	12,771	N/A
Medium Density	15	N/A	89	1,335	4,406	N/A
High Density	23	N/A	52	1,196	3,947	N/A
Commercial Land Use Classification						
Neighborhood	N/A	.25:1	3	NA	NA	32,670
General	N/A	.5:1	92	NA	NA	2,003,760
Administrative Professional	N/A	.5:1	4	NA	NA	87,120
Hospital Use Classification						
Hospital	N/A	1.5:1	78	NA	NA	5,096,520
R&D	N/A	1.5:1	15	NA	NA	980,100
Industrial Use Classification						
Industrial	N/A	.5:1	53	NA	NA	1,154,340
Public/Quasi Public Classification						
Public School	N/A	N/A	80	-	-	-
City owned facilities	N/A	N/A	12	-	-	-
County owned facilities	N/A	N/A	2	-	-	-
Utility easements	NA	N/A	95	-	-	-
Streets, Freeway	N/A	N/A	478	-	-	-
Open Space Classification						
Parks	N/A	N/A	39	-	-	-
Wilderness Area	N/A	N/A	422	-	-	-
National Forest	N/A	N/A	1,909	-	-	-
Specific Plan Areas Classification						
Planned community and areas **	N/A	N/A	131	716	2,363	333,561
Town Center Mixed Use Area	varies	varies	See Town Center Specific Plan			
Gold Line Station Area Development	varies	varies	See Duarte Station Specific Plan			
Total			4,350	7,702	25,418	9,953,071

*Note: Estimated residential dwelling units use California Department of Finance population of 3.3 persons per household (June 2006). * Estimated sq. ft. non-residential is based on the FAR.*

CHAPTER 5

LAND USE



*** The Planned Community and Areas designation refers to projects already approved. These are either residential or commercial projects and are not mixed use developments. As a result, they are counted in the respective residential or commercial land use category.*

IMPLEMENTATION MEASURES

Government Code 65400 requires the legislative body to consider and adopt reasonable and practical means for implementing the General Plan. This is necessary so that the plan will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the General Plan. The State also requires an annual report to the legislative body, State Department of Housing and Community Development (HCD) and State Office of Planning and Research on the status of the plan and progress in implementing the plan. HCD checks to see if the city is making progress in meeting its fair share of regional housing needs and if the Land Use Element Diagram reflects policies found in the Housing Element.

This section provides an implementation matrix for policies found in the Land Use chapter. The matrix identifies the policy to be implemented, the implementation measure to be used for that policy, the responsible agency or department that will be implementing the measure, the funding source and the estimated timeframe to complete the implementation.

Responsible Agency:

All = All Departments
CD = Community Development
CM = City Manager

AS = Administrative Services
PS = Public Safety
P&R = Parks and Recreation

Funding Source:

GF = General Fund
G = Grants
DF = Development Fees

SF = State funds
FF = Federal Funds
OF = Other Funds

Implementation Timeframe (or as resources provide):

ST = Short-term by 2009
MT = Mid-term by 2015

LT = Long Term by 2020
On = Ongoing

CHAPTER 5

LAND USE



Table LU - 5
Land Use Implementation Measures

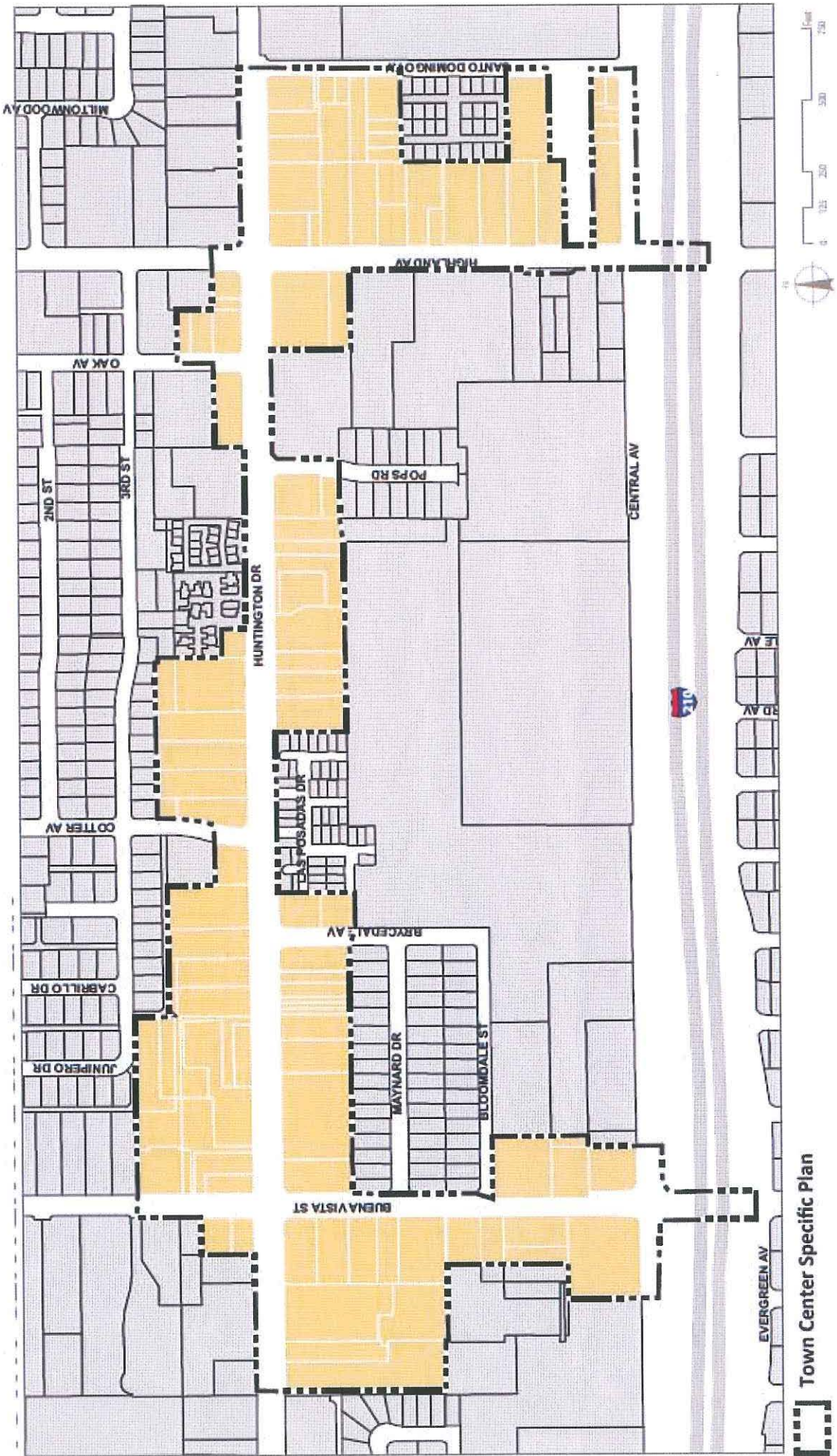
Policy #	Implementation Measure	Responsible Agency	Funding Source	Time frame
LU 1.1.1	Prepare market studies to see if Duarte can attract and sustain national or regional quality restaurants and stores.	CD	GF, OF	On
LU 1.1.2	Zone sufficient land for a balanced mix of residential uses.	CD	GF	ST
LU 1.1.2	Re-designate appropriate areas for high density residential during the General Plan update process of 2005-06	CD	GF	ST
LU 1.1.4	Keep abreast of current economic development opportunities and pursue those which will implement this policy.	CM	GF	On
LU 2.1.1	Review the Development Code and design guidelines to ensure adequate development and aesthetic standards. Require all infill development projects to undergo review by the Architectural Design Review Board and be consistent with design guidelines. Work to prevent light spillage from one land use to another.	CD	GF	On
LU 2.1.2	Conduct an annual review of activity on Huntington Drive to determine applicability of General Plan policies.	CD	GF	On
LU 2.1.3	New commercial development along Huntington Drive should be concentrated in nodes at key intersections. Continue to support the Architectural Review Board and its review of all commercial projects in the city. Utilize the community design manual to ensure neighborhood commercial uses are aesthetically compatible with existing neighborhoods.	CD	GF	On
LU 2.1.4	Revise the Development Code to encourage research and development-oriented uses associated with City of Hope and/or other high quality businesses.	CD	GF	ST
LU 2.1.5	Comply with implementation measures of the Safety Element.	CD	GF	On
LU 2.1.6	Use the city's development review process to regulate hillside development.	CD	GF	On
LU 2.1.7	Designate these uses as nonconforming land uses and initiate abatement procedures which will allow for their removal.	CD	GF	MT
LU 3.1.1	Designate specific plan areas on the Land	CD	GF	MT

CHAPTER 5 LAND USE



	Use Diagram.			
LU 3.1.2 LU 3.1.6	Provide for vertical and/or horizontal mixed use with unique parking and design standards. Encourage land use intensification of the proposed Town Center area for mixed-use development with an emphasis on retail development on the ground floor and higher density residential on upper floors. Work to improve parking issues relative to overall numbers and proximity to businesses.	CD	GF	MT
LU 3.1.3	Continue to perform studies relative to land, relocation, demolition, remediation and construction cost. Identify potential businesses to locate in the Town Center area.	CD	GF	On
LU 3.1.4 LU 3.1.6	Work with existing property owners to develop a Specific and Strategic Plan for the area immediately after the General Plan is adopted.	CM, CD	GF	ST
LU 3.1.5	Monitor the progress of the Duarte Gold Line station on a monthly basis.	CM, CD	GF	On

Exhibit B
(on following page)



Town Center Specific Plan

RESOLUTION NO. 16-24

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA,
CERTIFYING THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (EIR)
FOR THE TOWN CENTER SPECIFIC PLAN AS ADEQUATE AND COMPLETE,
APPROVING CERTAIN FINDINGS RELATED THERETO, AND ADOPTING A
MITIGATION MONITORING PROGRAM**

WHEREAS, In 2007, the City of Duarte ("City") completed and certified a Program Environmental Impact Report that analyzed a comprehensive General Plan update (the "General Plan EIR"); and

WHEREAS, in connection with the preparation of the proposed Town Center Specific Plan and its implementing actions — a corresponding General Plan Amendment (G.P.A. 15-2) and Zone Change (ZC 15-2) — (collectively, the "Project") the City worked with professional environmental consultants to prepare a Draft Supplemental Environmental Impact for the Town Center Specific Plan and its implementing actions (State Clearinghouse No. 2015101082) (the "Draft Supplemental EIR"); and

WHEREAS, the Draft Supplemental EIR is tiered off the certified General Plan EIR, in that, it "supplements" the EIR that has already been certified for the General Plan update; and

WHEREAS, the Draft Supplemental EIR provides an assessment of the environmental impacts and alternatives associated with the Project, and has been prepared in accordance with the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.* (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 *et seq.* (CEQA Guidelines); and

WHEREAS, an electronic copy of the Draft Supplemental EIR is available on the City's website (www.duartetowncenter.com) and printed copies are available at City Hall, the Duarte Public Library and the City of Duarte Public Safety Office; and

WHEREAS, a Notice of Availability of the Draft Supplemental EIR was provided to responsible agencies, organizations, members of the public and interested parties on June 25, 2016; and

WHEREAS, pursuant to the requirements of CEQA, the Draft Supplemental EIR was circulated for review and comment from the public and other public agencies during a 45-day public review period, which began on June 27, 2016 and ended on August 15, 2016; and

WHEREAS, on August 15, 2016 the Planning Commission for the City of Duarte ("Planning Commission") held a duly noticed public hearing on the Draft Supplemental EIR and the corresponding Project, at which time oral and documentary evidence was introduced along with the written recommendation of the Planning Department of the City of Duarte, and the Planning Commission received public testimony; and

WHEREAS, notice of public hearing before the Planning Commission concerning the adequacy and completeness of the Draft Supplemental EIR was given in accordance with the laws, including CEQA, and policies of the City; and

WHEREAS, the Draft Supplemental EIR was independently reviewed by the Planning Commission, and the Planning Commission's recommendations reflect the independent judgment of the Commission; and

WHEREAS, after the duly noticed public hearing on August 15th, the Planning Commission adopted Resolution No. PC 16-13 recommending the City Council adopt and approve the Draft Supplemental EIR and certify a proposed Final Supplemental Environmental Impact for the Town Center Specific Plan and its implementing actions ("Final Supplemental EIR"); and

WHEREAS, the proposed Final Supplemental EIR provides an assessment of the environmental impacts associated with the Town Center Specific Plan and has been prepared in accordance with CEQA and the CEQA Guidelines; and

WHEREAS, an electronic copy of the proposed Final Supplemental EIR is available on the City's website (www.duartetowncenter.com), printed copies are available at City Hall, the Duarte Public Library and the City of Duarte Public Safety Office, and a printed copy was provided to City Council as an attachment to the September 13, 2016 staff report for this item; and

WHEREAS, the City worked with professional environmental consultants to generate responses to timely submitted comments received during the 45-day public review period and the August 15, 2016 public hearing before the Planning Commission, and those responses and the underlying comments are included in the "Comments and Responses" element of the Final Supplemental EIR in accordance with CEQA and the CEQA Guidelines, which is included in Exhibit "A" to this Resolution; and

WHEREAS, the proposed "Findings of Fact and Statement of Overriding Considerations" with respect to environmental impacts, including environmental impacts identified in the Final Supplemental EIR as potentially significant, are described in Exhibit "B" to this Resolution; and

WHEREAS, the proposed Mitigation Monitoring Program sets forth the mitigation measures to which the City shall bind itself in connection with this Project and is included in Exhibit "A" to this Resolution; and

WHEREAS, on September 13, 2016 the City Council held a duly noticed public hearing on the Final Supplemental EIR and the corresponding Town Center Specific Plan, General Plan Amendment (G.P.A. 15-2), and Zone Change (ZC 15-2), at which time oral and documentary evidence was introduced along with the written recommendations of the Planning Commission and Planning Department of the City of Duarte, and the City Council received public testimony; and

WHEREAS, notice of public hearing before the City Council concerning the adequacy and completeness of the Final Supplemental EIR was given in accordance with the laws, including CEQA, and policies of the City; and

WHEREAS, the Final Supplemental EIR was independently reviewed by the City Council, and the City Council's determinations reflect the independent judgment of the Council; and

WHEREAS, the City Council has also considered the staff report and all of the information, evidence, and testimony received at the public hearing; and

WHEREAS, the City has not received any comments or additional information that produced substantial new information requiring recirculation or additional environmental review under Public Resources Code sections 21166 and 21092.1 and State CEQA Guidelines section 15088.5.

NOW, THEREFORE, the City Council of the City of Duarte hereby resolves as follows:

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

SECTION 2. The City provided a 45-day public review period for the Draft Supplemental EIR, which satisfies the requirements under CEQA Guidelines section 15105; and

SECTION 3. The City Council hereby confirms that the Final Supplemental EIR, as certified by this Resolution, is composed of the following:

- a. Final Supplemental EIR (dated September 2016)
 - i. Draft Supplemental EIR (dated August 2016)
 - ii. Draft Supplemental EIR Technical Appendices
 - iii. Response to Comments (Exhibit "A" to this Resolution)
 - iv. Errata (Exhibit "A" to this Resolution)
 - v. Public Circulation (Exhibit "A" to this Resolution)
 - vi. Mitigation Monitoring Program (Exhibit "A" to this Resolution)

SECTION 4: Based upon substantial evidence presented to the City Council during the public hearing, including written staff reports and verbal testimony, the City Council hereby finds and determines:

1. The Final Supplemental EIR fully complies with the requirements of CEQA and the CEQA Guidelines relating thereto.
2. The Final Supplemental EIR addresses all environmental effects of the proposed project and that the draft supplemental EIR fully complies with all requirements of CEQA and the CEQA Guidelines relating thereto.

3. The Final Supplemental EIR has identified all significant environmental effects of the proposed Project, and there are no known potentially significant environmental impacts that are not addressed in the Final Supplemental EIR.
4. The Mitigation Monitoring Program (Exhibit "A" to this Resolution) is designed to ensure that, during the implementation of the Project, the City and any other responsible parties implement the components of the Project and comply with the mitigation measures identified in the Mitigation Monitoring Program.
5. All significant environmental effects of the Town Center Specific Plan that are not mitigated to a level of insignificance are adequately addressed in the Statement of Overriding Considerations (Exhibit "B" to this Resolution).
6. Although the Final Supplemental EIR identifies certain significant environmental effects that will result if the Project is approved, all significant effects that can feasibly be avoided or mitigated will be avoided or mitigated by the imposition of conditions on the approved Project and the imposition of mitigation measures as set forth in the Final Supplemental EIR, the Findings of Fact and Statement of Overriding Considerations (Exhibit "B" to this Resolution), and the Mitigation Monitoring and Reporting Program (Exhibit "A" to this Resolution).
7. Potential mitigation measures and alternatives not incorporated into the Project were rejected as infeasible, based upon specific economic, social, and other considerations as set forth in the Final Supplemental EIR and Findings of Fact and Statement of Overriding Considerations (Exhibit "B" to this Resolution).
8. The significant impacts of the Project that have not been reduced to a level of insignificance will have been substantially reduced in their impacts by the imposition of mitigation measures. The City Council finds that the significant unavoidable adverse impacts of the Project are clearly outweighed by the economic, social and other benefits of the Project, as set forth in the Findings and Statement of Overriding Considerations.
9. The Final Supplemental EIR has described all reasonable alternatives to the Project that could feasibly obtain the basic objectives of the Project, even when those alternatives might impede the attainment of Project objectives and might be more costly.
10. A good faith effort has been made to seek out and incorporate all points of view in the preparation of the Final Supplemental EIR as indicated by the public record for the Town Center Specific Plan and the Final Supplemental EIR

SECTION 5. The City Council hereby certifies that (1) the Final Supplemental EIR has been prepared, processed, and noticed in accordance with CEQA and the State CEQA Guidelines; (2) the Final Supplemental EIR was presented to the City Council and the City Council has reviewed and considered the information contained in the Final Supplemental EIR prior to considering adoption of the Project, and (3) the Final Supplemental EIR reflects the independent judgment and analysis of the City Council and is deemed adequate for the purposes of making decisions on the merits of the Project.

SECTION 6: Based on the entire record before the City Council, all written and oral evidence presented, the City Council hereby:

1. Approves and adopts the “Findings of Fact and Statement of Overriding Considerations,” which were prepared in accordance with CEQA Guideline sections 15091 and 15093 and which are attached hereto as Exhibit “B” and incorporated herein by this reference as if fully set forth herein;
2. Approves and adopts the Mitigation Monitoring Program attached hereto as Exhibit “A” and incorporated herein by this reference; and
3. Certifies the Final Supplemental EIR on file with the Community Development Department and in the form presented to the City Council at the time of the adoption of this Resolution.

SECTION 7. The documents and materials that constitute the record of proceedings on which the “Findings of Fact and Statement of Overriding Considerations” in Exhibit A of this Resolution have been based are located at 1600 Huntington Drive, Duarte, CA 91010. The custodian for these records is the Director of Community Development.

SECTION 8. The City Clerk is hereby directed to deliver and publish, in accordance with applicable law, notices of the City Council's determination to certify the Final Supplemental EIR as provided herein, including without limitation filing a Notice of Determination with the County of Los Angeles within five (5) working days of final Project approval.

PASSED, APPROVED, AND ADOPTED this 13th day of September, 2016.

Mayor Samuel Kang

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 16-R-24 was adopted by the City Council of said City of Duarte at a regular meeting of said Council held on 13th day of September, 2016, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk Marla Akana
City of Duarte, California

Exhibit A
(starts on following page)

City of Duarte

General Plan Supplemental EIR for the
Town Center Specific Plan

State Clearinghouse No. 2015101082
September 2016

This document is designed for double-sided printing to conserve natural resources.

Table of Contents

1	Introduction.....	1
2	Responses to Comments	3
3	Errata	15
4	Public Circulation.....	17
5	Mitigation Monitoring Reporting Program	24

List of Tables

Table 1 Draft SEIR Comments.....	3
----------------------------------	---

Table of Contents

This Page Intentionally Left Blank

1 Introduction

This Final Environmental Impact Report (FEIR) has been prepared to comply with Sections 15089 and 15132 of the State California Environmental Quality Act (CEQA) Guidelines. As noted in Section 15089(b) of the Guidelines, the focus of a FEIR should be on responses to comments on the Draft Supplemental Environmental Impact Report (Draft SEIR). Accordingly, this document incorporates the City of Duarte General Plan Draft SEIR for the Town Center Specific Plan, Volumes I through II (State Clearinghouse No. 2015101082) by reference, in its entirety. The Draft SEIR is available for review at the City of Duarte, 1600 Huntington Drive, Duarte, California 91010 and on the City's web site (www.duaretowncenter.com). The contents of this FEIR include the following sections.

Section 1: Introduction

Section 2: Responses to Comments

The City published a Notice of Availability and circulated the Draft SEIR for public review and comment for a 45-day review period from June 28, 2016 through August 12, 2016. Three pieces of correspondence were submitted to the City during the review period. This section includes a list of all correspondence submitted to the City of Duarte, each identified by a letter for later reference, together with the authors and the dates the letters were issued. Following this list, all of the letters are presented, with numbered brackets to highlight specific comments that are responded to in the next section.

Review of Environmental Documents

Section 15204 of the CEQA Guidelines provides guidance to the public and public agencies in reviewing CEQA documents. This section is designed not to limit the scope of comments that can be submitted but to focus comments on issues that are substantive to the environmental analysis. Commenting entities should focus on the adequacy of the document in identifying and analyzing impacts to the environment, and should identify any areas they believe to be inadequate. The guidance indicates that comments should be submitted in a manner that:

- Identifies a specific environmental effect
- Supports the effect and its significance with substantial evidence

Comments should include alternatives or mitigation measures to avoid or reduce identified, specific environmental effects. This section reiterates that the lead agency is bound by "reasonableness" and "good faith" in its analysis and that the lead agency is not required to respond to comments on the FEIR that do not identify significant environmental issues.

Each response provided in this Final EIR is coded to correspond to the individual comment/author and each of the bracketed comments in that letter. A summary table is included with each response to identify if the response introduces "new significant information" under any of the four categories identified in Section 15088 et seq. of the CEQA Guidelines.

Evaluation of Comments

Section 15088 et seq. of the State CEQA Guidelines provides guidance on the evaluation and response to comments received during circulation of the Draft SEIR. To summarize:

- The lead agency must evaluate all comments received during the public review period and prepare a written response to comments on significant environmental issues.
- The lead agency must provide the response to the commenting entity at least 10 days prior to certification of the EIR.
- The response must:
 - Identify any significant environmental issues raised in the comment;

- Explain, if necessary, why any recommendations provided in the comment were not accepted; and
 - Be supported by reasoned analysis.
- Responses may be provided as direct revisions to the DEIR or as a separate section of the FEIR with marginal notes in the DEIR text indicated that it was subsequently revised.

A lead agency is required to recirculate the DEIR if "significant new information" is introduced during the public comment period. "Significant new information" includes:

1. New significant impacts
2. Substantial increases in the severity of impacts
3. Feasible alternatives or mitigation that would reduce significant impacts
4. Identification of inadequacies in the analysis

Recirculation is *not* required when new information is not significant; this includes:

- Revisions that clarify or amplify an adequate analysis
- Insignificant modifications (such as spelling and grammar corrections)

Section 3: Errata

This section identifies revisions to the Draft SEIR to incorporate clarifications developed in response to comments on the Draft SEIR. Additions to the text are underlined and deletions have been stricken through. No substantial revisions were made to the Draft SEIR, and recirculation of the document is not required pursuant to CEQA.

Section 4: Notices and Distribution

This consists of notices concerning the release of the Draft SEIR for public review and comment, and the list of agencies, groups and individuals who were sent notices and/or a copy of the Draft SEIR.

Section 5: Mitigation Monitoring and Reporting Program

CEQA and the State CEQA Guidelines (PRC Section 21081.6 and State CEQA Guidelines Sections 15091[d] and 15097) require public agencies "to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval to mitigate or avoid significant effects on the environment." A Mitigation Monitoring and Reporting Program (MMRP) is required for the proposed project because the EIR identifies potential significant adverse impacts related to the project implementation, and mitigation measures have been identified to reduce those impacts. Adoption of the MMRP would occur along with approval of the project.

2 Responses to Comments

The Draft Supplemental Environmental Impact Report (Draft SEIR) was circulated for a 45-day public review and comment period beginning June 28, 2016 and ending August 12, 2016. Three pieces of correspondence were received from two public agencies during this time period.

The correspondence listed in Table 1 (Draft SEIR Comments) was submitted to the City of Duarte concerning the Draft SEIR. Written responses to comments are subsequently provided. The following responses to comments include a summary statement to identify if the response will introduce "new significant information" under any of the four categories identified in Section 15088 et seq. of the CEQA Guidelines or if it does not introduce "new significant information." The four general categories are:

1. New significant impacts
2. Substantial increases in the severity of impacts
3. Feasible alternatives or mitigation that would reduce significant impacts
4. Identification of inadequacies in the analysis

Table 1
Draft SEIR Comments

ID	Commenting Agencies and Individuals	Date
A	California Department of Transportation District 7 (Watson)	8/5/2016
B	California Department of Transportation District 7 (Lin)	8/5/2016
C	County Sanitation Districts of Los Angeles County	8/15/2016

2 Responses to Comments

This Page Intentionally Left Blank

Comment A – California Department of Transportation – District 7 (Watson)

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 7—OFFICE OF TRANSPORTATION PLANNING
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 897-9140
FAX (213) 897-1337
www.dot.ca.gov



*Serious drought.
Help save water!*

August 5, 2016

Mr. Craig Hensley
City of Duarte, Planning Division
1600 Huntington Drive
Duarte, CA 91010

RE: Town Center Specific Plan
Vic. LA-210/ PM R34.347-R35.257
SCH # 2015101082
Ref. IGR/CEQA No. 151051AL-NOP
GTS #07-LA-2016-00004-DEIR

Dear Mr. Hensley:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The Duarte Town Center Specific Plan identified the long-term vision and objectives for private development and public improvements along portions of Huntington Avenue, Highland Avenue, and Buena Vista Street in the City of Duarte. This development would result in net increase of 1,036 residential units, 217,021 square feet of commercial uses, and 331 hotel rooms.

Caltrans does not consider the Los Angeles County's CMP criteria alone to be adequate for the analysis of transportation impacts pursuant to a CEQA review. Caltrans' Guide directs preparers of traffic impact analysis to consult with the local District as early as possible to determine the appropriate requirements and criteria of significance to be used in the traffic impact analysis.

A-1

Caltrans comment letter dated November 20, 2015, requested a traffic analysis of the mainline I-210 freeway, traffic study locations, and a queuing analysis, are not included in the DEIR. Also, the document provided trip generation information from the Institute of Transportation Engineers (ITE) 8th edition, instead of using the latest information from the 9th edition.

A-2

A-3

The Specific Plan project will generate net 315/916 AM/PM peak hour trips. The study does not provide average daily trips. The project site is about one block away from the State facilities. The traffic study does not provide any cumulative related projects in the project vicinity. If the City is allowing more development or redevelopment, then cumulative traffic impact on the State facilities may occur. The decision makers should be aware of this issue and be prepared to mitigate cumulative traffic impacts in the future. Caltrans encourages the City to work with neighboring developing cities to resolve any cumulative significant traffic impacts on the State facilities from other cities' development.

A-4

A-5

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Mr. Craig Hensley
August 5, 2016
Page 2

The traffic study proposed to install traffic signal controls when warranted and approved by the City traffic engineer and Caltrans for the Central Avenue/I-210 WB off-ramp location. Please be reminded that any work performed within the State Right-of-way will require an Encroachment Permit from Caltrans. Any modifications to State facilities must meet all mandatory design standard and specifications.

A-6

In addition to the proposed mitigation, Caltrans will accept fair share funding contributions towards future improvements to mitigate cumulative traffic impacts on its facilities. Please contact Caltrans to explore this option.

A-7

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects should be designed to discharge clean run-off water. Additionally, discharge of storm water run-off is not permitted onto State highway facilities without a storm water management plan.

A-8

Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from Caltrans. It is recommended that large size truck trips be limited to off-peak commute periods.

A-9

Caltrans will work with the Lead Agency in an effort to evaluate traffic impacts, identify potential improvements, and establish a funding mechanism that helps mitigate cumulative transportation impacts in the project vicinity.

If you have any questions, please feel free to contact Alan Lin the project coordinator at (213) 897-8391 and refer to GTS# LA-2016-00004-DEIR.

Sincerely,



DIANNA WATSON
Branch Chief
Community Planning & LD / IGR Review

cc: Scott Morgan, State Clearinghouse

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Response A - California Department of Transportation – District 7 (Watson)

- A-1** As noted in the SEIR traffic study (Appendix D of the Draft SEIR), the traffic impact analysis for this project is necessarily programmatic in nature since the plan estimates long-term land use characteristics and cannot specify the location or size of specific land uses and new development. The type of analysis that has been prepared is appropriate for a long-range planning study of this type. As such, final land use plans, building footprints, driveway locations, building size, and lane use type will vary depending on market conditions and property owner actions over the next 20 years. Thus, the traffic forecasts represent a reasonable assumption of traffic flow estimates in the future. As development occurs, the City will consult with the local Caltrans District as appropriate (depending on the size of the development projects and whether the developments trigger further CEQA analysis) to determine the appropriate requirements and criteria of significance for future traffic impact analysis on State facilities. See response to A-2 for specific clarifying information. *No further response is required.*
- A-2** Providing queuing analysis of off-ramps and mainline I-210 freeway traffic analysis is not appropriate for a citywide planning study of this type. Caltrans facilities, such as the freeway mainline and ramps, are not a part of the Town Center Specific Plan, and changes or modifications to Caltrans facilities are not addressed by the Specific Plan. As such, the traffic analysis that has been prepared in support of the Specific Plan focuses on City roadways using City analysis methodology. Future development that may occur as a result of Specific Plan implementation will be subject to project level analysis, which includes evaluation of impacts to Caltrans facilities when applicable and using analysis methodologies for those facilities that are acceptable to Caltrans such as those noted in the comment. *No further response is required.*
- A-3** Reference in the traffic study to ITE Trip Generation 8th edition was in error; the ITE 9th edition was applied for the study. This correction is noted in the Errata. *No further response is required.*
- A-4** Comment noted. The analysis is based on intersection impacts and therefore average daily trip counts were not sampled or required. *No further response is required.*
- A-5** Cumulative traffic is accounted for by the use of a conservative estimate of future traffic growth due to both local and regional sources. To derive forecast year 2036 without project traffic volumes (20-year horizon for the Plan), an annual growth rate of approximately 0.82 percent per year (18 percent total growth) was applied to existing traffic volumes (to account for all cumulative traffic growth and background regional traffic growth) consistent with the following documents:
- Los Angeles County Congestion Management Program (*Los Angeles County Metropolitan Transportation Authority*, July 2004);
 - Local City General Plan Analysis; and
 - Other adopted recent traffic studies in the vicinity.
- This methodology is consistent with recent EIRs in the area and conservatively estimates all possible sources of future traffic growth within the 18 percent cumulative growth total factor that was applied to current traffic counts. *No further response is required.*
- A-6** Comment noted. As mitigation measures are implemented that affect any State facility, the City will work with Caltrans to obtain encroachment permits and to ensure that all designs that affect State highways meet all mandatory design standards and specifications. *This comment does not identify any significant new information or comment on the adequacy of the environmental analysis in the DSEIR. No further response is required.*
- A-7** Comment noted. As any future development occurs that would trigger thresholds for additional CEQA analysis, the City will contact Caltrans to discuss traffic study requirements, mitigation, and possible fair-

share funding contributions. As of now, no fair-share funding agreements or mechanisms are enacted that would allow the City to contribute to specific Caltrans projects in the vicinity of the plan area. *This comment does not identify any significant new information or comment on the adequacy of the environmental analysis in the DSEIR. No further response is required.*

A-8 Comment noted. As discussed in Section 4.8 (Hydrology and Drainage) of the DSEIR, future development within the Planning Area would be subject to the provisions of the National Pollution Discharge Elimination System to protect downstream water quality pursuant to the Federal Clean Water Act, and construction sites would be regulated by the General Permit for Storm Water Discharges Associated with Construction Activity issued by the State Water Quality Control Board. With regard to operational discharges, future development would be required to prepare a site-specific water quality management plan as outlined by the Los Angeles Regional Water Quality Control Board. Appropriate storm water analysis and mitigation will be incorporated into City projects as required by State laws. *This comment does not identify any significant new information or comment on the adequacy of the environmental analysis in the DSEIR. No further response is required.*

A-9 Comment noted. If any oversized-transport vehicles are required for future development projects pursuant to Specific Plan policy, the City and future developers will work with Caltrans obtain the necessary permits. *This comment does not identify any significant new information or comment on the adequacy of the environmental analysis in the DSEIR. No further response is required.*

Comment B – California Department of Transportation – District 7 (Lin)

Fwd: Additional Comment from Caltrans-Duarte Town Center Specific Plan-SCH # 2015101082

1 message

Hi Craig and OPR,

Our reviewer just submit additional comments. Please include these comments as part of the additional comments to our letter that you received today.

1. Appendix D, Traffic Study Draft Report, Page 5-1 as per the Maintenance Agreement signed on May 03, 2001, as a correction from the traffic study, these intersection signals are maintained and operated by the City of Duarte for Caltrans.

B-1

2. There may be a potential cumulative traffic impact at intersection of Huntington drive and Mount Olive Street (end of SR-605 freeway), recommended improvement is to add a second right turn lane in the northbound direction. This improvement involves widening of the roadway, striping, and relocation of the existing traffic signal and curb ramp at the southwest corner of the intersection. Traffic signals and curb ramps at this intersection need to be upgraded to current standards. Warning and Regulatory signs within the vicinity of the intersection need to be updated.

B-2

3. Intersection of Central Avenue and I-210 WB off-ramp Recommended mitigation is to install traffic signal controls when warranted by Caltrans per suggested mitigation.

B-3

4. For intersection of I-210 WB on-ramp and Buena Vista Street and intersection of I-210 EB on-ramp and Buena Vista Street, due to the anticipated increase of pedestrians crossing Buena Vista Street to and from the proposed Town Center Commercial Core development areas, the following improvement are recommended at these intersections:

B-4

- Upgrade the traffic signals within the intersection including the pedestrian signal heads to current standard and install Accessible Pedestrian Signal (APS) system including wheelchair ramps
- Install new Pedestrian crossing signal and crosswalk at the WB 210 on-ramp entrance
- Upgrade all regulatory signs around the intersections.

Please let us know if you have any question.

Thank you!

Alan Lin, P.E.
Project Coordinator
State of California
Department of Transportation
District 7, Office of Transportation Planning
Mail Station 16
100 South Main Street
Los Angeles, CA 90012
(213) 897-8391 Office
(213) 897-1337 Fax

Response B – California Department of Transportation – District 7 (Lin)

- B-1** Comment noted. This correction is noted in the Errata. *No further response is required.*
- B-2** When an improvement is warranted and implemented at the intersection of Huntington Drive and Mount Olive Street (end of I-605 freeway), the City will work with Caltrans to obtain encroachment permits and to ensure that all designs that affect State highways meet all mandatory design standards and specifications. *This comment does not identify any significant new information or comment on the adequacy of the environmental analysis in the DSEIR. No further response is required.*
- B-3** Comment noted. As per the traffic study and analysis indicated in the EIR, the recommended mitigation measure at Central Avenue/I-210 WB off-ramp is to install traffic signal controls when warranted and approved by the City Traffic Engineer and Caltrans. Traffic conditions should be monitored over time as the Specific Plan land uses are implemented and traffic signal warrants should be periodically reviewed to determine if or when applicable warrants are met and the locations satisfy the standards for installation of a traffic signal. *No further response is required.*
- B-4** Neither location (I-210 westbound on-ramp and Buena Vista Street and intersection of I-210 eastbound on-ramp and Buena Vista Street) were identified as significant impacts by the traffic study and thus do not warrant mitigation as a result of the project. However, the City will work with Caltrans to ensure proper and safe operations at both locations based on patterns of development and should improvements be necessary to accommodate vehicle and pedestrian movements, the City will work with Caltrans to identify improvements, obtain encroachment permits and to ensure that all designs that affect state highways meet all mandatory design standards and specifications. *No further response is required.*

Comment C – County Sanitation Districts of Los Angeles County
**COUNTY SANITATION DISTRICTS
OF LOS ANGELES COUNTY**

1955 Workman Mill Road, Whittier, CA 90601-1400
 Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
 Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

GRACE ROBINSON HYDE
 Chief Engineer and General Manager

August 15, 2016

Ref. Doc. No.: 3779382

RECEIVED

AUG 17 2016

CITY OF DUARTE

Mr. Craig Hensley
 Community Development Director
 City of Duarte
 1600 Huntington Drive
 Duarte, CA 91010-2592

Dear Mr. Hensley:

Comment Letter for the Duarte Town Center

The County Sanitation Districts of Los Angeles County (Districts) received a Draft Supplemental Environmental Impact Report for the subject project on June 29, 2016. The proposed project is located within the jurisdictional boundaries of District No. 22. We offer the following comments regarding sewerage service:

1. **2.0 EXECUTIVE SUMMARY, page 2-2, paragraph 2** under Project Characteristics – The paragraph mentions that the Specific Plan is structured around a concept called “incentive zoning”, whereby increased development potential is provided only if properties meet minimum lot sizes and/or provide community benefits such as but not limited to public plazas, etc. The Districts request the opportunity to review individual developments within the City to determine whether or not sufficient trunk sewer capacity exists to serve each project and if Districts’ facilities will be affected by the project. C-1
2. **2.0 EXECUTIVE SUMMARY, page 2-3, Table 2-1 – The Summary of Permitted Increment of Change under the Proposed Specific Plan vs. Existing Conditions** table notes a net change of 1,036 residential units, 331 hotel rooms, and 217,021 square feet of maximum allowable development. Based on the aforementioned figures, the expected average wastewater flow from the proposed project is 381,267 gallons per day. For a copy of the Districts’ average wastewater generation factors, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and click on the Table 1, Loadings for Each Class of Land Use link. C-2
3. **4.13 WASTEWATER, page 4.13-3, Table 4.13-1 – The Projected Increase in Daily Sewer Flow** table breakdown is higher than the maximum allowable development figures shown in Table 2-1. Based on the figures projected in Table 4.13-1, the expected average wastewater flow from the proposed project is 526,758 gallons per day. For a copy of the Districts’ average wastewater generation factors, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and click on the Table 1, Loadings for Each Class of Land Use link.

DOC: #3843297.D22

Recycled Paper 

Mr. Craig Hensley

-2-

August 15, 2016

4. All other information concerning Districts' facilities and sewerage service contained in the document is current.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,



Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:ar

DOC: #3843297.D22

Response C – County Sanitation Districts of Los Angeles County

- C-1** Comment noted. As discussed in Section 4.13 of the DSEIR, future development within the Planning Area will be required to prepare an engineering study to determine the adequacy of the sewer systems and would be required to undergo mandatory standard review by the City and County Sanitation Districts of Los Angeles County (CSDLAC). *This comment does not identify any significant new information or comment on the adequacy of the environmental analysis in the DSEIR. No further response is required.*
- C-2** Comment noted. The maximum development potential summarized in Table 2-1 identifies buildout in terms of quantities of potential residential units, hotel rooms, and commercial square footage. The net development potential summarized in Table 4.13-1 provides finer detail by identifying specific use categories within residential, commercial, and hotel uses such as church, office, retail, nursing home, and civic use. Generation factors from the CSDLAC (Table 1 – Loadings for Each Class of Land Use) were utilized to calculate net generation. As discussed in Section 4.13 of the DSEIR, future development within the Planning Area will be required to prepare an engineering study to determine the adequacy of the sewer systems and would be required to undergo mandatory standard review by the City and CSDLAC. During review, a more accurate estimate of wastewater generation would be provided based on the proposed use. *This comment does not identify any significant new information or comment on the adequacy of the environmental analysis in the DSEIR. No further response is required.*

2 Responses to Comments

This Page Intentionally Left Blank

3 Errata

This section is intended to identify revisions to the Draft SEIR to incorporate clarifications developed in response to comments on the Draft SEIR or minor errors corrected through subsequent review. Additions are showing in underline. Deletions are shown in ~~strike through~~.

Draft EIR Volume II - Appendix D: Traffic Study

The following revisions are made to Appendix D (Traffic Study) page 5-1, first paragraph:

- Huntington Drive and Mount Olive Street. Signalized intersection, maintained and operated by the City of Duarte for Caltrans.
- Central Avenue and Buena Vista Street. Signalized intersection, maintained and operated by the City of Duarte for Caltrans.
- I-210 WB On-Ramp and Buena Vista Street. Signalized intersection, maintained and operated by the City of Duarte for Caltrans.
- I-210 EB On-Ramp and Buena Vista. Signalized intersection, maintained and operated by the City of Duarte for Caltrans.

The following revisions are made to Appendix D (Traffic Study) page 9-1, first paragraph:

Institute of Transportation Engineers (ITE) trip rates from the ~~8th~~9th edition of the ITE Trip Generation Manual were applied to the existing and planned land uses and quantities.

This Page Intentionally Left Blank

Notice of Availability



City of Duarte

ORIGINAL FILED

JUN 28 2016

LOS ANGELES, COUNTY CLERK

1600 Huntington Drive, Duarte, CA 91010 - (626) 357-7931 - FAX (626) 358-0018

**NOTICE OF AVAILABILITY OF
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (DSEIR)
FOR THE DUARTE TOWN CENTER SPECIFIC PLAN,
GENERAL PLAN AMENDMENT 15-02, AND ZONE CHANGE 15-02**

DATE: June 28, 2016
TO: Responsible Agencies, Organizations, Members of the Public and Interested Parties
FROM: Craig Hensley, Community Development Director
City of Duarte, 1600 Huntington Drive, Duarte, CA 91010
SUBJECT: Notice of Availability of a Supplement to the General Plan Environmental Impact Report for the Duarte Town Center Specific Plan (Specific Plan - General Plan Amendment 15-02 and Zone Change 15-02)

NOTICE OF AVAILABILITY REVIEW PERIOD: June 28, 2016 to August 12, 2016

PUBLIC HEARING: A public hearing will be held before the Duarte Planning Commission on August 15, 2015 at 7:00 p.m. in City Hall Council Chambers Duarte (1600 Huntington Drive, Duarte, CA 91010)

NOTICE IS HEREBY GIVEN that the City of Duarte, as lead agency, has prepared a Draft Supplemental Environmental Impact Report (No. 2015101082) for the Duarte Town Center Specific Plan and associated discretionary actions (project). The DSEIR includes an analysis of potential environmental impacts associated with the long-term implementation of the Duarte Town Center Specific Plan.

Project Title

General Plan Supplemental SEIR for the Duarte Town Center Specific Plan

Project Location

The project site is located in the City of Duarte, generally along Huntington Drive from west of Buena Vista Street to east of Highland Avenue, and portions of Buena Vista Street and Highland Avenue from Huntington Avenue to the I-210 in the City of Duarte, Los Angeles County, California.

Project Description

The Duarte Town Center Specific Plan identifies the long-term vision and objectives for private development and public improvements along portions of Huntington Avenue, Highland Avenue, and Buena Vista Street in the City of Duarte. The project "planning area" encompasses approximately 75 net acres and includes land use designations/zoning districts supporting mixed-use, commercial, residential, and public facility uses. The Specific Plan uses an incentive-based bonus system to advance the vision of the Duarte Town Center Specific Plan and encourage the provision of additional community benefits. This system will allow the City to capture a portion of the market value added to properties through the Specific Plan policies and regulations by providing incentives for projects to contribute community benefits and/or community benefit funds in exchange for additional floor area, height, and/or the inclusion of a residential component for qualified projects.

The proposed Specific Plan would allow flexibility between uses, but for the purpose of CEQA, the theoretical maximum development capacity allowed by the Specific Plan has been analyzed in the SEIR to provide a conservative estimate of potential impacts from full build-out. The City estimates that the Specific Plan will support development of up to 800 residential units but has used a higher buildout number in the EIR, 1,143 residential units, 732,712 square feet of commercial uses, and 450 hotel rooms. Compared to existing land uses, this development would result in net increases of 1,036 residential units, 217,021 square feet of commercial uses, and 331 hotel rooms. The theoretical maximum build-out of the planning area is based on an analysis of existing underutilized sites that may redevelop. Specific Plan development potential estimates are subject to change as the Specific Plan is refined through the public review process.

The Duarte Town Center Specific Plan would provide new development standards and incentives for redevelopment, particularly with regard to underutilized commercial spaces and vacant properties. The Specific Plan will establish land use, transportation, infrastructure, economic development, and urban design strategies to promote well-balanced retail development, mixed-use and residential development, and active civic and public places.

Environmental Issues

Unavoidable significant impacts, consistent with the determinations in the certified General Plan EIR, have been identified in regards to air quality emissions and water supply.

There are no sites within the Planning Area listed as hazardous waste facilities, hazardous waste properties, and/or hazardous waste disposal sites as enumerated under California Government Code 65962.5.

Responding to this Notice

The Draft Supplemental EIR will be available for a 45-day public review beginning **June 28, 2016** and ending **August 12, 2016**. Copies of the Draft Supplemental EIR are available for review at:

- Duarte City Hall, 1600 Huntington Drive, Duarte, CA 91010
- Duarte Library, 1301 Buena Vista Street, Duarte, CA 91010.
- The City of Duarte's website for the Town Center project: www.duartetowncenter.com

The City of Duarte, as lead agency, requests that responsible and trustee agencies and other interested parties, including members of the public, respond in a manner consistent with Section 15082(b) of the CEQA Guidelines. All comments and responses to this notice should be submitted in writing to Craig Hensley, Community Development Director, City of Duarte, Planning Division, 1600 Huntington Drive, Duarte, CA 91010, by **August 12, 2016**. The City will also accept responses to this notice submitted via email received through the close of business on August 12, 2016.

Provide written comments no later than 5:00 PM on August 12, 2016 to:

Craig Hensley, Community Development Director
City of Duarte
1600 Huntington Drive
Duarte, CA 91010
Email: chensley@accessduarte.com

Questions

Contact the Community Development Department at (626) 357-7931 for information about the proposed project or if you have any questions regarding this notice. You can also visit the project website at : www.duartetowncenter.com

Distribution

The Notice of Availability (NOA) was distributed to all agencies on the standard notification list maintained by the Community Development Department via Certified Mail (see following pages) and was posted to the San Gabriel Valley Newspaper Group. The NOA and Notice of Completion (NOC) were sent to the State Clearinghouse for distribution to State agencies.

4 Public Circulation

City of Irwindale
Community Development Department
Attn: Gus Romo
16102 Arrow Highway, 2nd Floor
Irwindale, CA 91706

City of Bradbury
Attn: Planning Department
600 Winston Avenue
Bradbury, CA 91008

County of Los Angeles
Dept. of Regional Planning
320 West Temple St., 13th Floor
Los Angeles, CA 90012

Metropolitan Water District
Lands & Right of Way
700 N. Alameda St. #1-304
Los Angeles, CA 90012-2944

Duarte Unified School District
1620 Huntington Drive
Duarte, CA 91010

LA County Flood Control District/
Dept. of Public Works
900 South Fremont Ave., 2nd Floor
Alhambra, CA 91803-1331

Foothill Transit
Attn: CEQA Review
100 S. Vincent Avenue, Suite 200
West Covina, CA 91790-2944

US Fish and Wildlife Service
6010 Hidden Valley Road
Carlsbad, CA 92009

California Dept. of Fish & Wildlife
3883 Ruffin Road
San Diego, CA 92123

US Army Corps. Of Engineers
911 Wilshire Blvd., #1525
Los Angeles, CA 90017

City of Monrovia
Attn: Planning Department
415 South Ivy Avenue
Monrovia, CA 91016

County of Los Angeles
Department of Public Health
Attn: CEQA Review
5050 Commerce Drive
Baldwin Park, CA 91706

Southern California
Association of Governments
Environmental Planning
818 W. 7th Street, 12th Floor
Los Angeles, CA 90017

SCAQMD
Attn: CEQA Section
21865 E. Copley Drive
Diamond Bar, CA 91765-4182

Los Angeles County Fire Department
Fire Prevention Division
5823 Rickenbacker Drive
Commerce, CA 90040-3027

California American Water Company
Los Angeles Division
8657 Grand Avenue
Rosemead, CA 91770-1221

Los Angeles County
Metropolitan Transportation Authority
1 Gateway Plaza
Los Angeles, CA 90012

Native American Heritage Commission
1550 Harbor Blvd, Suite 100
West Sacramento, CA 95691

California Energy Commission
1516 9th St., 300
Sacramento, CA 95814-5512

City of Azusa
Attn: Planning Division
213 E. Foothill Blvd.
Azusa, CA 91702

City of El Monte
Attn: Planning Division
City Hall West
11333 Valley Boulevard
El Monte, CA 91731-3293

LA County Sheriff
Attn: CEQA Review
Hall of Justice
211 West Temple Street
Los Angeles, CA 90012

Southern California Gas Company
Centralized Correspondence
Attn: Environmental Affairs
PO BOX 3150
San Dimas, CA 91773

Southern California Edison
Real Properties Group
2131 Walnut Grove Ave.
Rosemead, CA 91770

Los Angeles County Sanitation Districts
Attn: Ruth Frazen
1955 Workman Mill Road
Whittier, CA 90601

Los Angeles RWQCB
320 West Fourth Street, Suite 200
Los Angeles, CA 90013

Caltrans District 7
IGR/CEQA Branch
100 S Main Street MS16 12th Floor
Los Angeles CA 90012

California Air Resources Board
1001 "I" Street
Sacramento, CA 95814

TiAt Society/Inter – Tribal Council of Pimu
Cindi M. Alvitre, Chairwoman-Manisar
3094 Mace Avenue, Apt. B Gabrielino
Costa Mesa, CA 92626

Gabrielino/Tongva San Gabriel Band of
Mission
Anthony Morales, Chairperson
P.O. Box 693
San Gabriel, CA 91778

LA City/County Native Americans Indian
Comm.
Ron Andrade, Director
3175 West 6th Street Room 403
Los Angeles, CA 90020

Gabrielino Tongva Indian of
California Tribal Council
Robert F. Dorame, Tribal Chair/Cult. Res.
P.O. Box 490
Bellflower, CA 90086

Gabrielino – Tongva Tribe
Linda Candelaria, Co-Chairperson
1999 Avenue of the Stars
Suite 1100
Los Angeles, CA 90067

Andrew Salas, Chairman
Gabrielino Band of Mission Indians Kizh
Nation
P.O. Box 393
Covina, CA 91723

Gabrielino Tongva Nation
Attn: Sam Dunlap
Gabrielino Tongva
P.O. Box 86908
Los Angeles, CA 90086

Gabrielino Band of Mission Indians
Andrew Salas, Chairperson
P.O. Box 393
Covina, CA 91723

Joseph Ontiveros
Cultural Resources Director
Soboba Band of Luiseño Indians
P.O. Box 478
San Jacinto, CA 92581

Notice of Completion

Print Form

Appendix C

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2015101082

Project Title: Town Center Specific Plan

Lead Agency: City of Duarte, Planning Division

Contact Person: Craig Hensley

Mailing Address: 1600 Huntington Drive

Phone: 626-357-7931

City: Duarte

Zip: 91010

County: Los Angeles

Project Location: County: Los Angeles

City/Nearest Community: Duarte

Cross Streets: Huntington Drive and Buena Vista, Huntington Drive and Highland Avenue

Zip Code: 91010

Longitude/Latitude (degrees, minutes and seconds): 34 ° 8 ' 22 " N 117 ° 58 ' 19 " W Total Acres: 75

Assessor's Parcel No.: Multiple

Section: N/A

Twp.: 1N

Range: 10W

Base: SBBM

Within 2 Miles: State Hwy #: I-210, I-605

Waterways: Santa Anita Wash

Airports: None

Railways: BNSF

Schools: Multiple

Document Type:

CEQA: ☐ NOP☒ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☒ Supplement/Subsequent EIR☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.) 2007031064

☐ Draft EIS☐ Other: _____☐ Mit Neg Dec

Other: _____

☐ FONSI

Local Action Type:

☐ General Plan Update☒ Specific Plan☐ Rezone☐ Annexation☒ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☐ Coastal Permit☐ Community Plan☐ Site Plan☐ Land Division (Subdivision, etc.)☐ Other: _____

Development Type:

☒ Residential: Units 1,075 Acres _____☐ Office: Sq.ft. _____ Acres _____

Employees _____

☐ Transportation: Type _____☒ Commercial: Sq.ft. 703K Acres _____

Employees _____

☐ Mining: Mineral _____☐ Industrial: Sq.ft. _____ Acres _____

Employees _____

☐ Power: Type _____ MW _____☐ Educational: _____☐ Waste Treatment: Type _____ MGD _____☐ Recreational: _____☐ Hazardous Waste: Type _____☐ Water Facilities: Type _____ MGD _____☒ Other: 350 hotel rooms

Project Issues Discussed in Document:

☒ Aesthetic/Visual☐ Fiscal☒ Recreation/Parks☒ Vegetation☒ Agricultural Land☒ Flood Plain/Flooding☒ Schools/Universities☒ Water Quality☒ Air Quality☒ Forest Land/Fire Hazard☒ Septic Systems☒ Water Supply/Groundwater☒ Archeological/Historical☒ Geologic/Seismic☒ Sewer Capacity☒ Wetland/Riparian☒ Biological Resources☒ Minerals☒ Soil Erosion/Compaction/Grading☒ Growth Inducement☐ Coastal Zone☒ Noise☒ Solid Waste☒ Land Use☒ Drainage/Absorption☒ Population/Housing Balance☒ Toxic/Hazardous☒ Cumulative Effects☐ Economic/Jobs☒ Public Services/Facilities☒ Traffic/Circulation☒ Other: Climate Change

Present Land Use/Zoning/General Plan Designation:

Commercial, Residential, Government/C-P, C-G, C-F, R-1, R-3, R-4, PF, O, SP/Commercial, Mixed Use, Residential, Professional

Project Description: (please use a separate page if necessary)

The Town Center Specific Plan identifies the long-term vision and objectives for private development and public improvement along portions of Huntington Avenue, Highland Avenue, and Buena Vista Street in the City of Duarte. The Specific Plan will establish land use, transportation, infrastructure, economic development, and urban design strategies to promote well-balanced retail development, mixed-use and residential development, and active civic and public places. The Specific Plan area encompasses approximately 75 acres. It is estimated that the Specific Plan would support development of 1,075 residential units, 703,000 square feet of commercial use, and 350 hotel rooms.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Revised 2010

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

<u>S</u> Air Resources Board	<u>X</u> Office of Historic Preservation
<u> </u> Boating & Waterways, Department of	<u> </u> Office of Public School Construction
<u> </u> California Emergency Management Agency	<u> </u> Parks & Recreation, Department of
<u> </u> California Highway Patrol	<u> </u> Pesticide Regulation, Department of
<u>S</u> Caltrans District #7	<u> </u> Public Utilities Commission
<u> </u> Caltrans Division of Aeronautics	<u>S</u> Regional WQCB #4
<u> </u> Caltrans Planning	<u> </u> Resources Agency
<u> </u> Central Valley Flood Protection Board	<u> </u> Resources Recycling and Recovery, Department of
<u> </u> Coachella Valley Mtns. Conservancy	<u> </u> S.F. Bay Conservation & Development Comm.
<u> </u> Coastal Commission	<u> </u> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<u> </u> Colorado River Board	<u> </u> San Joaquin River Conservancy
<u> </u> Conservation, Department of	<u> </u> Santa Monica Mtns. Conservancy
<u> </u> Corrections, Department of	<u> </u> State Lands Commission
<u> </u> Delta Protection Commission	<u> </u> SWRCB: Clean Water Grants
<u> </u> Education, Department of	<u> </u> SWRCB: Water Quality
<u>S</u> Energy Commission	<u> </u> SWRCB: Water Rights
<u>S</u> Fish & Game Region #5	<u> </u> Tahoe Regional Planning Agency
<u> </u> Food & Agriculture, Department of	<u> </u> Toxic Substances Control, Department of
<u> </u> Forestry and Fire Protection, Department of	<u> </u> Water Resources, Department of
<u> </u> General Services, Department of	
<u> </u> Health Services, Department of	<u> </u> Other: _____
<u> </u> Housing & Community Development	<u> </u> Other: _____
<u>S</u> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date June 28, 2016 Ending Date August 12, 2016

Lead Agency (Complete if applicable):

Consulting Firm: <u>MIG</u>	Applicant: <u>City of Duarte, Planning Division</u>
Address: <u>1500 Iowa Avenue, Suite 110</u>	Address: <u>1600 Huntington Drive</u>
City/State/Zip: <u>Riverside, CA 92507</u>	City/State/Zip: <u>Duarte, CA 91010</u>
Contact: <u>Olivia Chan</u>	Phone: <u>626-357-7931</u>
Phone: <u>951-787-9222</u>	

Signature of Lead Agency Representative: _____ Date: 6/27/2016

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Revised 2010

5 Mitigation Monitoring Reporting Program

CITY OF DUARTE TOWN CENTER SPECIFIC PLAN							
General Plan Supplemental Environmental Impact Report: Mitigation Monitoring Reporting Program							
Mitigation Measures		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
Transportation and Traffic Mitigation Measures							
General Plan EIR Mitigation Measures							
TR-1	For the entire length of Huntington Drive, for Mountain Avenue between Huntington Drive and Duarte Road, and for any other arterial roadways that are determined to operate at unacceptable conditions, measures shall be taken to increase the capacity and enhance traffic flow during peak periods.	In Conjunction with Approval of Discretionary Cases, Prior to Issuance of Building Permit	Plan Review Process	City of Duarte Community Development Department			
TR-2	Right-of-way dedications shall be required of development applicants to accommodate the recommended roadway cross-sections and the enhanced intersection improvements at major intersections.	In Conjunction with Approval of Discretionary Cases, Prior to Issuance of Building Permit	Plan Review Process	City of Duarte Community Development Department, Public Works			
TR-3	The City of Duarte shall consider the implementation of a traffic impact fee program that would require developers to provide a fair-share contribution to a pool of funds that could be used for future transportation system improvements.	In Conjunction with Approval of Discretionary Cases, Prior to Issuance of Building Permit	Plan Review Process	City of Duarte Community Development Department, Public Works			
Supplemental Mitigation Measures							
TR-4	Huntington Drive/Cotter Avenue and Central Avenue/I-210 WB Freeway off-ramp – Install traffic signal controls when warranted and approved by the City Traffic Engineer and Caltrans (Caltrans approval for the Central Avenue/I-210 WB off-ramp location). Traffic conditions shall be monitored over time as the Specific Plan land uses are implemented, and traffic signal warrants shall be reviewed periodically, to determine if or when applicable warrants are met and the locations satisfy the standards for installation of a traffic signal.	In Conjunction with Approval of Discretionary Cases, When Warranted	Installation of Traffic Signals	City of Duarte Community Development Department, Public Works			
TR-5	Huntington Drive/Mount Olive Street – Add a fourth northbound lane to create a dual right turn lane in addition to a left turn lane and a shared/through left turn lane.	In Conjunction with Approval of Discretionary Cases, When Appropriate	Construction of Specified Improvements	City of Duarte Community Development Department, Public Works			
TR-6	Huntington Drive/Buena Vista Street – At the appropriate time and when traffic volumes and conditions warrant in the future, provide double southbound left turn lanes.	In Conjunction with Approval of Discretionary Cases, When Warranted	Construction of Specified Improvements	City of Duarte Community Development Department, Public Works			

CITY OF DUARTE TOWN CENTER SPECIFIC PLAN General Plan Supplemental Environmental Impact Report: Mitigation Monitoring Reporting Program							
Mitigation Measures		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
TR-7	Huntington Drive/Mountain Avenue – At the appropriate time and when traffic volumes and conditions warrant, provide double southbound left turn lanes.	In Conjunction with Approval of Discretionary Cases, When Appropriate or Warranted	Construction of Specified Improvements	City of Duarte Community Development Department, Public Works			
Noise Mitigation Measures							
General Plan Mitigation Measures							
N-1	Mitigate transportation equipment impacts at construction sites, such as temporary noise buffers/barriers.	Ongoing/Upon Receipt of Noise Complaints	As appropriate, require acoustical analysis for new uses near sensitive uses	Director of Community Development			
N-2	Ensure noise mitigation techniques are incorporated into all construction-related activities.	During Project Construction	As appropriate, require acoustical analysis for new uses near sensitive uses	Director of Community Development			
N-3	Reduce noise generated by construction activities by requiring sound attenuation devices on construction equipment.	During Project Construction	As appropriate, require acoustical analysis for new uses near sensitive uses	Director of Community Development			
N-4	Require noise-reduction techniques in site planning, architectural design, and construction where noise reduction is necessary.	In Conjunction with Approval of Discretionary Cases and Tentative Subdivision Maps	As appropriate, require acoustical analysis for new uses near sensitive uses	Director of Community Development			
N-5	Require that mix-use structures be designed to prevent transfer of noise and vibration from the commercial to residential uses.	In Conjunction with Approval of Discretionary Cases and Tentative Subdivision Maps	As appropriate, require acoustical analysis for new uses near sensitive uses	Director of Community Development			
Hydrology and Drainage Mitigation Measures							
General Plan Mitigation Measures							
HYD-1	Individual development projects shall be required to prepare a drainage/grading plan for approval by the City of Duarte Department of Public Works prior to issuance of grading permits.	In Conjunction with Approval of Discretionary Cases and Tentative Subdivision Maps, Prior to Issuance of Building Permits	Require Submittal of Drainage/Grading Plan	Public Works Director			

7 Mitigation Monitoring Reporting Program

CITY OF DUARTE TOWN CENTER SPECIFIC PLAN General Plan Supplemental Environmental Impact Report: Mitigation Monitoring Reporting Program							
Mitigation Measures		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
HYD-2	Individual development projects shall be required to construct any parkway drains or similar devices required by the draining/grading plan prior to issuance of a building permit.	In Conjunction with Approval of Discretionary Cases and Tentative Subdivision Maps, Prior to Issuance of Building Permits	Require Construction of Parkway Drains or Similar Devices Required by Draining/Grading Plan	Public Works Director			
Public Health and Safety Mitigation Measures							
<i>General Plan Mitigation Measures</i>							
PHS-1	Provide information to businesses on viable alternatives to hazardous materials. Create an informational pamphlet with existing hazardous material substitutions and retailers that sell the materials. Offer the information to applicable business owners who are required to file as a hazardous waste handler in the City.	In Conjunction with Approval of Discretionary Cases and Tentative Subdivision Maps	Compliance with Condition of Approval	City of Duarte Community Development Department			
PHS-2	Provide information on viable alternatives to household hazardous materials on the City's website so households may use alternatives. Information will also educate the public to the health, safety, and environmental benefits of using non-hazardous substitutions.	In Conjunction with Implementation of General Plan	Zoning Regulations	City of Duarte Community Development Department			
Cultural Resources Mitigation Measures							
<i>General Plan Mitigation Measures</i>							
CR-1	During excavation and grading activities of any future development project, if archaeological resources are discovered, the project contractor shall stop all work and shall retain a qualified archaeologist to evaluate the significance of the finding and appropriate course of action. Salvage operation requirements pursuant to Section 15064.5 of the CEQA Guidelines shall be followed, and the treatment of discovered Native American remains shall comply with State codes of regulations of the Native American Heritage Commission.	During Project Construction	If Resources Discovered, Retain Qualified Archaeologist and Comply with State and Federal Codes and Regulations	City of Duarte Community Development Department			
CR-2	If human remains are discovered during the development of any projects, all activity shall cease immediately, and the project contractor shall notify the Los Angeles County Coroner's Office immediately under State law, and a qualified archaeologist and Native American monitor shall be contacted. Should the Coroner determine the human remains to be Native American, the Native American Heritage Commission shall be contacted pursuant to Public Resources Code Section 5097.96.	During Project Construction	If Remains Uncovered, Notify Los Angeles County Coroner, Qualified Archaeologist, and Native American Monitor	City of Duarte Community Development Department			
Water Supply Mitigation Measures							
<i>General Plan Mitigation Measures</i>							

CITY OF DUARTE TOWN CENTER SPECIFIC PLAN General Plan Supplemental Environmental Impact Report: Mitigation Monitoring Reporting Program							
Mitigation Measures		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
WS-1	Prior to approval of project tract maps, the project owner/developer(s) shall be required to coordinate with California American Water to determine requirements necessary to mitigate impacts to water supplies and distribution on-site and off-site. Proposed projects shall implement mitigation measures, if required, to the satisfaction of California American Water and the City of Duarte.	In Conjunction with Approval of Discretionary Cases and Tentative Subdivision Maps, Prior to Issuance of Building Permit	Coordination with California American Water	City of Duarte Engineering/Public Works			
Wastewater Mitigation Measures							
<i>General Plan Mitigation Measures</i>							
WW-1	Prior to issuance of a wastewater permit, payment of connection fees shall be made to connect (directly or indirectly) to CSDLAC's sewerage systems.	In Conjunction with Approval of Discretionary Cases and Tentative Subdivision Maps, Prior to Issuance of Wastewater Permit	Payment of Fees	City of Duarte Engineering/Public Works, County Sanitation Districts of Los Angeles County			
WW-2	Prior to issuance of building permits, an engineering study shall be required to determine the adequacy of the sewer systems.	In Conjunction with Approval of Discretionary Cases and Tentative Subdivision Maps, Prior to Issuance of Building Permit	Submit Engineering Study	City of Duarte Engineering/Public Works			
Police Protection							
<i>General Plan Mitigation Measures</i>							
PP-1	Promote citizen involvement in crime prevention and public safety through programs, education, and other methods.	In Conjunction with Implementation of General Plan	Ongoing Implementation	City of Duarte Community Development Department, Los Angeles County Sheriff			
Solid Waste Mitigation Measures							
<i>General Plan Mitigation Measures</i>							
SW-1	Provide education and outreach to residents and businesses to contribute to the reduction, recycling, and disposal of solid wastes.	In Conjunction with Implementation of General Plan	Ongoing Implementation	City of Duarte Engineering/Public Works			

7 Mitigation Monitoring Reporting Program

CITY OF DUARTE TOWN CENTER SPECIFIC PLAN General Plan Supplemental Environmental Impact Report: Mitigation Monitoring Reporting Program							
Mitigation Measures		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
SW-2	Recycling bins shall be provided by project applicants at all construction sites. All recyclable materials currently being accepted at either landfills and/or recycling centers shall be directed for recycling at construction sites.	In Conjunction with Approval of Discretionary Cases and Tentative Subdivision Maps	Recycling of Recyclable Materials	City of Duarte Engineering/Public Works			
SW-3	On-site recycling bins shall be required for retail, business, office, and manufacturing and industrial facilities. Location of bins may require review by the City's Architectural Review Board.	In Conjunction with Approval of Discretionary Cases and Tentative Subdivision Maps	Provide Recycling Bins	City of Duarte Engineering/Public Works			
SW-4	Encourage composting as an alternative to disposal for organic waste.	In Conjunction with Implementation of General Plan	Ongoing Implementation	City of Duarte Engineering/Public Works			
SW-5	Commercial and industrial developments shall be required to locate recycling/separation bins in proximity to waste bins for non-recyclables, elevators, loading docks, and primary internal and external access points.	In Conjunction with Approval of Discretionary Cases and Tentative Subdivision Maps	Location of Recycling Bins in Proximity to Waste Bins	City of Duarte Engineering/Public Works			
SW-6	The location of recycling/separation bins shall not be in conflict with any applicable Federal, State, or local laws related to fire, building, access, transportation, circulation, or safety.	In Conjunction with Approval of Discretionary Cases and Tentative Subdivision Maps	Location of Recycling Bins	City of Duarte Engineering/Public Works			
SW-7	Recycling containers/bins at commercial and industrial facilities shall be located so that they do not block access to each other.	In Conjunction with Approval of Discretionary Cases and Tentative Subdivision Maps	Location of Recycling Bins	City of Duarte Engineering/Public Works			

Exhibit B
(starts on following page)

Findings of Fact and
Statement of Overriding Considerations
Pursuant to the California Environmental Quality Act

City Council
of the City of Duarte, CA

for the

General Plan Supplemental EIR for the
Town Center Specific Plan
(State Clearinghouse No. 2015101082)

September 13, 2016

Introduction and Purpose

The "project" addressed in these Findings of Fact is the City of Duarte General Plan Supplemental EIR for the Duarte Town Center Specific Plan.

California Environmental Quality Act (CEQA) (Public Resources Code §§ 21000 et seq.) Section 21081 requires the Lead Agency (the City of Duarte) to issue written findings for significant impacts identified in the Environmental Impact Report (EIR), accompanied by a brief rationale for each finding. Section 15091 of the State CEQA Guidelines states that:

- (a) *No public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding: The possible findings are:*
 - (1) *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.*
 - (2) *Such changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.*
 - (3) *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.*
- (b) *With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological or other benefits of the project outweigh the significant effects on the environment.*

In accordance with Public Resources Code Section 21081, whenever significant impacts cannot be substantially mitigated and remain unavoidable, the benefits of the proposed project must be balanced against the unavoidable environmental consequences in determining whether to approve the project. The Lead Agency must make Findings of Fact and adopt a Statement of Overriding Considerations where the decision of the Lead Agency allows the occurrence of significant effects that are identified in the EIR, but are not substantially mitigated.

This document sets forth the City of Duarte's Findings of Fact, pursuant to Section 21081 of the Public Resources Code, as supported by substantial evidence in the record.

Project Description

The proposed project is the adoption and implementation of the Duarte Town Center Specific Plan ("project"). The Specific Plan identifies the long-term vision and objectives for private development and public improvements along portions of Huntington Avenue, Highland Avenue, and Buena Vista Street in the City of Duarte. The project "planning area" encompasses approximately 75 net acres and includes land use designations/zoning districts supporting mixed-use, commercial, residential, and public facility uses. The Specific Plan uses an incentive-based bonus system to advance the vision of the Duarte Town Center Specific Plan and encourage the provision of additional community benefits. This system will allow the City to capture a portion of the market value added to properties through the Specific Plan policies and regulations by providing incentives for projects to contribute community benefits and/or

community benefit funds in exchange for additional floor area, height, and/or the inclusion of a residential component for qualified projects.

The proposed Specific Plan would allow flexibility with regard to land uses, but for the purpose of CEQA, the theoretical maximum development capacity allowed by the Specific Plan has been analyzed in the SEIR to provide a conservative estimate of potential impacts from full build-out. The City estimates that the Specific Plan will support development of up to 800 residential units but has used a higher build-out number in the EIR of 1,143 residential units. Also assumed are 732,712 square feet of commercial uses and 450 hotel rooms. Compared to existing land uses, this development would result in net increases of 1,036 residential units, 217,021 square feet of commercial development, and 331 hotel rooms. The theoretical maximum build-out of the planning area is based on an analysis of existing underutilized sites that may redevelop.

The Duarte Town Center Specific Plan would provide new development standards and incentives for redevelopment, particularly with regard to underutilized commercial spaces and vacant properties. The Specific Plan will establish land use, transportation, infrastructure, economic development, and urban design strategies to promote well-balanced retail development, mixed-use and residential development, and active civic and public places.

Initial Study, Notice of Preparation, and Supplemental EIR

In accordance with Section 15063 of the CEQA Guidelines, a Lead Agency must conduct an Initial Study following preliminary review of a proposed project. Based on an initial project description, the City prepared an Initial Study in October of 2015 and prepared and published a Notice of Preparation (NOP). The NOP was circulated for public review and comment for a 30-day review period beginning on October 23, 2015. In accordance with CEQA Guidelines Section 15163, the City, as the Lead Agency, has prepared a Supplement to the previously certified General Plan Program Environmental Impact Report (SCH No. 2015101082).

Mitigation Monitoring Reporting Program

As required by Public Resources Code Section 21081.6, a program for reporting on and monitoring project mitigation is included in the Final SEIR (Section 5) for adoption by the Lead Agency.

Location of Documents

The Draft SEIR, Final SEIR, and administrative record for the Town Center Specific Plan project are available for review upon request at:

City of Duarte
Planning Division
1600 Huntington Drive
Duarte, California 91010
626.357.7931

Discussion of Findings

Where, as a result of the environmental analysis of the project and the identification of feasible mitigation measures, potentially significant impacts have been determined by the City to be reduced to a level of less than significant, the City has found in accordance with Public Resources Code Section 21081(a)(1) and State CEQA Guidelines Section 15091(a)(1) that "Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment." Such a finding is referred to herein as **Finding 1**.

Where the City has determined pursuant to CEQA Section 21081((a)(2) and State CEQA Guidelines Section 15091(a)(2) that "Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency," the City's finding is referred to as **Finding 2**. This finding is not required to be made because all mitigation is under the jurisdiction of the Lead and Responsible Agencies.

Where, as a result of the environmental analysis of the project, the City has determined that (a) even with the identification of project design features, compliance with existing laws, codes and statutes, and/or the identification of feasible mitigation measures, potentially significant impacts cannot be reduced to a level of less than significant, or (b) no feasible mitigation measures or alternatives are available to mitigate the potentially significant impact, the City has found in accordance Public Resources Code Section 21081(a)(3) and State CEQA Guidelines Section 15091(a)(3) that "Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report." Such a finding is referred to as **Finding 3**.

References for discussion of environmental impacts within the Final SEIR are noted with each finding. Impact numbers refer to the section number and the threshold letter referenced in the Final SEIR where the full discussion of impacts is included.

Effects Determined to Be Less than Significant

Initial Study

An Initial Study was prepared for the previously certified General Plan EIR and circulated publicly on March 12, 2007. In the course of this evaluation prepared for the previously certified General Plan EIR, certain impacts of the General Plan Update were found to be less than significant due to the inability of the General Plan update to create such impacts or the absence of project characteristics producing effects of this type. The following discussion describes the potential impacts found not to be significant as a result of implementation of the General Plan Update.

The Initial Study prepared for the Town Center Specific Plan Supplemental EIR was publicly circulated for a 30-day period beginning October 23, 2015. The Initial Study determined that the impacts related to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, mineral resources, public services, and recreation would not occur or would be less than significant; however, in order to maintain consistency with the previously certified General Plan EIR, impacts analyzed in the Supplemental EIR are the same as those analyzed in the certified General Plan EIR.

The following impacts were identified as "no impact" or "less than significant impact" in the Initial Study prepared for the certified General Plan EIR.

Aesthetics

- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

Agricultural Resources

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.
- Conflict with existing zoning for agricultural use, or a Williamson act contract.
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use.
- Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production.*

* The previously certified General Plan EIR did not analyze impacts to forestry resources because the General Plan EIR was certified before the CEQA Appendix G Initial Study Checklist included forestry resources. The Initial Study prepared for the certified General Plan EIR determined that no impacts to

- Result in the loss of forest land or conversion of forest land to non-forest use.*
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use.*

Air Quality

- Create objectionable odors affecting a substantial number of people.

Biological Resources

- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Geology and Soils

- Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault.
- Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

Hazardous and Hazardous Materials

- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area.
- For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area.

Hydrology and Water Quality

- Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.
- Place within a 100-year flood hazard area structures which would impede or redirect flood flows.
- Inundation by seiche, tsunami, or mudflow.

Land Use and Planning

- Physically divide an established community.
- Conflict with any applicable habitat conservation plan or natural community conservation plan.

agricultural resources would result due to the built-out nature of the City. There are no lands used for or designated for agricultural or forestry resources within the City of Duarte. Therefore, no impact to forestry resources would result due to the built-out nature of the City and the proposed Planning Area.

2 Statement of Overriding Considerations

Mineral Resources

- Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.
- Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Noise

- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.
- For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels.

Population and Housing

- Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.
- Displace substantial numbers of people, necessitating the construction of replacement of housing elsewhere.

Transportation/Traffic

- Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.
- Result in inadequate parking capacity.

Environmental Impact Report

Consistent with the certified General Plan EIR, the Final SEIR found that the proposed project would have a less than significant impact on a number of environmental topics. The following less than significant impact determinations were made:

Land Use

- Inconsistency impacts with federal and state plans and policies would remain less than significant.
- Inconsistency with policies in SCAG's Regional Comprehensive Plan and Guide would remain less than significant.
- Impacts related to inconsistencies with the principles and strategies of SCAG's Southern California Compass Growth Visioning Program would remain less than significant.
- Impacts related to inconsistencies with local plans and policies would remain less than significant.
- Impacts related to indirect land use incompatibilities would remain less than significant.

Population and Housing

- Impacts related to population growth would remain less than significant.
- Impacts related to the City's housing stock would remain less than significant.
- Impacts related to employment growth would remain less than significant.

Aesthetics

- Impacts related to the visual quality and character of the surrounding urban environment would remain less than significant.
- Impacts due to light and glare affecting sensitive receptors would remain less than significant.
- Impacts related to shade and shadow effects on adjacent buildings would remain less than significant.

- Implementation of the proposed Specific Plan would not result in adverse impacts on a scenic vista. Impacts would remain less than significant.

Traffic and Circulation

- Implementation of the proposed Specific Plan would not result in inconsistencies with the Congestion Management Plan, Air Quality Management Plan, or Regional Mobility Plan. Impacts would remain less than significant.
- Implementation of the proposed Specific Plan would not result in inadequate emergency access. Impacts would remain less than significant.
- Implementation of the proposed Specific Plan would not result in inadequate design features or incompatible uses. Impacts would remain less than significant.
- Impacts related to demand for transit service and alternative transportation-supporting policies would remain less than significant.

Air Quality

- The proposed project would not result in a cumulative increase of criteria pollutants from construction activities and would therefore not violate air quality standards. Impacts would remain less than significant.
- Future development facilitated by the proposed Specific Plan would not result in carbon monoxide hotspots. Impacts would remain less than significant.
- Build-out of the proposed Specific Plan would not conflict with or obstruct implementation of the SCAG's *Regional Comprehensive Plan* or the South Coast Air Quality Management District's AQMP. Impacts would remain less than significant.
- Build-out of the proposed Specific Plan would not generate direct or indirect greenhouse gas emissions that would contribute considerably to global climate change. Impacts would be less than significant.
- The proposed project is consistent with the State Scoping Plan in support of the California Global Warming Solutions Act (AB 32). Impacts would be less than significant.

Noise

- Traffic noise impacts associated with Specific Plan build-out would remain less than significant.
- Impacts related to stationary noise sources outside of the City of Duarte would remain less than significant.

Geology and Seismic Hazards

- Impacts related to fault rupture would remain less than significant.
- Impacts related to building damage during a seismic ground shaking event would remain less than significant.
- Impacts related to liquefaction would remain less than significant.
- Impacts related to landslides would remain less than significant.
- Impacts related to soil erosion would remain less than significant.
- Impacts related to expansive soil and soil strength would remain less than significant.

Public Health and Safety

- Impacts related to the accidental release of hazardous materials and interference with the adopted emergency response plan would remain less than significant.
- Impacts related to the exposure of persons and structures to a risk of loss, injury, or death involving wildland fires would remain less than significant.
- Impacts related to the dam inundation would remain less than significant.

Biological Resources

- Impacts to species identified as candidate, sensitive, or special status species would remain less than significant.
- Impacts to sensitive natural communities would remain less than significant.

2 Statement of Overriding Considerations

- Implementation of the proposed Specific Plan would not interfere substantially with the movement of a native resident or migratory wildlife species. Impacts would remain less than significant.

Fire Protection

- Implementation of the proposed Specific Plan would not result in the need for additional fire facilities or personnel. Impacts would remain less than significant.

School Facilities

- Physical impacts to Duarte Unified School District would remain less than significant.

Parks, Recreation Facilities, and Trails

- Impacts to adequate availability of parkland and recreational facilities would remain less than significant.

Electricity and Natural Gas

- Impacts related to electricity demand would remain less than significant.

Findings for Significant but Mitigable Impacts

Transportation and Traffic

Section 4.4 (Transportation and Traffic) of the SEIR identifies potential significant impacts pertaining to traffic volumes, but concludes that impacts can be mitigated to less than significant levels.

IMPACT: Implementation of the proposed Specific Plan would not result in an increase in traffic volumes which would impact the level of service within the Planning Area. Impacts would remain less than significant.

Substantial Evidence

Evidence supporting the fact that the environmental effects regarding traffic volumes and level of service (LOS) would be substantially lessened is provided in Section 4.4 of the SEIR as supported by the technical report provided as Appendix D. Section 4.4 identifies long-term cumulative traffic impacts related to General Plan build-out to six intersections. The 2007 General Plan EIR included Mitigation Measures TR-1 through TR-3 to increase capacity and enhance traffic flow along Huntington Drive and Mountain Avenue. These measures include consideration of peak-period parking restrictions, intersection improvements, and traffic signal coordination, respectively.

Implementation of the Specific Plan would result in long-term cumulative traffic impacts to five intersections. Mitigation Measures TR-4 through TR-7 have been included to reduce impacts to identified roadways. In addition, General Plan policies and implementation measures require evaluation of traffic impacts from development projects, widening of substandard streets, implementation of the roadway plan provided in the Circulation Element, and encouragement of alternative transportation.

Related to traffic impacts, the 2007 General Plan EIR required the following mitigation that remains applicable to the proposed Specific Plan:

- TR-1 For the entire length of Huntington Drive, for Mountain Avenue between Huntington Drive and Duarte Road, and for any other arterial roadways that are determined to operate at unacceptable conditions, measures shall be taken to increase the capacity and enhance traffic flow during peak periods.

- TR-2 Right-of-way dedications shall be required of development applicants to accommodate the recommended roadway cross-sections and the enhanced intersection improvements at major intersections.
- TR-3 The City of Duarte shall consider the implementation of a traffic impact fee program that would require developers to provide a fair-share contribution to a pool of funds that could be used for future transportation system improvements.

Related to traffic impacts resulting from the proposed Specific Plan, the following mitigation measures are required:

- TR-4 **Huntington Drive/Cotter Avenue and Central Avenue/I-210 WB Freeway off-ramp** – Install traffic signal controls when warranted and approved by the City Traffic Engineer and Caltrans (Caltrans approval for the Central Avenue/I-210 WB off-ramp location). Traffic conditions shall be monitored over time as the Specific Plan land uses are implemented, and traffic signal warrants shall be reviewed periodically, to determine if or when applicable warrants are met and the locations satisfy the standards for installation of a traffic signal.
- TR-5 **Huntington Drive/Mount Olive Street** – Add a fourth northbound lane to create a dual right turn lane in addition to a left turn lane and a shared/through left turn lane.
- TR-6 **Huntington Drive/Buena Vista Street** – At the appropriate time and when traffic volumes and conditions warrant in the future, provide double southbound left turn lanes.
- TR-7 **Huntington Drive/Mountain Avenue** – At the appropriate time and when traffic volumes and conditions warrant, provide double southbound left turn lanes.

Finding

Based on substantial evidence in the SEIR and the public record regarding traffic volumes and levels of service, the City hereby makes **Finding 1** that changes or alterations have been required of, or incorporated into, the project to mitigate or avoid the significant effects on the environment.

Noise

Section 4.6 (Noise) of the SEIR identifies potential significant impacts pertaining to construction-related noise impacts, but concludes that impacts can be mitigated to less than significant levels.

IMPACT: Construction-related noise impacts related to future development within the Specific Plan area would remain less than significant with mitigation incorporated.

Substantial Evidence

Evidence supporting the fact that the environmental effects related to construction noise will be substantially lessened is provided in Section 4.6 of the SEIR, as supported by the technical data provided as Appendix F. Section 4.6 identifies potential noise impacts associated with future construction activity. The 2007 General Plan EIR includes Mitigation Measures N-1 through N-4 requiring mitigation of construction equipment noise, sound attenuation, and noise-reduction techniques in site planning. In addition, Section 9.68.120 (Construction of Buildings and Projects) of the Duarte Municipal Code prohibits operation of construction equipment between the hours of 10:00 P.M. and 7:00 A.M. With compliance with Chapter 9.68 of the Duarte Municipal Code, noise levels at sensitive receptors would be analyzed on a case-by-case basis and appropriate mitigation would be applied to bring noise levels down to acceptable levels. Implementation of Mitigation Measures N-1 through N-4 and compliance with Duarte Municipal Code Chapter 9.68 would ensure that noise from future construction activity within would be reduced to acceptable levels.

2 Statement of Overriding Considerations

Related to construction noise, the 2007 General Plan EIR required the following mitigation measures that remain applicable to the proposed Specific Plan:

- N-1 Mitigate transportation equipment impacts at construction sites, such as temporary noise buffers/barriers.
- N-2 Ensure noise mitigation techniques are incorporated into all construction-related activities.
- N-3 Reduce noise generated by construction activities by requiring sound attenuation devices on construction equipment.
- N-4 Require noise-reduction techniques in site planning, architectural design, and construction where noise reduction is necessary.

Finding

Based on substantial evidence in the SEIR and the public record regarding construction-related noise impacts, the City hereby makes **Finding 1** that changes or alterations have been required in, or incorporated into, the project to mitigate or avoid the significant effects on the environment.

IMPACT: Impacts related to stationary noise sources within the City of Duarte would remain less than significant with mitigation incorporated.

Substantial Evidence

Evidence supporting the fact that the environmental effects related to stationary noise will be substantially lessened is provided in Section 4.6 of the SEIR. Section 4.6 identifies potential stationary noise impacts associated with operation of commercial uses. Stationary noise sources due to operation of commercial uses would include delivery trucks, air compressors, generators, outdoor loudspeakers, and gas vents. The 2007 General Plan EIR includes Mitigation Measure N-5 requiring that mixed-use structures be designed to prevent transfer of noise from commercial to residential uses. In addition, General Plan policies require project-specific noise analyses under certain circumstances to ensure that noise levels are within normally acceptable levels, as defined by City and State noise control guidelines. Implementation of Mitigation Measure N-5 and compliance with City and State noise control guidelines would ensure that stationary noise from operation of commercial uses would not impact residential uses.

Related to stationary noise, the following mitigation was required by the 2007 General Plan EIR and remains applicable to the proposed Specific Plan:

- N-5 Require that mix-use structures be designed to prevent transfer of noise and vibration from the commercial to residential uses.

Finding

Based on substantial evidence in the SEIR and the public record regarding stationary noise impacts, the City hereby makes **Finding 1** that changes or alterations have been required in, or incorporated into, the project to mitigate or avoid the significant effects on the environment.

IMPACT: Impacts related to groundborne vibration would remain less than significant with mitigation incorporated.

Substantial Evidence

Evidence supporting the fact that the environmental effects related to groundborne vibration will be substantially lessened is provided in Section 4.6 of the SEIR. Section 4.6 identifies potential vibration impacts associated with construction of future development projects and roadway improvements. Building and roadway construction has the potential to generate perceptible vibration levels to sensitive receptors within 20 feet from the operation of heavy

equipment. The proposed Specific Plan would allow mixed-use developments, with residential above commercial up to the property line with no setback. Therefore, residential land uses adjoining roadway and intersection improvement projects would likely be subject to distinctly perceptible vibration levels over extended periods of time. In addition to reduction impacts related to stationary noise transfer from commercial to residential projects, Mitigation Measure N-5 requires that building design prevent the transfer of vibration to residential uses. Implementation of Mitigation Measure N-5 and compliance with City and State noise control guidelines would ensure that stationary noise from operation of commercial uses would not impact residential uses.

Related to vibration, the following mitigation was required by the 2007 General Plan EIR and remains applicable to the proposed Specific Plan:

- N-5 Require that mix-use structures be designed to prevent transfer of noise and vibration from the commercial to residential uses.

Finding

Based on substantial evidence in the SEIR and the public Record regarding stationary noise impacts, the City hereby makes **Finding 1** that changes or alterations have been required in, or incorporated into, the project to mitigate or avoid the significant effects on the environment.

Hydrology and Drainage

IMPACT: Implementation of the proposed Specific Plan would not violate water quality standards and waste discharge requirements. Impacts would remain less than significant with mitigation incorporated.

Substantial Evidence

Evidence supporting the fact that the environmental effects related to water quality standard and waste discharge requirements will be substantially lessened is provided in Section 4.8 of the SEIR. Section 4.8 identifies potential increases in sediment load of the storm drain system and potential for chemical releases associated with future development within the Planning Area. The 2007 General Plan EIR includes Mitigation Measures HYD-1 and HYD-2 requiring preparation of drainage/grading plans and the construction of parkway drains or similar devices prior to issuance of grading and building permits, respectively. In addition, future development would be subject to the provisions of the National Pollution Discharge Elimination System (NPDES) to protect downstream water quality and the General Permit for Storm Water Discharges Associated with Construction Activity issued by the State Water Quality Control Board. Operationally, future development would be required to prepare water quality management plans (WQMP) to implement measures, as outlined by the Los Angeles Regional Water Quality Control Board (RWQCB), providing thorough descriptions of operation maintenance activities maintenance of best management practices. Implementation of Mitigation Measures HYD-1 and HYD-2 and compliance with NPDES, General Permit, and Los Angeles RWQCB requirements and regulations would ensure that impacts would be reduced to less than significant levels.

With regard to water quality standards and waste discharge requirements, the following mitigation was required by the 2007 General Plan EIR and remains applicable to the proposed Specific Plan:

- HYD-1 Individual development projects shall be required to prepare a drainage/grading plan for approval by the City of Duarte Department of Public Works prior to issuance of grading permits.
- HYD-2 Individual development projects shall be required to construct any parkway drains or similar devices required by the draining/grading plan prior to issuance of a building permit.

Finding

Based on substantial evidence in the SEIR and the public record regarding water quality and waste discharge impacts, the City hereby makes **Finding 1** that changes or alterations have been required in, or incorporated into, the project to mitigate or avoid the significant effects on the environment.

Public Health and Safety

IMPACT: Impacts related to increased risk of upset associated with the routine generation, transport, use, or disposal of hazardous materials and hazardous air emissions would remain less than significant with mitigation incorporated.

Substantial Evidence

Evidence supporting the fact that the environmental effects related to increased hazard with routine generation, transport, use, or disposal of hazardous materials and hazardous air emissions will be substantially lessened is provided in Section 4.9 of the SEIR. Section 4.9 identifies potential increases in the use and transport of hazardous materials and hazardous waste with increases in non-residential development. The 2007 General Plan EIR includes Mitigation Measures PHS-1 and PHS-2 requiring that viable alternatives to hazardous materials be provided to businesses and listed on the City's website to encourage the use of non-hazardous substitutions. In addition, future development would be subject to Federal, State, and local regulations, including California Proposition 65, requiring that businesses notify Californians about significant amounts of chemicals in the products they purchase, in their homes or workplaces, or that are released into the environment. Fire departments would also inspect businesses annually for adequate storage, handling, and labeling practices. Generators of toxic air emissions are required to obtain facility permits for equipment producing those emissions from the South Coast Air Quality Management District. Therefore, implementation of Mitigation Measures PHS-1 and PHS-2, along with implementation of regulatory measures, would ensure that impacts would be less than significant.

With regard to hazardous materials use, generation, and transport, the following mitigation was required by the 2007 General Plan EIR and remains applicable to the proposed Specific Plan:

- PHS-1 Provide information to businesses on viable alternatives to hazardous materials. Create an informational pamphlet with existing hazardous material substitutions and retailers that sell the materials. Offer the information to applicable business owners who are required to file as a hazardous waste handler in the City.
- PHS-2 Provide information on viable alternatives to household hazardous materials on the City's website so households may use alternatives. Information will also educate the public to the health, safety, and environmental benefits of using non-hazardous substitutions.

Finding

Based on substantial evidence in the SEIR and the public record regarding hazardous materials impacts, the City hereby makes **Finding 1** that changes or alterations have been required in, or incorporated into, the project to mitigate or avoid the significant effects on the environment.

Cultural Resources

IMPACT: Implementation of the proposed Specific Plan could result in the degradation or loss of historical or cultural resources, destroy paleontological resources, or disturb human remains. Impacts would remain less than significant with mitigation incorporated.

Substantial Evidence

Evidence supporting the fact that the environmental effects related to degradation or loss of historical, cultural, and paleontological resources and human remains will be substantially lessened is provided in Section 4.10 of the SEIR. Section 4.10 identifies potential impacts to historic resources where new development supplants older development, archaeological and paleontological resources and human remains during ground-disturbing activities. Impacts to historic resources were determined to be less than significant with implementation of the Secretary of the Interior's Standards for Rehabilitation. The 2007 General Plan EIR includes Mitigation Measure CR-1, which requires that all work be stopped and that a qualified archaeologist be retained to evaluate the significance of any resources uncovered during excavation and grading activities. The treatment of all resources uncovered are subject to State

requirements and regulations of the Native American Heritage Commission (NAHC). Should any human remains be uncovered, the 2007 General Plan EIR includes Mitigation Measure CR-2 requiring that all activity cease and the County Coroner and a qualified archaeologist and Native American monitor be notified. Therefore, implementation of Mitigation Measures CR-1 and CR-2 and compliance with applicable State, Federal, and NAHC requirements would ensure that impacts would be less than significant.

With regard to historical and cultural resource impacts, the following mitigation was required by the 2007 General Plan EIR and remains applicable to the proposed Specific Plan:

- CR-1 During excavation and grading activities of any future development project, if archaeological resources are discovered, the project contractor shall stop all work and shall retain a qualified archaeologist to evaluate the significance of the finding and appropriate course of action. Salvage operation requirements pursuant to Section 15064.5 of the CEQA Guidelines shall be followed, and the treatment of discovered Native American remains shall comply with State codes of regulations of the Native American Heritage Commission.
- CR-2 If human remains are discovered during the development of any projects, all activity shall cease immediately, and the project contractor shall notify the Los Angeles County Coroner's Office immediately under State law, and a qualified archaeologist and Native American monitor shall be contacted. Should the Coroner determine the human remains to be Native American, the Native American Heritage Commission shall be contacted pursuant to Public Resources Code Section 5097.98.

Finding

Based on substantial evidence in the SEIR and the public record regarding impacts to historic, archaeological, and paleontological resources, and human remains, the City hereby makes **Finding 1** that changes or alterations have been required in, or incorporated into, the project to mitigate or avoid the significant effects on the environment.

Wastewater

IMPACT: Impacts related to increased demand for sewer service would remain less than significant with mitigation incorporated.

Substantial Evidence

Evidence supporting the fact that the environmental effects related to demands for sewer service will be substantially lessened is provided in Section 4.13 of the SEIR. Section 4.13 identifies potential impacts related to increased demand for sewer service. Build-out of the General Plan and the Specific Plan would result in increased wastewater flow. As discussed, increased flows would not significantly impact overall operations of the Los Angeles County Department of Public Works. The County Sanitation Districts of Los Angeles County will only allow new developments to connect to their systems if sufficient capacity is available. In addition, the 2007 General Plan EIR includes Mitigation Measures WW-1 and WW-2 requiring payment of connection fees and preparation of an engineering study to determine adequacy of sewer systems for new developments. Implementation of Mitigation Measures WW-1 and WW-2 would ensure that impacts would be less than significant.

With regard to wastewater treatment, the following mitigation was required by the 2007 General Plan EIR and remains applicable to the proposed Specific Plan:

- WW-1 Prior to issuance of a wastewater permit, payment of connection fees shall be made to connect (directly or indirectly) to CSDLAC's sewerage systems.
- WW-2 Prior to issuance of building permits, an engineering study shall be required to determine the adequacy of the sewer systems.

2 Statement of Overriding Considerations

Finding

Based on substantial evidence in the SEIR and the public record regarding increases in sewer service, the City hereby makes **Finding 1** that changes or alterations have been required in, or incorporated into, the project to mitigate or avoid the significant effects on the environment.

Police Protection

IMPACT: Implementation of the proposed Specific Plan would not result in the need for additional police facilities or personnel. Impacts would remain less than significant with mitigation incorporated.

Substantial Evidence

Evidence supporting the fact that the environmental effects related to police protection will be substantially lessened is provided in Section 4.15 of the SEIR. Section 4.15 identifies potential impacts related increases in police services due to a larger potential service population. The 2007 General Plan EIR includes Mitigation Measure PP-1, which requires the promotion of citizen involvement in crime prevention and public safety to alleviate the demands on police services. In addition, new developments would be required to pay development fees necessary for the Los Angeles Sheriff's Department to maintain adequate levels of service within the City. Implementation of Mitigation Measure PP-1 and payment of development impact fees would ensure that impacts would be less than significant.

With regard to police protection, the following mitigation was required by the 2007 General Plan EIR and remains applicable to the proposed Specific Plan:

- PP-1 Promote citizen involvement in crime prevention and public safety through programs, education, and other methods.

Finding

Based on substantial evidence in the SEIR and the public record regarding increases in sewer service, the City hereby makes **Finding 1** that changes or alterations have been required in, or incorporated into, the project to mitigate or avoid the significant effects on the environment.

Solid Waste

IMPACT: Impacts due to increased solid waste generation would remain less than significant with incorporation of General Plan policies and implementation measures and General Plan EIR mitigation.

Substantial Evidence

Evidence supporting the fact that the environmental effects related to solid waste generation will be substantially lessened is provided in Section 4.18 of the SEIR. Section 4.18 identifies potential impacts related to increases in solid waste generation due to a larger potential service population. The 2007 General Plan EIR Mitigation Measures SW-1 through SW-5 require educating residents and businesses on the reduction, recycling, and disposal of solid waste, recycling bins at all construction sites and non-residential uses, encouraging composting, and locating recycling bins in proximity to waste bins to reduce the amount of solid waste disposed at landfills. Mitigation Measures SW-6 and SW-7 require that the placement of recycling bins not conflict with applicable Federal, State, or local regulations. Implementation of Mitigation Measures SW-1 through SW-7 and compliance with State and local solid waste reduction rates would ensure that impacts would be less than significant.

With regard to solid waste impacts due to additional waste generated by implementation of the Specific Plan, the following mitigation was required by the 2007 General Plan EIR and remains applicable to the proposed Specific Plan:

- SW-1 Provide education and outreach to residents and businesses to contribute to the reduction, recycling, and disposal of solid wastes.

- SW-2 Recycling bins shall be provided by project applicants at all construction sites. All recyclable materials currently being accepted at either landfills and/or recycling centers shall be directed for recycling at construction sites.
- SW-3 On-site recycling bins shall be required for retail, business, office, and manufacturing and industrial facilities. Location of bins may require review by the City's Architectural Review Board.
- SW-4 Encourage composting as an alternative to disposal for organic waste.
- SW-5 Commercial and industrial developments shall be required to locate recycling/separation bins in proximity to waste bins for non-recyclables, elevators, loading docks, and primary internal and external access points.
- SW-6 The location of recycling/separation bins shall not be in conflict with any applicable Federal, State, or local laws relating to fire, building, access, transportation, circulation, or safety.
- SW-7 Recycling containers/bins at commercial and industrial facilities shall be located so that they do not block access to each other.

Finding

Based on substantial evidence in the SEIR and the public record regarding increases in solid waste production, the City hereby makes **Finding 1** that changes or alterations have been required in, or incorporated into, the project to mitigate or avoid the significant effects on the environment.

Findings for Significant and Unavoidable Impacts

The 2007 General Plan EIR identified increases in criteria pollutants and water demand as significant impacts that cannot be mitigated to less than significant levels. As presented in the SEIR, the City also finds that impacts pertaining to increases in criteria pollutants and water demand from the proposed Specific Plan can similarly not be mitigated to a less than significant level.

The City finds, based on the facts set forth in the administrative record, which include but are not limited to the facts as set forth below, those facts contained in the SEIR, and any other facts set forth in materials prepared by the City, or the City's or Project proponent's consultants, that there are no additional, feasible mitigation measures, changes, or alternative available to reduce the significant and unavoidable impacts identified below, beyond those identified in the mitigation measures adopted for the project.

Therefore, as outlined in Public Resource Code Section 21081(b) and State CEQA Guidelines Section 15093, as adoption of the project will require a Statement of Overriding Considerations for criteria pollutant and water supply impacts, which is included with these Findings. As fully described in the Statement of Overriding Considerations (Section 2 herein), the City has concluded and hereby finds and declares that, based on substantial evidence, that the project's significant and unavoidable impacts are outweighed by the project's benefits, including but not limited to the project's significant benefits to the residents of the City of Duarte.

Accordingly, based on substantial evidence in the SEIR and the administrative record, the City finds and declares, pursuant to State CEQA Guidelines Section 15091(a)(3), that specific economic legal, social, technical or other considerations, including accomplishing the project objectives, make infeasible any additional mitigation measures or Project alternatives identified in the SEIR. Project benefits have been identified and listed below.

- The project's implementation would help ensure orderly, integrated, and compatible development in response to current and emerging local and regional land use and development trends.

2 Statement of Overriding Considerations

- The project will maintain the City's economic viability and productivity over the long term through a comprehensive plan for revitalization of the Huntington Boulevard and Buena Vista Street corridors.
- The project's circulation system is consistent with the Congestion Management Plan for Los Angeles County, Air Quality Management Plan, and the Regional Mobility Plan.
- The project provides a general framework for land use and infrastructure development over the next 20 years. Individual components of the project will be a subject of additional environmental analyses and review.
- The project utilizes land use planning techniques such as infill and mixed-use development that reduce environmental strain and pollution and that promote social and physical health.
- A dynamic range of uses and activities would include restaurants and cafes opening onto sidewalks, paseos, and public plazas; increased residential and mixed-use projects to provide support for local businesses; and an enhanced built environment through unified urban design and streetscape amenities. These land use and development approaches promote walking and other healthful activities.
- The project establishes use regulations and development standards that would tailor and share building form to add new vibrancy to the entire Town Center.
- The project would facilitate the creation of a balanced district with a mix of residential, commercial, retail, services, civic, and cultural uses.
- The project would create new housing opportunities for residents of all income ranges within a convenient walking or biking distance from the Gold Line station.
- The project would provide locations for diverse businesses that would complement the current business environment.

Air Quality

IMPACTS:

Development under the proposed Specific Plan could result in an overall increase in mobile source emissions within the City which may exceed SCAQMD air quality standards.

Regional air quality emissions resulting from short-term and long-term activities within the proposed Specific Plan could impact regional air quality levels on a cumulative basis.

Regional air quality emissions resulting from the proposed Specific Plan could impact regional air quality levels on a cumulative basis.

Substantial Evidence

Section 4.5 of the SEIR identifies a potentially significant impact related to increases in mobile source emissions, cumulative short- and long-term operational emissions, and cumulative regional emissions. Pursuant to the discussion in Section 4.5 of the SEIR, future development under the proposed Specific Plan could result in an overall increase in mobile and stationary source emissions and short- and long-term construction and operational emissions that could exceed SCAQMD daily air quality standards. Projected population increases associated with build-out of the Specific Plan would result in a corresponding increase in the number of automobiles and vehicular pollutants. Future development projects that generate construction-related or operational emissions may result in cumulatively considerable increases in criteria pollutants, potentially violating air quality standards.

Pursuant to existing law, future development associated with build-out of the proposed Specific Plan would be required to prepare an air quality impact analysis for individual development projects where possible emissions could impact sensitive receptors. Such analyses would include project-specific mitigation measures, as appropriate. Therefore, future projects would be assessed on a case-by-case basis under the purview of the City. In addition, future development would be subject to goals and policies of the General Plan, listed below, which encourage preferential parking for alternative-fuel vehicles, synchronization of traffic signals to reduce idling emissions, require the preparation of enforcement of a dust reduction ordinance that addresses mobile and stationary sources, collaboration with local transit agencies and AQMD, and establishment of mixed-use developments to minimize

vehicle trips. For purposes of analysis cumulative emissions within the Planning Area due to build-out of the Specific Plan, impacts would be significant and unavoidable.

- | | |
|------------|---|
| P AQ 1.1.1 | Facilitate communications among residents, businesses and the Southern California Air Quality Management District (AQMD) to quickly resolve air pollution nuisance complaints. Distribute information to advise residents on how to register a complaint with the AQMD (cut smog program). |
| P AQ 1.1.2 | Promote and support mixed-use land patterns that allow the integration of retail, office, institutional and residential uses. |
| P AQ 1.2.1 | Establish a Mixed-Use Zoning District that offers incentives for mixed-use developments. |
| P AQ 1.2.2 | Create opportunities to receive State transportation funds by adopting incentives (e.g. and expedited review process) for planning and implementation infill development projects that include job centers and clean transportation nodes (e.g. preparation of a "transit village" plan). |
| P AQ 2.1.1 | Collaborate with local transit agencies to: <ul style="list-style-type: none"> • Develop programs and educate employers about employee rideshare and transit. • Establish mass transit mechanisms for the reduction of work-related and non-work related vehicle trips. • Promote mass transit ridership through careful planning of routes, headways, origins and destination, and types of vehicles. |
| P AQ 2.1.2 | Provide merchants with fliers/posters that publicize mass transit schedules to encourage their customers to use mass transit. |
| P AQ 2.1.3 | Consider providing incentives such as preferential parking for alternative-fuel vehicles (e.g., compressed natural gas (CNG) or hydrogen). |
| IM | Work with AQMD and other agencies to receive grants for alternative modes of transportation and improved traffic flow. |
| P AQ 2.2.1 | Synchronize traffic signals throughout the City and with adjoining cities while allowing free flow of mass transit systems. |
| IM | Continue to collaborate with adjacent cities to improve traffic flow. |
| P AQ 2.2.2 | Monitor traffic and congestion to determine when and where the city needs new transportation facilities to achieve increased mobility and efficiency. |
| IM | Perform traffic studies yearly and/or require traffic studies as development occurs. |
| P AQ 2.2.3 | Consider replacing existing vehicles in the City fleet with the cleanest vehicles commercially available. |
| IM | Prepare a vehicle replacement plan. |
| P AQ 2.3.1 | Develop and coordinate a plan with local agencies for cost-effective use of AB 2766 (emissions reductions benefits) funds so that revenue is used for projects and programs identified in the AQMP. |

2 Statement of Overriding Considerations

IM	Work with AQMD and other agencies to receive grants for alternative modes of transportation and improved traffic flow.
P AQ 2.3.2	Develop and adopt a policy to utilize federal Congestion Mitigation and Air Quality Improvement (CMAQ) funds in coordination with regional agencies in a manner consistent with projects approved in the AQMP.
IM	Work with AQMD and other agencies to receive grants for alternative modes of transportation and improved traffic flow.
P AQ 2.3.3	Apply annually to the AQMD Mobile Source Reduction Committee (MSRC) for AB 2766 "Local Government Match Program" grants for projects that reduce mobile source emissions (e.g. purchases of alternative-fueled vehicles).
IM	Perform traffic studies yearly and/or require traffic studies as development occurs.
P AQ 2.3.4	Seek opportunities to pool AB 2766 revenue with neighboring cities to fund programs that will reduce mobile source emissions (e.g., traffic synchronization, fueling station infrastructure, teleconferencing facilities).
IM	Work with AQMD and other agencies to receive grants for alternative modes of transportation and improved traffic flow.
P AQ 3.1.1	Where fugitive dust is causing a chronic public nuisance or the air quality is in exceedance of PM 10 standards, consider adopting a dust control policy that requires preparation and approval of a dust control plan.
IM	Prepare and enforce a dust reduction ordinance that addresses mobile and stationary sources.
P AQ 3.1.2	Cooperate with local, regional, state and federal jurisdictions to better control fugitive dust from stationary, mobile and area sources.
IM	Prepare and enforce a dust reduction ordinance that addresses mobile and stationary sources.
P AQ 3.1.3	Ensure that vehicles do not transport aggregate or similar material upon a highway unless the material is stabilized or covered, in accordance with state law and AQMD regulations.
IM	Prepare and enforce a dust reduction ordinance that addresses mobile and stationary sources.
P AQ 3.1.4	Consider rerouting the Duarte fixed route bus system to help minimize vehicle trips.
IM	Review Duarte's fixed route system annually to provide service and efficiency.
P Circ 1.1.1	Development, implement, and refine local east/west traffic flow elements to allow traffic to move through and within Duarte in an expeditious manner including improving the Huntington Drive bridge over the San Gabriel River.
P Circ 1.1.2	Implement the roadway plan provided in the Circulation Element to meet the transportation needs of the citizens.
P Circ 1.1.3	Widen substandard streets and alleys to meet the city standards where feasible.

-
- | | |
|--------------|---|
| P Circ 1.1.4 | Evaluate the traffic impacts of new development and require developers to employ appropriate mitigation measures to reduce traffic or improve roadway and traffic conditions. |
| P Circ 1.1.5 | Evaluate the traffic impacts from development projects in adjacent cities and work cooperatively with those cities to develop mitigation measures that will improve traffic conditions in Duarte. |
| P Circ 1.1.6 | Pursue and provide adequate right-of-way to accommodate future circulation system improvements. |
| P Circ 2.1.2 | Restrict heavy duty truck traffic to arterial roadways. |
| P Circ 2.1.3 | Continue the practice of responding to resident complaints and requests regarding residential street traffic problems. |
| P Circ 2.1.5 | Appropriate mitigation measures should be implemented to ensure that the adverse impacts from trucks and employee traffic can be reduced. |
| P Circ 3.1.1 | Continue to promote the development of the MTA Gold Line and a Duarte station. |
| P Circ 3.1.2 | Coordinate Duarte Transit System with MTA, Foothill Transit and to service major destinations within Duarte including City of Hope, Duarte Gold Line Station and proposed City Center area. |
| P Circ 3.1.3 | Promote the linking of local public transit routes with that of adjacent jurisdictions and other transit agencies. |
| P Circ 3.1.4 | Ensure that new developments incorporate both local and regional transit measures into the project design that promote the use of alternate modes of transportation. |
| P Circ 3.1.5 | Provide incentives for appropriate pedestrian and bicycle facilities throughout Duarte, particularly for bike lanes to the Gold Line Station. |
| P LU 2.1.3 | Provide for the shopping and service needs of residents by conveniently clustering commercial establishments in such a way to encourage "one-stop" shopping. |
| P LU 2.1.7 | Make every effort to ensure that industry and residences, where located in close proximity, will be compatible neighbors with non-industrial uses located nearby, and with neighboring cities as well. |
| P LU 3.1.2 | Develop a flexible specific and strategic plan for the commercial area along the Huntington Drive and Buena Vista axis capturing traffic off the I-210 freeway. |
| P LU 3.1.4 | Create a flexible mixed-use Transit Oriented Development Specific Plan for the current non-residential area north of the Gold Line Station. |
| P LU 3.1.5 | If the Duarte Gold Line Station becomes a reality before 2020, consider a thorough analysis of a potential amendment to the General Plan to provide expanded Transit Oriented Development for additional area north and west and east of the Gold Line Station. |
| P LU 3.1.6 | Promote the use of mixed land use techniques and construction methods to provide more housing and minimize housing costs without compromising basic health, safety, and aesthetic qualities. |
| P HOU 1.1.5 | Encourage use of innovative construction techniques, design standards, and energy conservation methods in new housing development, through revised zoning and subdivision and ordinances. |
-

Pursuant to Section 4.5 of the SEIR, and consistent with Public Resource Code Section 21100(b)(2)(A) and the State CEQA Guidelines Section 15126.2(b), the City finds and declares that there are significant and unavoidable impacts involving increases in mobile and stationary source emissions at Specific Plan build out, but there are no feasible mitigation measures that would lessen the project's impact to a less than significant level. Pursuant to State CEQA Guidelines Section 15901(a), changes or alterations have been required in, or incorporated into, the project to lessen the project's impact on mobile and stationary source emissions by way to General Plan policy, but the project's impact would nonetheless still be considered significant and unavoidable.

Even with implementation of General Plan policies, no feasible mitigation measures are available which can mitigate this impact to a level below significant. Pursuant to State CEQA Guidelines Section 15093, therefore, the City has balanced the benefits (listed in the Statement of Overriding Considerations) of the project against its unavoidable environmental risks and has determined that this impact is acceptable for the reasons stated in the City's Statement of Overriding Considerations included herein.

Finding

Regarding impacts related to increases in mobile source emissions, cumulative short- and long-term operational emissions, and cumulative regional emissions, the City hereby makes **Finding 3** that no feasible mitigation measures or alternatives exist to mitigate the above-discussed potentially significant impacts to less than significant levels.

Water Supply and Distribution

IMPACT:

Implementation of the Specific Plan would result in increased demand for water supplies.

Substantial Evidence

Section 4.12 of the EIR identifies a potentially significant impact related to increases in water demand. Pursuant to the discussion in Section 4.12 of the SEIR, future development under the proposed Specific Plan could result in an overall increase in water demand. Although the 2010 Urban Water Management Plan indicates that sufficient water supplies are available to meet anticipated build-out demand within Duarte, uncertain drought conditions may affect long-term water supply.

As noted in Section 4.12, new developments would be subject to fees required by Cal Water to mitigate impacts on water services prior to connection to the water system in Duarte. Cal Water would not allow new development to connect to its water distribution system unless sufficient water supplies are available to accommodate the proposed uses. Individual projects would continue to be reviewed by Cal Water according to its standard, mandatory procedures and regulations. In addition, future development would be subject to General Plan EIR Mitigation Measure WS-1 and General Plan policies and implementation measures. However, due to the uncertainty of future water supply availability and facilities, impacts would remain significant and unavoidable.

Pursuant to Section 4.12 of the SEIR, and consistent with Public Resource Code Section 21100(b)(2)(A) and the State CEQA Guidelines Section 15126.2(b), the City finds and declares that there are significant and unavoidable impacts involving sufficient water supplies at Specific Plan build out, but no feasible mitigation measures are available that would lessen the project's impact to a less than significant level. Pursuant to State CEQA Guidelines Section 15901(a), changes or alterations have been required in, or incorporated into, the project which lessen the project's impact on water supply, but the project's impact would nonetheless still be considered significant and unavoidable. The potential significant environmental effect has been substantially lessened by virtue of the following mitigation measure as identified by the SEIR and incorporated into the project.

- WS-1 Prior to approval of project tract maps, the project owner/developer(s) shall be required to coordinate with California American Water to determine requirements necessary to mitigate impacts to water supplies and distribution on-site and off-site. Proposed projects shall implement mitigation measures, if required, to the satisfaction of California American Water and the City of Duarte.

Compliance with General Plan policies and implementation measures and Mitigation Measure WS-1 would reduce impacts on water supplies and distribution facilities. Nonetheless, significant and unavoidable impacts on water supplies and distribution facilities would result. Pursuant to State CEQA Guidelines Section 15093, therefore, the City has balanced the benefits (listed in the Statement of Overriding Considerations) of this project against its unavoidable environmental risks and has determined that this impact is acceptable for the reasons stated in the City's Statement of Overriding Considerations included herein.

Finding

Regarding impacts related to water supply, the City hereby makes **Finding 3** that no feasible mitigation measures or alternatives exist to mitigate the above-discussed potentially significant impacts to less than significant levels.

Growth-Inducing Impacts

Pursuant to Section 15126.2(d) of the State CEQA Guidelines, the SEIR discusses growth-inducing effects in Section 6.0 (Analysis of Long Term Effects). Growth-inducing effects include ways in which the Specific Plan could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The proposed Specific Plan is specifically intended to provide for the orderly growth of the Planning Area to achieve economic, environmental, and quality of life benefits. Nothing in the Specific Plan proposes new infrastructure systems to facilitate growth of undeveloped areas that were not proposed in the existing General Plan. There are no proposed policies, regulations, or ordinances that are part of or implied by the Specific Plan that would encourage or enable significantly higher levels of growth than have been anticipated in regional forecasts by SCAG. Improvements to the roadways listed in this Supplemental EIR are intended to achieve desired levels of service as growth occurs, rather than facilitate growth beyond what is planned for in the existing General Plan.

Projects permitted pursuant to land use policy would provide for additional housing, create a better balance of residential and non-residential uses in the community, promote organized and pedestrian-friendly commercial development, and protect natural resources. Implementation of the Specific Plan would result in a more inclusive community, maintain a balance between housing and employment, and foster a stable economic base and diverse employment opportunities.

Significant Irreversible Environmental Changes

The proposed Specific Plan provides a regulatory framework to guide future growth into both infill and undeveloped sites within the Planning Area. Once land is developed with a certain type of land use, reversion to open space for conservation, resource management, or other purposes is highly unlikely.

An irreversible commitment of non-renewable natural resources is inherent in any development project. The proposed Specific Plan represents a long-term commitment to the consumption of energy for electricity, water and space heating, water supply and treatment, and fuels to power various modes of motorized transportation including automobiles and landscape equipment. Impacts associated with long-term energy consumption would depend on the energy sources and methods of producing energy. Typical hydrocarbon-based sources produce higher volumes of various criteria air pollutants and greenhouse gases than renewable energy sources such as wind and solar power or alternative fuel sources such as biodiesel and cellulosic ethanol. To the extent that hydrocarbon-based fuel sources are replaced with less polluting, renewable sources, emissions would be reduced.

Alternatives to the Proposed Project

The SEIR addresses the environmental effects of alternatives to the proposed project. A description of these alternatives, a comparison of their environmental impacts to the proposed project, and the City's findings are listed below.

No Project/No Development Alternative

Implementation of the No Project/No Development alternative assumes that no additional development would occur within the Specific Plan area; thus, the existing land use conditions and levels of development would remain static. No Specific Plan would be adopted. As was the case in the General Plan EIR, this alternative prohibits the issuance of any further building permits. This alternative would prevent the implementation of any current or future Town Center concept for the Planning Area, which would conflict with the Town Center Concept Plan adopted by the Duarte City Council in 2003 to plan for a community-oriented, walkable, mixed-use activity center in the heart of Duarte.

Findings

The No Project/No Development alternative would result in no change to the existing conditions. Therefore, no new or additional environmental impacts would result directly from this alternative. However, the No Project/No Development alternative would prevent the City from making needed improvements to existing properties, infrastructure, and public services. Existing conditions under this alternative would be maintained at first, but due to increased dependence on developer fees to provide new and improved infrastructure, property, and areas would be unimproved. Additionally, the No Project/No Development alternative would not result in any changes to existing land uses or development levels within the City and would conflict with the City's existing plans for build-out. Also, regional through traffic in the City would continue to increase and would impact both roadway capacity and noise levels in the City without the benefit of mitigation. Although the No Project/No Development alternative fails to accomplish the project objectives, it would avoid significant unavoidable impacts of the proposed Specific Plan with respect to air quality and water supply. Thus, the No Project/No Development alternative is considered environmentally superior to the proposed project.

The findings of the proposed project set forth in this document and the overriding social, economic, and other issues set for in the Statement of Overriding Considerations provide support for the proposed project and the elimination of this alternative from further consideration.

Existing General Plan (2007) Alternative

As required by Section 15126.6(e) of the CEQA Guidelines, the Existing General Plan alternative assumes build-out within the Specific Plan area in accordance with existing zoning and General Plan (2007) land use designations and policies. This alternative assumes that development would include build out of vacant and underutilized sites. Existing General Plan Land Use Plan applicable within the planning area are General Commercial, High Density Residential, Medium Density Residential, Low Density Residential, Public/Quasi-Public, and Administrative/Professional. The existing General Plan would not provide for a mixed-use, walkable, community-oriented environment.

Findings

The Existing General Plan alternative would result in similar environmental impacts as the proposed project for population and housing, traffic and circulation, cultural resources, and biological resources. The Existing General Plan alternative would result in increased land use and planning and aesthetic impacts because implementation of the existing General Plan would not be as supportive as the Specific Plan in terms of regional goals to reduce vehicle miles travels, increase pedestrian activity, and increased transit use through higher densities and mixed uses. In addition, the proposed Specific Plan incorporates design guidelines and standards that would improve the overall visual character within the affected area. The conditions evaluated under the Existing General Plan alternative would not serve the City as effectively as the proposed Specific Plan. Thus, the Existing General Plan is not considered environmentally superior when compared to the proposed project.

2 Statement of Overriding Considerations

CEQA requires that a Lead Agency balance the benefits of a project against its unavoidable environmental risk in determining whether to approve the project. If the benefits outweigh the unavoidable adverse effects, those effects may be considered "acceptable" pursuant to State CEQA Guidelines Section 15093(a). CEQA requires that a Lead Agency support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Those reasons must be based on substantial evidence in the Environmental Impact Report (EIR) or elsewhere in the administrative record pursuant to State CEQA Guidelines Section 15093(b). The Lead Agency's written reasons are referred to as a Statement of Overriding Considerations.

The City will approve the Duarte Town Center Specific Plan and has prepared an SEIR that satisfies the requirements of CEQA. The following adverse impacts of the project are considered significant and unavoidable based on the analysis in the Draft Supplemental EIR (DSEIR), Final EIR (FEIR), and the Findings of Fact.

- Development pursuant to the proposed Specific Plan could result in an overall increase in mobile source emissions within the City which may exceed SCAQMD air quality standards.
- Regional air quality emissions resulting from short-term and long-term operation of the proposed Specific Plan could impact regional air quality levels on a cumulative basis.
- Regional air quality emissions resulting from the proposed Specific Plan could impact regional air quality pollutant levels on a cumulative basis.
- Implementation of the Specific Plan would result in increased demand for water supplies.

The City has determined that the unavoidable adverse environmental impacts identified above are acceptable because those impacts are outweighed by the economic, social, technological, and other benefits of the project, listed below.

- The project's implementation would provide for the orderly, integrated, and compatible development in response to existing conditions and anticipated local and regional trends.
- The circulation system within the Specific Plan Area is consistent with the Congestion Management Plan for Los Angeles County, Air Quality Management Plan, and the Regional Mobility Plan.
- The project provides a general framework for land use and infrastructure development over the next 20 years.
- The project provides for land use planning techniques such as infill and mixed-use development and development near transit that reduce environmental strain and pollution, and that promote social and physical health.
- A dynamic range of uses and activities would include restaurants and cafes opening onto sidewalks, paseos, and public plazas; increased residential and mixed-use projects to provide support for local businesses; and an enhanced built environment through unified urban design and streetscape amenities.
- The project establishes use regulations and development standards that would tailor and share building form to add new vibrancy to the entire Town Center.
- The project would facilitate the creation of a balanced community with a mix of residential, commercial, retail, services, civic, and cultural uses.
- The project would support the development of an appropriate mix of housing and commercial development to sustain the needs of the Duarte community.
- The project would result in new private investment that will boost the local economy.
- The project supports preservation and rehabilitation of historic properties.

2 Statement of Overriding Considerations

The City hereby declares that the forgoing benefits provided to the public through the approval of the project outweigh the identified significant adverse environmental impacts of the project that cannot be mitigated. The City finds that each of the project benefits separately and individually outweighs all of the unavoidable adverse environmental effects identified in the SEIR and therefore finds those impacts to be acceptable. The City hereby finds and declares that no feasible alternative exists that both would provide all of the foregoing benefits to the public and reduce environmental impacts when compared to the project.

ORDINANCE 16-O-08**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA,
MODIFYING THE CITY OF DUARTE ZONING MAP (ZC 15-2) FROM VARIOUS
ZONES TO TOWN CENTER SPECIFIC PLAN ON PROPERTIES, GENERALLY, NORTH
OF THE 210 FREEWAY ON HIGHLAND AVENUE AND BUENA VISTA STREET TO
HUNTINGTON DRIVE AND ON HUNTINGTON DRIVE GENERALLY BETWEEN
SANTO DOMINGO AVENUE AND BUENA VISTA STREET**

WHEREAS, in accordance with Section 19.142.020 of the Duarte Development Code, the City Council of the City of Duarte ("City Council") initiated a Zone Change (ZC 15-2) to amend the Development Code and the Zoning Map as set forth in Exhibit "A," attached hereto and made a part of this Ordinance (the "Zone Change") to change the zoning designation and modify the Zoning Map for the approximately 75 acre area generally north of the 210 Freeway on Highland Avenue and Buena Vista generally between Santa Domingo Street and Buena Vista Street; and

WHEREAS, on August 15, 2016 the Planning Commission held a duly noticed public hearing on the proposed Zone Change (ZC 15-2) and corresponding Town Center Specific Plan, General Plan Amendment (G.P.A. 15-2), and Draft Supplemental Environmental Impact Report ("EIR") for the Town Center Specific Plan (State Clearinghouse No. 2015101082), at which time oral and documentary evidence was introduced along with the written recommendation of the Planning Department of the City of Duarte, and the Planning Commission received public testimony; and

WHEREAS, after the duly noticed public hearing on August 15th, the Planning Commission adopted Resolution No. PC 16-11 recommending the City Council adopt and approve of the proposed Zone Change; and

WHEREAS, notice of a public hearing before the City Council on the proposed Zone Change, was given in accordance with applicable law; and

WHEREAS, on September 13, 2016 the City Council held a duly noticed public hearing on the proposed Zone Change and corresponding Town Center Specific Plan, General Plan Amendment (G.P.A. 15-2), and Final Supplemental EIR for the Town Center Specific Plan (State Clearinghouse No. 2015101082), at which time oral and documentary evidence was introduced along with the written recommendations of the Planning Commission and Planning Department of the City of Duarte, and the City Council received public testimony; and

WHEREAS, the City Council has considered the proposed Zone Change, which would modify the zoning designations of properties in the plan area to correspond to the designations set forth in the Town Center Specific Plan, as set forth in Exhibit "A" to this Ordinance; and

WHEREAS, the City Council has considered the staff report and all of the information, evidence, and testimony received at the public hearing.

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

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

SECTION 2. Based upon substantial evidence presented to the City Council during the public hearing, including written staff reports and verbal testimony, the City Council hereby finds and determines:

1. The Zone Change is intended to ensure the highest and best use for the subject property.
2. The Zone Change is consistent with the General Plan and any applicable specific plan. The Land Use Element of the General Plan contemplates that the City will develop a specific plan "for a 'City Center' whereby the city promotes mixed use, reduced parking and higher densities." (Land Use Element, p. 21.) The Zone Change will implement the proposed Town Center Specific Plan, which implements the vision for the "City Center" set forth in the General Plan and the "Town Center Concept Plan" (approved by the City Council in the early 2000's).
3. The Zone Change will not be detrimental to the public interest, health, safety, convenience, or welfare of the City. The purpose of the Zone Change is to implement the Town Center Specific Plan, which is intended to create a vibrant, active Town Center that offers desirable experiences for living, working and shopping in Duarte. That Plan will define permitted uses, regulate the sizes and locations of buildings, specify design guidelines and development standards, identify project infrastructure and services, provide administrative and implementation language, depict one conceptual development scenario, amongst other stipulations, for various properties, including approximately 75 acres, north of the 210 Freeway on Highland Avenue and Buena Vista generally between Santo Domingo Street and Buena Vista Street.
4. The Zone Change is internally consistent with other applicable provisions of this Development Code.
5. The affected sites are physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located. The City studied the physical suitability of the proposed sites when it adopted the "Town Center Concept Plan" in the early 2000's and further studied suitability through the preparation of the Town Center Specific Plan.
6. The Zone Change and the adoption thereof complies with Government Code Sections 65853 - 65857.

SECTION 3. The City Council hereby accepts the recommendation of the Planning Commission to adopt and approve Zone Change 15-2.

SECTION 4. Based upon the substantial evidence and testimony received at public hearing and the findings and conclusions set forth hereinabove, the City Council hereby adopts Zone Change 15-2, which changes the zoning designation of parcels shown in Exhibit "A" to this Ordinance to correspond to the Town Center Specific Plan, and that the City Council hereby amends the City of Duarte Official Zoning Map as adopted pursuant to Section 19.06 of the Duarte Development Code. The City Council ratifies and approves any and all actions taken by City Staff, departments and Commissions of the City of Duarte prior to the adoption of this Ordinance for the preparation, review and consideration of Zone Change 15-02.

SECTION 5. The City Council finds and determines this Zone Change is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Supplemental EIR for the Town Center Specific Plan and the Zone Change have been prepared and circulated for public review and comment, and will be considered for certification by the City Council prior to or concurrently with the City Council's action on the Town Center Specific Plan and the Zone Change.

SECTION 6. The Ordinance shall not be codified but shall amend the City's Official Zoning Map as set forth in Exhibit "A."

SECTION 7. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, an each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

SECTION 8. The Ordinance shall take effect thirty (30) days after its adoption. The City Clerk shall certify the adoption of this Ordinance and shall cause this Ordinance to be posted in manner provided for in the Duarte Municipal Code.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Duarte this ____ day of _____, 2016.

Mayor Samuel Kang

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES) ss.

CITY OF DUARTE)

I, Marla Akana, City Clerk of the City of Duarte, County of Los Angeles, State of California, hereby attest to the above signature and certify that Ordinance _____ was adopted by the City Council of said City of Duarte at a regular meeting of said Council held on ____ day of _____, 2016, by the following vote:

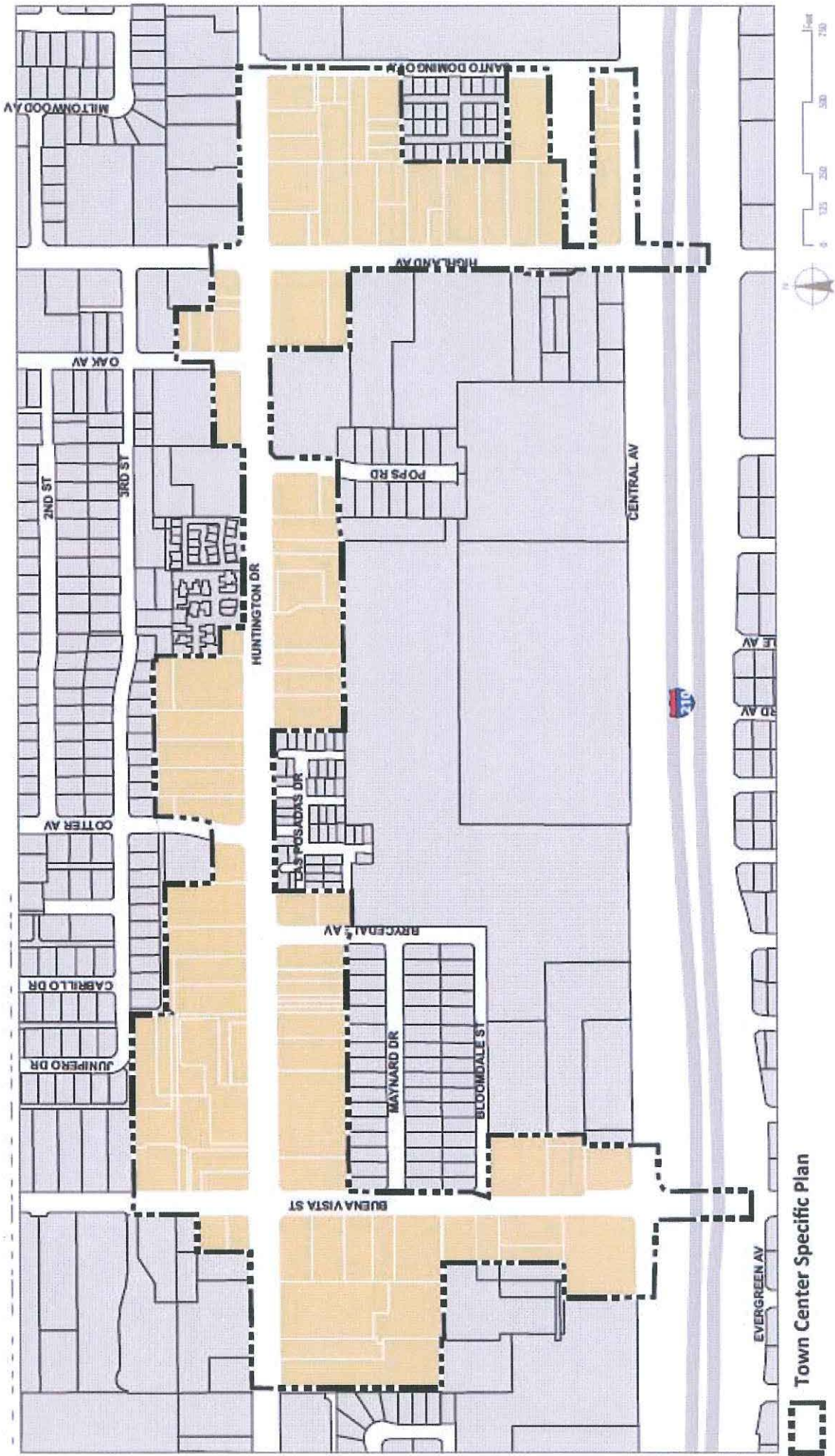
AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk Marla Akana
City of Duarte, California

Exhibit A
(starts on following page)



ORDINANCE 16-O-09**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA,
ADOPTING THE TOWN CENTER SPECIFIC PLAN ON PROPERTIES GENERALLY
NORTH OF THE 210 FREEWAY ON HIGHLAND AVENUE AND BUENA VISTA
STREET TO HUNTINGTON DRIVE AND ON HUNTINGTON DRIVE GENERALLY
BETWEEN SANTO DOMINGO AVENUE AND BUENA VISTA STREET**

WHEREAS, in accordance with Section 19.150.050 of the Duarte Development Code, the City Council of the City of Duarte ("City Council") initiated the preparation of the proposed Town Center Specific Plan; and

WHEREAS, an electronic copy of the proposed Town Center Specific Plan is available on the City's website (www.duartetowncenter.com), printed copies are available at City Hall, the Duarte Public Library and the City of Duarte Public Safety Office, a printed copy was provided to the Planning Commission of the City of Duarte ("Planning Commission") as an attachment to a staff report in advance of the August 15, 2016 Planning Commission meeting, and a printed copy of the proposed Town Center Specific Plan was provided to the City Council as an attachment to the staff report on this item in advance of the September 13, 2016 City Council meeting; and

WHEREAS, on August 15, 2016, the Planning Commission held a duly noticed public hearing on the proposed Town Center Specific Plan and corresponding General Plan Amendment (G.P.A. 15-2), Zone Change (ZC 15-2), and Draft Supplemental Environmental Impact Report ("EIR") for the Town Center Specific Plan (State Clearinghouse No. 2015101082), at which time oral and documentary evidence was introduced along with the written recommendation of the Planning Department of the City of Duarte, and the Planning Commission received public testimony; and

WHEREAS, after the duly noticed public hearing on August 15th, the Planning Commission adopted Resolution No. PC 16-12 recommending the City Council adopt and approve of the proposed Town Center Specific Plan; and

WHEREAS, notice of a public hearing before the City Council on the proposed Town Center Specific Plan adoption, was given in accordance with applicable law; and

WHEREAS, on September 13, 2016 the City Council held a duly noticed public hearing on the proposed Town Center Specific Plan and corresponding General Plan Amendment (G.P.A. 15-2), Zone Change (ZC 15-2), and Final Supplemental EIR for the Town Center Specific Plan (State Clearinghouse No. 2015101082), at which time oral and documentary evidence was introduced along with the written recommendations of the Planning Commission and Planning Department of the City of Duarte, and the City Council received public testimony; and

WHEREAS, the City Council has considered the proposed Town Center Specific Plan which provides, among other provisions, for the planned use and long-term development of real and improved property, for mixed use and other creative development in the City's Town Center area; and

WHEREAS, the City Council has considered the staff report and all of the information, evidence, and testimony received at the public hearing.

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

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

SECTION 2. Based upon substantial evidence presented to the City Council during the public hearing, including written staff reports and verbal testimony, the City Council hereby finds and determines:

1. The Town Center Specific Plan Land Use Designation and Zone is intended to ensure the highest and best use for the subject property.
2. The Town Center Specific Plan is in the best interests and welfare of the City and its residents. The purpose of the Plan is to create a vibrant, active Town Center that offers desirable experiences for living, working and shopping in Duarte. The Plan will define permitted uses, regulate the sizes and locations of buildings, specify design guidelines and development standards, identify project infrastructure and services, provide administrative and implementation language, depict one conceptual development scenario, amongst other stipulations, for various properties, including approximately 75 acres, north of the 210 Freeway on Highland Avenue and Buena Vista generally between Santo Domingo Street and Buena Vista Street.
3. The Town Center Specific Plan is consistent with the City's General Plan and any applicable specific plan. The Land Use Element of the General Plan contemplates that the City will develop a specific plan "for a 'City Center' whereby the city promotes mixed use, reduced parking and higher densities." (Land Use Element, p. 21.) The proposed Town Center Specific Plan implements the vision for the "City Center" set forth in the General Plan and the "Town Center Concept Plan" (approved by the City Council in the early 2000's).
4. The Town Center Specific Plan and the adoption thereof complies with Government Code Section 65450 et seq.

SECTION 3. The City Council hereby accepts the recommendation of the Planning Commission to adopt and approve the Town Center Specific Plan.

SECTION 4. Based upon the substantial evidence and testimony received at public hearing and the findings and conclusions set forth hereinabove, the City Council hereby adopts and approves the Town Center Specific Plan, which provides the zoning and development requirements for the area. The City Council ratifies and approves any and all actions taken by City Staff, departments and Commissions of the City of Duarte prior to the adoption of this Ordinance for the preparation, review and consideration of the Town Center Specific Plan.

SECTION 5. The City Council finds and determines that the Town Center Specific Plan is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Supplemental EIR for the Town Center Specific Plan has been prepared and circulated for public review and comment, and will be considered for certification by the City Council prior to or concurrently with the City Council's action on the Town Center Specific Plan.

SECTION 6. The Ordinance shall not be codified but, in connection with Zone Change (ZC 15-2), shall amend the City's Official Zoning Map as set forth in Exhibit A.

SECTION 7. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

SECTION 8. The Ordinance shall take effect thirty (30) days after its adoption. The City Clerk shall certify the adoption of this Ordinance and shall cause this Ordinance to be posted in manner provided for in the Duarte Municipal Code.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Duarte this ____ day of _____, 2016.

Mayor Samuel Kang

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES) ss.

CITY OF DUARTE)

I, Marla Akana, City Clerk of the City of Duarte, County of Los Angeles, State of California, hereby attest to the above signature and certify that Ordinance _____ was adopted by the City Council of said City of Duarte at a regular meeting of said Council held on ____ day of _____, 2016, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk Marla Akana
City of Duarte, California

Exhibit A
(starts on following page)

Final Report

The Economics of Land Use



Fiscal Analysis and Implementation Strategy for Duarte Town Center Specific Plan

Prepared for:

The City of Duarte

Prepared by:

Economic & Planning Systems, Inc.

*Economic & Planning Systems, Inc.
949 South Hope Street, Suite 103
Los Angeles, CA 90015-1454
213 489 3808 tel
213 489 3881 fax*

*Oakland
Sacramento
Denver
Los Angeles*

www.epsys.com

May 24, 2016

EPS #154026

Table of Contents

SECTION 1: INTRODUCTION AND SUMMARY OF FINDINGS	1
SECTION 2: FISCAL IMPACT ANALYSIS	3
Land Use Program.....	3
Key Assumptions	5
General Fund Expenditures	16
Net Fiscal Impact on General Fund	17
SECTION 3: INFRASTRUCTURE FINANCING AND IMPLEMENTATION	19
Infrastructure Financing Capacity.....	19
Infrastructure Financing Options	20
Recommended Next Steps	27
 APPENDIX A: Infrastructure Funding Tools	

List of Exhibits

Exhibit 1	Summary of Net Fiscal Benefits.....	2
Exhibit 2	Proposed Land Use Program	4
Exhibit 3	Existing, Proposed, and Net New Uses	5
Exhibit 4	Assumed New Development Prototypes	6
Exhibit 5	Program Elements and Assessed Value Assumptions	7
Exhibit 6	Summary of Net New Direct Economic Impacts.....	7
Exhibit 7	General Fund Revenues and Estimating Factors	9
Exhibit 8	General Fund Expenditures and Estimating Factors.....	10
Exhibit 9	Existing Service Population (Citywide)	11
Exhibit 10	New Residential and Service Population (Town Center Plan Area)	12
Exhibit 11	Transient Occupancy Tax Calculation	13
Exhibit 12	Property Tax Calculation	14
Exhibit 13	Sales Tax Calculation.....	15
Exhibit 14	Real Property Transfer Tax Calculation.....	16
Exhibit 15	Net Fiscal Impact	18
Exhibit 16	Summary of Infrastructure Funding and Financing Tools	22

SECTION 1: INTRODUCTION AND SUMMARY OF FINDINGS

This Report addresses key fiscal, public financing, and related implementation issues associated with the Duarte Town Center Specific Plan. It has been prepared by Economic & Planning Systems, Inc. (EPS) on behalf of the City of Duarte as part of the Specific Plan effort. The proposed Duarte Town Center is a Mixed-Use Activity Center intended to serve as Duarte's Civic and cultural hub and be an active, dynamic, social gathering place for the entire city.

This report is designed to address two inter-related issues: (1) determine how build-out of the Specific Plan is likely to impact the General Fund of the City of Duarte; and (2) identify potential financing and implementation tools to fund the necessary infrastructure and public facilities needed to achieve the Specific Plan vision.

The report builds on a number of prior documents, including the *Town Center Specific Plan Existing Conditions Report*, prepared by MIG in July 2015, the *Market Assessment Study: Duarte Town Center Specific Plan*, prepared by EPS, November 23, 2015, and a number of draft land use program documents, prepared by MIG in March 2016.

The report is organized into three sections, consisting of Summary Findings, Fiscal Impact Analysis, and Infrastructure Financing and Implementation Strategy.

Key Findings

Key findings are described below and shown on **Exhibit 1**. All results are in constant 2015 dollars.

- 1. The Duarte Town Center program proposes approximately 217,000 square feet of net new commercial area, 1,036 net new residential units, and 331 net new hotel rooms.** Net new area is calculated by subtracting the area of total existing uses, which include 107 residential units, 119 hotel rooms, and 516,000 commercial square feet, from the area of the proposed new land use mix of 1,143 units, 450 hotel rooms, and 733,000 commercial square feet. When fully stabilized, the new development will provide capacity for 792 new jobs and 3,051 new residents. Overall, this substantial increase in the level of economic activity will present a variety of fiscal benefits to the City and opportunities for financing critical infrastructure and public facilities over time.
- 2. The Project will generate a fiscal surplus over and above the revenues required to cover the costs to the City of providing public services.** The fiscal impact of the Project on the City's General Fund at Project buildout will be positive, with the revenues generated by the Project estimated to be greater than the costs of providing additional public services. By buildout, the Project is expected to generate annual revenues of approximately \$2.6 million. General Fund costs will sum to approximately \$1.3 million annually. The resulting net impact on the General Fund will be an annual positive surplus of approximately \$1.3 million, equivalent to 9 percent of the Fiscal Year 2014-2015 City Budget. This analysis demonstrates that the Project should be able to cover its service costs and provide surplus revenues to support infrastructure development and to increase levels of service in other parts of the City.

- 3. Duarte real estate market weakness limits short-term financing capacity, which means an opportunistic approach to financing infrastructure development is recommended.** Steps may include finalizing the Specific Plan to ensure development readiness; evaluating financing opportunities when new development increases financing capacity; and expanding the plan area geography to increase financing capacity. Pooling the Town Center, Duarte Station, and City of Hope Plan areas would allow for greater scale economies, access to TOD-oriented financing resources, and possibly also help establish tax-increment-secured tool such as an EIFD or a CRIA.

Exhibit 1 Summary of Net Fiscal Benefits

Category	Outputs
<u>City General Fund Revenues</u>	
Property Taxes	\$525,042
Sales and Use Tax	\$395,497
Franchise Taxes	\$117,012
Business License Tax	\$23,422
Transient Occupancy Tax	\$1,515,020
Real Property Transfer Tax	\$8,897
Total Annual General Fund Revenues (rounded)	\$2,585,000
<u>City General Fund Expenses</u>	
City Council	\$715
City Council/City Clerk	\$5,560
Legal Services	\$4,146
Public Safety	\$513,603
Community Development	\$220,876
Field Services	\$86,313
Parks and Recreation	\$225,802
Facilities Maintenance	\$83,628
Administrative Services	\$149,000
Total Annual General Fund Expenditures (rounded)	\$1,290,000
Net Fiscal Impact	\$1,295,000
% of FY 2014-15 General Fund Budget	9%

Sources: City of Duarte 2014-15 Operating Budget; Economic & Planning Systems, Inc.

SECTION 2: FISCAL IMPACT ANALYSIS

This section evaluates the fiscal impact of the proposed Duarte Town Center Specific Plan on the City's General Fund costs and revenues. The analysis is focused on the net new development at full build-out (the net new commercial square feet, hotel rooms, and residential units) based on typical factors and activities of residents, on-site employees, and visitors. The analysis compares the potential additional costs incurred by the City from providing public services to the Project with the additional tax revenues generated by the Project and indicates whether the Project can be expected to have a positive or negative overall effect on the City's General Fund at buildout.

It should be noted that fiscal results (annual surpluses or deficits) are simply indicators of fiscal performance; they do not mean that the City will automatically have surplus revenues or deficits, because the City must have a balanced budget each year. Persistent shortfalls shown in a fiscal analysis may indicate the need to reduce service levels or obtain additional revenues; persistent surpluses will provide the City with resources to reduce liabilities such as deferred maintenance or improve service levels.

Land Use Program

The proposed Town Center land use program is shown in plain view in **Exhibit 2**. The program at full buildout would substantially change the existing mix of uses, which includes approximately 516,000 square feet of commercial area, 107 residential units, and 119 hotel rooms. At full buildout, the proposed land use program would increase commercial square footage to 733,000 square feet, residential to 1,173 units, and hotel rooms to 450.

In order to measure only new fiscal impacts to the general fund, the analysis considers only net new amounts of these uses. As shown on **Exhibit 3**, net new growth after subtracting new development from existing uses totals 217,000 commercial square feet, 1,036 residential units, and 331 hotel rooms.

Exhibit 2 Proposed Land Use Program

City of Duarte

TOWN CENTER SPECIFIC PLAN

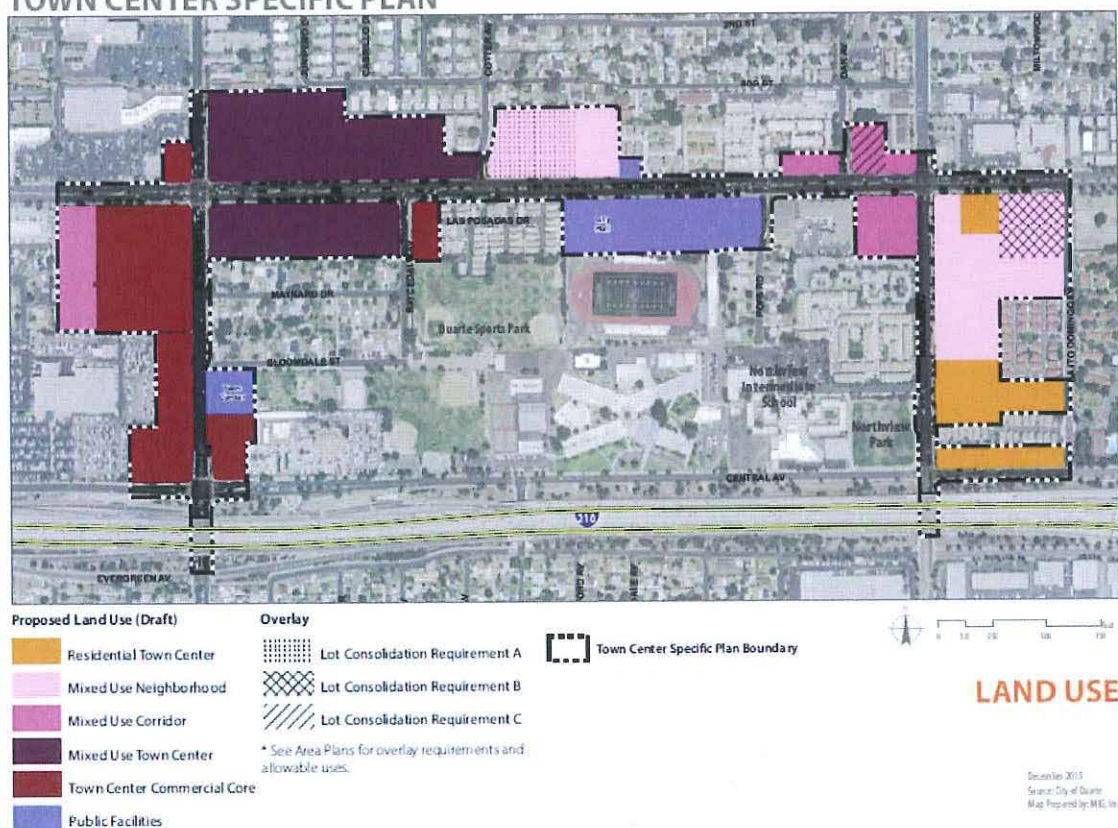


Exhibit 3 Existing, Proposed, and Net New Uses

	Residential Units	Hotel	Commercial Sq.Ft.
Existing Uses			
Commercial Retail	0	0	291,536
Office	0	0	91,043
Single-Family	46	0	0
Multi-Family	61	0	0
Hotel/Motel	0	119	0
Government	0	0	82,954
Institutional: Church	0	0	11,630
Insitutional: Nursing Homes	0	0	38,527
	107	119	515,691
Proposed Uses			
Commercial Retail	0	0	391,970
Office	0	0	222,271
Single-Family	46	0	0
Multi-Family	1,097	0	0
Hotel/Motel	0	450	0
Government	0	0	118,472
Institutional: Church	0	0	0
Insitutional: Nursing Homes	0	0	0
	1,143	450	732,712
Net New Development			
Commercial Retail	0	0	100,433
Office	0	0	131,227
Single-Family	0	0	0
Multi-Family	1,036	0	0
Hotel/Motel	0	331	0
Government	0	0	35,518
Institutional: Church	0	0	(11,630)
Insitutional: Nursing Homes	0	0	(38,527)
	1,036	331	217,021

Source: MIG, Economic & Planning Systems, Inc.

Key Assumptions

The impacts of the proposed land use plan are estimated assuming full buildout and stabilized occupancy of all uses. The assumptions that underlie the analysis come from a variety of sources including: prototype development pro formas from EPS; the City of Duarte 2014/2015 Adopted Operating Budget; U.S. Census Bureau (2013, 5-year estimates); CoStar; the Bureau of Labor Statistics; and other public real estate data. All results are expressed in constant 2015 dollars.

The analysis only considers net new development, which is computed by subtracting proposed total development from total existing development. This approach is conservative and likely underestimates the General Fund revenue impact. When an existing use is replaced by new

construction on a one-to-one basis, fiscal benefits generally increase, because new construction typically has a higher land value and generates greater sales and/or hotel revenue per square foot. But because the analysis only considers net new development, existing development that has been replaced by fiscally positive new development is not counted towards total impact.

Land use assumptions are based on the land-use plan discussed above in **Exhibit 2**. Assessed values for each program element are based on estimated total development costs (including land) of the prototypical uses, which are shown in **Exhibit 4**. For designated "commercial square feet," EPS allocated a portion to office and a portion to retail in accordance with existing and/or proposed nodes, with restaurant uses contributing 25 percent of total retail square feet. For multifamily, EPS assumed all for-rent uses consisting of a higher-density stacked-flat with structured parking product (90 percent of the total units), and attached townhomes (10 percent). A summary of program values is shown on **Exhibit 5** with resulting economic direct impacts shown on **Exhibit 6**.

Exhibit 4 Assumed New Development Prototypes

Use	Description
Multi-family for rent	1,750 square-foot attached townhome
Multi-family for rent	1,100 square-foot wrap with structured parking
Ground-Floor Retail	Ground-floor mixed use, surface parked
Restaurant Pad	Stand-alone pad
Office	1.0 FAR Podium, 75% surface-parked
Hotel	150-175 room limited-service hotel

Source: Economic & Planning Systems

Exhibit 5 Program Elements and Assessed Value Assumptions

Proposed Net New Uses	Net New Development	Value/Unit or /Sq.Ft. ⁽¹⁾	Estimated Value
Hotel	331 rooms	\$210,000	\$69,510,000
Office	131,227 sq.ft.	\$425	\$55,771,513
Retail	100,433 sq.ft.	\$370	\$37,160,284
Multi-Family Residential	1,036 units	\$350,000	\$362,600,000
Total			\$525,041,797

(1) Values based on typical costs with land for prototypical uses, derived from conceptual proformas developed by EPS. Retail assumes a 10/15/75 mix of ground floor restaurant, standalone pad restaurant, and ground-floor retail sq.ft.; multi-family includes a 90/10 mix of for-rent texas-wrap-style and attached townhome typologies.

Source: Economic & Planning Systems, Inc.

Exhibit 6 Summary of Net New Direct Economic Impacts

Category	Outputs
Net New Full-Time Employees	792
Net New Taxable Sales	\$39,549,704

Source: Economic & Planning Systems, Inc.

The analysis uses standard estimating procedures to estimate new General Fund revenues, which are summarized in **Exhibit 7** and discussed further in a separate section below. General Fund expenditures are estimated using a variable-cost-per-capita approach, which assumes that for each budget item, a portion of costs is fixed regardless of service demand, and a portion is variable with service demand. For example, because public safety expenses consist mainly of salaries and overtime hours, most costs in this item are assumed to be variable, as shown in **Exhibit 8**. City Council costs by comparison vary little with regard to changes in residential or service population and most City Council budgeted costs are thus assumed to be fixed.¹

Existing and new daytime service population are key inputs for General Fund revenue and expense projections. The service population is not equivalent to the residential population, as the

¹ Fixed and variable assumptions are EPS estimates based on general rules-of-thumb regarding typical city fixed and variable operating costs

service population must also account for service demand by in-commuting workers and hotel visitors while also deducting demand from out-commuting residents. The service population estimate combined with a General Fund budget estimate provides the basis for calculating the per-capita cost of providing municipal services. See **Exhibit 9** for derivation of the existing service population.

Growth in the residential and service population resulting from net new development will generate both new General Fund revenue and General Fund costs from additional service demand. See **Exhibit 10** for derivation of net-new residential and service population growth.

Exhibit 7 General Fund Revenues and Estimating Factors

General Fund Revenue Item	Basis	Estimating Factor	Net New Tax
General Property Tax	\$525,041,797 new assessed value	1.00% * 10% (General Fund allocation)	\$525,042
Sales and Use Tax	\$39,549,704 new taxable sales	1.00%	\$395,497
Franchise Taxes	3,570 new daytime service pop.	\$33 per new daytime service pop. ¹	\$117,012
Business License Tax	792 new FTE (equivalent) ²	\$30 per new employee ³	\$23,422
Transient Occupancy Tax	\$15,150,201 new room revenue	10% of room revenue ⁴	\$1,515,020
Real Property Transfer Tax	\$65,000 base value	13.69% increase over base value ⁵	\$8,897
Total New General Fund Revenue			\$2,584,890

(1) Factor derived by dividing 2014-15 budgeted amount by estimated 2014 Duarte Service Population

(2) FTE = Full-time employee

(3) Factor derived by dividing 2014-15 budgeted amount by 2014 Duarte city-wide employment

(4) City Transient Occupancy Tax rate

(5) Derived by increasing budgeted revenues in proportion to the increase of City total assessed value due to new Specific Plan build-out

Sources: City of Duarte; Economic & Planning Systems, Inc.

Exhibit 8 General Fund Expenditures and Estimating Factors

General Fund Expenditure Item	FY 2014-15 Budget ¹	% of Costs Variable ²	Population Factor ³	Budgeted Cost Per Population Basis ⁴	Estimating Factor	Net New Fiscal Cost
	a	b	c	(a * b) / c = d	e	d * e
City Council	\$106,900	5%	26,696 service pop.	\$0.20	3,570 new service pop.	\$715
City Council/City Clerk	\$831,500	5%	26,696 service pop.	\$1.56	3,570 new service pop.	\$5,560
Legal Services	\$155,000	20%	26,696 service pop.	\$1.16	3,570 new service pop.	\$4,146
Com. Promotions & Memberships	\$191,000	0%	26,696 service pop.	\$0.00	3,570 new service pop.	\$0
Public Safety ⁵	\$4,267,400	90%	26,696 service pop.	\$143.87	3,570 new service pop.	\$513,603
Community Development ⁶	\$2,064,600	80%	26,696 service pop.	\$61.87	3,570 new service pop.	\$220,876
Field Services	\$806,800	80%	26,696 service pop.	\$24.18	3,570 new service pop.	\$86,313
Parks and Recreation	\$1,767,900	90%	21,499 res. pop.	\$74.01	3,051 new res. pop.	\$225,802
Facilities Maintenance	\$761,700	80%	26,696 service pop.	\$23.43	3,570 new service pop.	\$83,628
Administrative Services ⁷	\$2,228,400	50%	26,696 service pop.	\$41.74	3,570 new service pop.	\$149,000
Transfers Out	\$447,600	0%	26,696 service pop.	\$0.00	3,570 new service pop.	\$0
Total General Fund Expenditures	\$13,648,800					\$1,289,642

(1) City of Duarte 2014-15 Budget (Estimated Actual Results)

(2) Source: EPS, based on general rules of thumb regarding typical city fixed and variable operating costs

(3) Service and residential population factors shown on separate exhibit. Derivation of Resident-to-Employee Equivalences from Estimated Service Population

(4) Per-cap cost multipliers calculated by dividing budgeted items by the service population factor of 26,696 or residential population factor of 21,499.

(5) Police only. Fire safety services provided by the County and billed directly to land owners.

(6) Includes Planning, Engineering/Public Works, Building and Safety

(7) Includes finance, human resources, IT, transit, risk management, and contract administration

Sources: City of Duarte 2014-15 Operating Budget; Economic & Planning Systems, Inc.

Exhibit 9 Existing Service Population (Citywide)

Service Population Category	Labor Force & Commute Patterns ¹		Resident to Employee Equivalencies			Estimated Service Pop.
	Number	Distribution	Weighting ²	Weighted Average	Normalized to 100%	
		<i>a</i>	<i>b</i>	<i>= a * b</i>		
Duarte Residents						
Not in Labor Force/Unemployed	11,668	55%	100%	55%		
Employed in Duarte	804	4%	100%	4%		
Employed Outside Duarte	<u>8,827</u>	<u>41%</u>	66%	<u>27%</u>		
Total Residents	21,499	100%		86%	100%	21,499
Employees in Duarte						
Live in Duarte	804	7%	100%	7%		
Live Outside Duarte	<u>10,693</u>	<u>93%</u>	34%	<u>32%</u>		
Total Jobs	11,497	100%		39%	45%	<u>5,197</u>
Estimated Service Population						26,696

(1) U.S. Census Bureau (2013 5-year estimates) and census LEHD On The Map Application (2014)

(2) Workday weighting based on percent of annual number of 'waking' hours (5,840 = 16 hours * 365 days) relative to time at job (2,000 = 40 hours * 50 weeks)

Sources: U.S. Census; Economic & Planning Systems.

Exhibit 10 New Residential and Service Population (Town Center Plan Area)

Net New Land Uses	New Development	New Employees		Residents			Hotel Guests ⁴	Service Population ⁵
		By Use ¹	# new	Persons/ HH ²	Occupied HHs ³	Residents		
Hotel	331 rooms	7 rooms/emp.	47	0	0	0	161	182
Office	131,227 sq.ft.	300 Sq.Ft./emp.	437	0	0	0		198
Retail	100,433 sq.ft.	350 Sq.Ft./emp.	287	0	0	0		130
Multi-Family Residential	1,036 units	50 units/emp.	21	3.10	984	3,051		3060
Total			792		984	3,051		3,570

(1) Employee multipliers are rules-of-thumb based on common practice and prior EPS experience

(2) United States Census Bureau, 2013 (5 Year Estimates), ESRI Business Analyst Online, for Duarte

(3) Assumes 5% vacancy

(4) Hotel guests reflect partial service demand compared to full-time residents and are estimated as 58% of daily hours x 76% assumed occupancy x 331 rooms x 1.1 guests/room.

(5) New employees x 45% weighting factor, new residents x 100% weighting factor. (See Exhibit 9 for derivation of weighting factors.)

Source: Economic & Planning Systems, Inc.

General Fund Revenues

This section provides further discussion of how, on a budget item-by-item basis, the proposed land use program will generate new General Fund revenue.

Transient Occupancy Tax (TOT)

The proposed program includes 331 net new hotel rooms, which are expected to capture visitors who currently uses facilities outside of the City. The net increase in Transient Occupancy Tax (TOT) revenue of \$1.52 million is based on an estimated \$15.2 million in new room revenues. The TOT rate is currently 10 percent, all of which goes to the General Fund. This calculation is shown on **Exhibit 12**.

Exhibit 11 Transient Occupancy Tax Calculation

Item	Calculation
Net New Hotel Rooms	331
Average Daily Rate ¹	\$165
Occupancy	76%
Revenue	\$15,150,201
Transient Occupancy Tax (TOT) Rate	10%
Net New TOT	\$1,515,020

(1) Estimated 2015 LA County Average (PKF Consulting)

Sources: City of Duarte; PKF; Economic & Planning Systems, Inc.

Property Tax

Property taxes are based on the assessed value of land and on-site improvements, as well as the value of unsecured property, which refers to business property such as office furniture, machinery, equipment, etc. Though the actual assessed value of the program will be determined by market conditions and other factors at the time of assessment, the analysis uses estimated development costs as a proxy for estimating the assessed value of the new development, which is consistent with the approach used by the County Assessor's Office. EPS based all cost estimates on typical development costs for prototypical versions of the assumed uses. According to these assumptions, the Project's assessed value will be about \$525 million at buildout (see **Exhibit 12**). Los Angeles County currently collects property tax based on 1.0 percent of the assessed value, and the City of Duarte receives approximately 10 percent of the 1.0 percent property tax base from the area. This share is assumed fixed going forward.

Exhibit 12 Property Tax Calculation

Category	Assumption	Calculation
Net new Assessed Value (AV)		\$525,041,797
Property Tax Total	1.0% of AV	\$5,250,418
Share of Property Tax to General Fund ¹		10%
Net New Property Tax to General Fund		\$525,042

(1) Rate provided by the City of Duarte and represents a general estimate based on historical performance

Sources: City of Duarte; Economic & Planning Systems, Inc.

Sales Tax

The Project is expected to generate sales tax through spending at the new retail, service, and restaurant destinations, at the hotel, and as a result of spending of new residents and employees at nearby retail establishments in the City of Duarte. As shown in **Exhibit 13**, the project program overall may generate an estimated \$39.5 million in new retail sales, of which the City receives \$395,000 annually.

While Duarte may currently be over-retailed, there is greater long-term potential through broader “place-making efforts”, expansion of the residential customer base within the walkable area, and growth in the regional economy will lead to a more robust retail mix in the Plan Area. Consequently, the retail taxable spending estimate, as shown in **Exhibit 13**, assumes that fully 75 percent of the spending at new retail outlets will be net-new to the City of Duarte.

The hotel food and beverage spending estimate, also shown in **Exhibit 13**, is based on a rule-of-thumb that such spending is generally equivalent to 25 percent of room revenue. Employee retail sales expenditures are based on ICSC data adjusted by EPS for typical worker taxable spending. And finally, household taxable spending is based on the average Duarte HH income at 29 percent taxable and 50 percent of that captured in the City of Duarte.

Exhibit 13 Sales Tax Calculation

Category	Assumptions		Taxable Spending
Retail	100,433 \$350 75%	Sq.Ft. /Sq.Ft. ¹ Net new spending in Duarte ²	\$26,363,715
Hotel Food & Beverage	\$15,150,201 25%	Estimated room revenue of room revenue ³	\$3,787,550
Employee Expenditures	792 \$2,600 25%	New employees Annual taxable spending/employee ⁴ Duarte capture ⁵	\$514,804
Household Expenditures	984 ⁶ \$62,250 29% 50%	Net new residential units Median Duarte HH Income ⁷ Taxable Spending/HH ⁸ Duarte capture ⁵	\$8,883,635
New Taxable Sales			\$39,549,704

- (1) Assumes a retail mix of restaurants, retail, and commercial services.
(2) Portion of spending that does not cannibalize existing Duarte spending
(3) EPS assumption, based on experience with prototypical hotel operating models
(4) Based on data on office worker taxable spending as reported by ICSC, with inflation adjustments and adjustments for retail workers made by EPS.
(5) EPS estimate of spending captured in the City of Duarte
(6) Includes assumed 5% vacancy
(7) U.S. Census Bureau (2013 5-year estimates)
(8) Based on the Bureau of Labor Statistics Consumer Expenditure Survey
Sources: City of Duarte, U.S. Bureau of Labor Statistics; Economic & Planning Systems, Inc.

Franchise Taxes

The Town collects Franchise Taxes for, among many items, cable television and electric utility provision. The net increase in Franchise Fees associated with the Project is estimated at \$115,000 based on a cost factor of \$33 per daytime service population. This calculation is shown on **Exhibit 7**.

Business License Tax

The increase in commercial area in the proposed program is expected to increase business license tax revenue to the City. These proceeds are estimated at a rate based on existing workers and the City's budget. At \$30 per estimated new employee, new business license proceeds are expected to be approximately \$23,000. This calculation is shown on **Exhibit 7**.

Real Property Transfer Tax

The expansion in the number of commercial properties in the City should expand the number of property transactions, and with them, real property transfer tax proceeds. These are calculated

in proportion to the City's increase in total assessed value, which computes to an increase of approximately 15 percent based on the City's 2015-16 assessed value. This calculation, which generates \$8,900 in net new proceeds for the City, is shown on **Exhibit 14**.

Exhibit 14 Real Property Transfer Tax Calculation

Item	Calculation
Base Value for Real Property Transfer Tax (FY 2014-15)	\$65,000
Citywide Assessed Value (2015-16 Base Value)	\$3,835,977,581
Project Assessed Value	\$525,041,797
Net Increase in Assessed Value	13.7%
Net Increase in Real Property Transfer Tax	\$8,897

(1) City of Duarte 2014-15 Budget (Estimated Actual Results)
Sources: City of Duarte; Economic & Planning Systems, Inc.

General Fund Expenditures

This section describes the methodology and key assumptions used for calculating various General Fund expenditure items. Certain expenditures, such as City Council and Facilities Maintenance, are assumed to consist of fixed costs that will not change with regard to the proposed new development, while others, such as Public Safety, are assumed to consist entirely of variable costs that increase in direct proportion with service demand. A summary of the approach is shown in **Exhibit 8**.

Police Services

Duarte's police department provides police protection and traffic enforcement to residents and employees in the City. The Project will generate new employees and residents in the City who will require additional law enforcement officers and/or staff time and associated equipment and training. To estimate the impact of the new development on service demand, a cost of \$144 per new service population equivalent (a factor combining both new residents and new employees), based on the existing City budget, is computed, resulting in a net cost increase of \$514,000. See **Exhibit 8** for the calculation.

Community Development

The Community Development Department includes all planning, engineering, public works, and buildings/safety services. The cost associated with Community Services is assumed to be \$62 per service population equivalent, resulting in net new fiscal costs of \$221,000 per year. See **Exhibit 8** for the calculation.

Parks & Recreation

This category includes costs associated with maintaining parks and recreational facilities. No new public parks or streets are proposed as part of the Project, but the significant increase in the

residential population will incur an increase of costs associated with normal wear and tear on the City's facilities. The cost associated with Parks and Recreation services is assumed to be \$74 per new resident, based on the existing City budget, for an increase of \$226,000 per year in fiscal costs. See **Exhibit 8** for the calculation.

Administrative Services

This category includes costs associated with finance, human resources, IT, transit, risk, management, and contract administration. To be conservative, the analysis assumes that Administrative Services costs are fully variable with regard to service population. The cost associated with Administrative Services is assumed to be \$42 per service population equivalent, resulting in net new fiscal costs of \$149,000 per year. See **Exhibit 8** for the calculation.

Legal Services and Field Services

Legal and Field Services are assumed to be variable with the service population. Estimated at \$1.16 and \$24 respectively per service population equivalent, Legal and Field Services add \$90,000 in new annual fiscal costs. See **Exhibit 8** for the calculation.

Fire Services

Fire services are provided to the Town of Duarte by the Los Angeles County Fire Department. The County receives a portion of the 1 percent basic property tax revenue to provide fire prevention and protection as well as emergency medical services. Therefore, the City would not incur increased General Fund expenses as a result of the Proposed Project and associated increased service population, and fire prevention and emergency medical services are not further addressed in this report.

Net Fiscal Impact on General Fund

Based on the assumptions and analysis described above, the annual net fiscal impact associated with the proposed development is estimated at approximately \$1.3 million at Project buildout, as shown in **Exhibit 15**. The Project is estimated to generate about \$2.6 million in General Fund revenues compared to \$1.3 million in General Fund costs. Actual fiscal impacts will vary due to the actual timing of Project buildout and changes in economic and budgetary conditions.

Exhibit 15 Net Fiscal Impact

Category	Outputs
<u>City General Fund Revenues</u>	
Property Taxes	\$525,042
Sales and Use Tax	\$395,497
Franchise Taxes	\$117,012
Business License Tax	\$23,422
Transient Occupancy Tax	\$1,515,020
Real Property Transfer Tax	\$8,897
Total Annual General Fund Revenues (rounded)	\$2,585,000
<u>City General Fund Expenses</u>	
City Council	\$715
City Council/City Clerk	\$5,560
Legal Services	\$4,146
Public Safety	\$513,603
Community Development	\$220,876
Field Services	\$86,313
Parks and Recreation	\$225,802
Facilities Maintenance	\$83,628
Administrative Services	\$149,000
Total Annual General Fund Expenditures (rounded)	\$1,290,000
Net Fiscal Impact	\$1,295,000
<i>% of FY 2014-15 General Fund Budget</i>	<i>9%</i>

Sources: City of Duarte 2014-15 Operating Budget; Economic & Planning Systems, Inc.

SECTION 3: INFRASTRUCTURE FINANCING AND IMPLEMENTATION

This section provides a general description of financing and implementation options and strategies to advance the goals of the Duarte Town Center Specific Plan. At this point, the specific strategies and funding sources are identified for discussion purposes to guide subsequent analytical efforts. The ultimate mix of financing mechanisms will be determined in the implementation process, based on final technical analyses of costs, benefits, and burdens, and on deliberations involving City staff, property owners, developers, elected officials, bond counsel, underwriters, finance experts, and others.

Regardless of the strategy selected, Duarte should consider implementing an incentive and infrastructure financing program that achieves the following:

- Realizes goals of Specific Plan
- Articulates trade-offs acceptable to the community
- Can be implemented without over-burdening City Staff and other resources
- Responds to the realities of Duarte's current market position
- Is flexible enough to respond to changing market conditions

Plan Area infrastructure requirements are likely to include streetscape improvements such as the installation of bulb-outs to calm traffic and facilitate walking and biking; enhancements such as street trees and benches; and lighting improvements at key intersections such as at Brycedale, Cotter, and/or under the Highland underpass. Additional infrastructure improvements, which may be required based on increased demand resulting from new development, may include capacity expansion of utilities such as water, power, sewer, and storm drains.

Infrastructure Financing Capacity

Both the Plan Area and the City of Duarte present a number of strengths and weaknesses with respect to infrastructure financing capacity. A careful assessment of these characteristics is an important first step in the formulation of an effective infrastructure phasing and financing strategy. The EPS market study provides additional detail with regard to specific development feasibility consideration and value creation opportunities over time.

Critical strengths and weaknesses of the Project Area with respect to financing necessary infrastructure are further summarized below.

Strengths:

- **Long-Term Market:** Duarte's accessible location within the strong San Gabriel Valley economy and recent completion of the Gold Line extension to Azusa through Duarte are strong assets for promoting future development and revitalization, which should help the City overcome current near-term market softness.

- **Fiscal Benefits:** As noted in the fiscal impact analysis above, the Plan Area at full buildout would generate an annual fiscal surplus (in 2015 dollars) of \$1.3 million, which reflects a 9 percent increase in the General Fund budget that can be used to help pay for new infrastructure.
- **Entitlement:** The completion of the Town Center Specific Plan will provide supportive land use regulations for infill development and densification of the Plan Area.
- **Community Support:** The Duarte community is generally supportive of new infrastructure investment and development that would support a Town Center. The City has a business-friendly reputation.
- **Infrastructure Requirements:** As of this writing, the Plan Area does not feature any major infrastructural deficiencies or impediments that would require an extraordinary amount of infrastructure investment.

Weaknesses:

- **Short-Term Market:** As noted in the Market Assessment Study prepared by EPS in 2015, the Duarte real estate market for retail, residential, and office development is relatively soft compared with competing cities in the immediate vicinity. In the short-to-medium term, the City is most likely to attract development as a lower-cost alternative to these competing cities.
- **Size:** At approximately 55 total net acres (or 76 gross acres), the Plan Area is relatively small, which means value potential and relative creditworthiness of the area may not provide adequate or efficient scale for some public financing techniques.
- **Short-Term Fiscal Resources:** While build-out of the Town Center Specific Plan program is expected to generate substantial General Fund revenue, this resource will be realized on a gradual, incremental basis. Meanwhile, like many California cities, Duarte's current General Fund capacity is limited and focused on meeting basic City services. Moreover, as a small middle-income city with a low property tax apportionment factor of 10 percent, Duarte generates a relatively low amount of property tax with limited capacity for establishing a property-tax secured financing tool like an EIFD or CRIA.
- **Property Ownership Patterns:** The Specific Plan Area is characterized by multiple property owners with diverse objectives, time horizons, and financial circumstances. Under these circumstances, organizing and approving unified and strategic financing programs can be challenging.

Infrastructure Financing Options

There are a range of funding sources and financing options available for infrastructure development in California. While various innovative tools and techniques may be available, four primary sources will nearly always form the backbone of any financing program, as follows:

1. Development-Based Funding
2. Land-Secured Funding and Financing
3. City Funding and Financing
4. State and Federal Programs

The applicability of each of these financing categories to the Town Center Specific Plan area is further discussed below. **Exhibit 16** provides an overview of these funding categories, including a brief summary of the funding characteristics:

- **Cash or Debt:** Is the tool a new source of funding, a financing mechanism, or both?
- **Revenue Stream:** Where does the funding come from?
- **Required Approval:** Does the tool require voter approval, a new City ordinance, or other approach to implementation?
- **Role and Scale:** Is the tool the principal source of funding for an infrastructure program or one of many sources of funds required? Would the tool be appropriate for a citywide program, area program, or project-specific infrastructure?

Appendix A provides a fuller description of the funding sources and financing mechanisms that fall under these general categories.

Exhibit 16 Summary of Infrastructure Funding and Financing Tools

Funding / Financing Type	Cash / Debt	Revenue Stream	Required Approval	Infill Financing Role and Scale
<u>Development-Based Funding</u>				
Project Exactions	Cash	One-time investments by new development	Conditions of map approval; no voter approval	Primary Source; Project Scale
Area Development Impact Fees	Cash	Obligatory one-time fees on new development	Local ordinance; no voter approval	Primary Source; District Scale
City Development Impact Fees	Cash	Obligatory one-time fees on new development	Local ordinance; no voter approval	Supporting Source; City Scale
Private Financing, Development Agreements, and Partnerships	Cash and other contributions	Voluntary contributions by new development	No voter approval	Primary Source; Project Scale
<u>Land-Secured Funding and Financing</u>				
Community Facilities Districts	Cash or debt	Special taxes on real property	2/3 voter approval; Landowner vote if <12 voters	Primary or Supporting Source; District Scale
Special Benefit Assessment Districts	Cash or debt	Real property assessments	Majority landowner approval, protest proceeding	Supporting Source; District Scale
<u>City Funding and Financing</u>				
General Obligation Bonds	Debt	Ad valorem property tax	2/3 voter approval	Primary Source; City Scale
Revenue Bonds	Debt	Enterprise (utilities) revenue	No voter approval	Primary Source; City or District

Exhibit 16 Summary of Infrastructure Funding and Financing Tools (continued from previous page)

City Funding and Financing (Continued from previous page)

Parcel Taxes	Cash or debt	Flat rate property tax	Majority or 2/3 voter approval (general or special purpose)	Primary or Supporting Source; City or District Scale
Sales Tax and Other Local Taxes	Cash or debt	Local-option taxes	Majority or 2/3 voter approval (general or special purpose)	Primary Source; City Scale
Capitalizing Leases	Debt	General Fund obligation	2/3 voter approval	Primary Source; Project Scale
Infrastructure Financing Districts	Cash or debt	Property tax increment	2/3 voter approval	Supporting Source; City or District Scale
Enhanced Infrastructure Financing Districts	Cash or debt	Property tax increment	55% voter approval for debt	Supporting Source; City or District Scale
Community Revitalization and Investment Authority	Cash or debt	Property tax increment	No vote required; Subject to protest	Supporting Source; City or District Scale

State and Federal Programs

Grant Programs	Cash	State and federal government funds	No voter approval	Supporting Source; City or District Scale
State Infrastructure Bank	Debt	General Fund obligation	Depends on funding source	Supporting Source; District Scale
Statewide Community Infrastructure Program	Debt	Local assessment district or CFD special tax	No voter approval	Supporting Source; District or Project Scale

Development-Based Funding

California jurisdictions have relatively broad authority to impose obligations on new development to help cover the cost of infrastructure and related community benefits. California cities have a long history of obtaining community benefits from real estate development through a variety of mechanisms, including fees, conditions of approval, and development agreements. Development impact fees, usually imposed under the Mitigation Fee Act, are probably the most common form because they can be applied to “by-right” development projects, assuming appropriate “nexus” requirements are met.

However, when the public sector creates value through up-zoning and infrastructure development, landowners enjoy a financial gain in the form of higher land value, which is realized when they sell or develop their land. This increase in land value is an unearned financial benefit that accrues to the private sector, though it is generated (and commonly paid for) by tax-payer funded public entities. At the same time, this benefit may provide an economic incentive in a sluggish market to transition land to a higher use or a use more consistent with a city’s goals. Community Benefit Incentive Zoning is a particular variety of development-based funding with potential application to the Town Center Specific Plan, as described further below.

Community Benefit Incentive Zoning

Community Benefit Incentive Zoning (CBIZ) programs are structured around an exchange in which municipalities offer optional increases in development potential in return for public assets (or funds) desired by the community. The development incentive must be above what normally would be allowed and the public benefit must be beyond what otherwise would be required. Because these programs are optional, development outcomes vary based on the degree of participation in the plan. That is, some developments may not take advantage of the incentive while others will. The optional nature of the program creates increased uncertainty regarding the final urban form that ultimately will be achieved.

Additionally, the magnitude of the community benefit sought/expected must be equal to or less than the value of the incentive offered. In order to receive community benefits, the public sector creates value through the provision of an incentive (commonly increased development density). CBIZ programs are founded on the concept of “value capture.” CBIZ programs must be carefully tailored to be attractive to project proponents and simultaneously achieve quality of life goals of the community. Program design and development should evaluate the range of potential development outcomes, including the built form and magnitude of expected community benefits, to ensure that the exchange of development rights for community benefits is desirable.

The Concept of Value Capture

Cities and government agencies create real estate value with investments in public facilities and services (e.g., transit and utilities upgrades) as well as through changes to zoning code that increase the value of land. As noted above, this creates an unearned financial benefit that accrues to landowners. The term “value capture” reflects the situation in which the public sector reclaims some of this unearned value created for the private sector by public sector activities.

If the public sector seeks/expects to collect more value than is created, in the form of community benefits, it is unlikely that project proponents will use the program. Since the value of development incentives varies with market conditions, development incentives may be very valuable in a strong market but of lesser or no value in a weak market. Therefore, CBIZ

programs respond to market conditions or anticipate that the program will not be used during periods of market weakness.

CBIZ requires a healthy real estate market with sufficient market value to support the incentives. For example, in order for a CBIZ program that seeks to capture value from an incentive (such as increased density or greater development potential) to be successful, there must be market demand to support the higher-density, higher-cost real estate products that are made available through the zoning change.

CBIZ Program Basics

There are two primary types of CBIZ programs: “negotiation-based” and “plan-based” programs. Negotiated community benefits may occur in the context of a Development Agreement or other negotiation process. Plan-based programs are “formulaic” (the term used here) and typically are implemented in a “ministerial” fashion, without discretion.

- In a **Negotiation-Based CBIZ Program**, development incentive and associated community benefits package are jointly agreed upon between the municipality and the project proponent. That is, the CBIZ program does not define fixed relationships between incentives and required community benefits. Negotiated programs are relatively costly to administer, may be perceived by the community as opaque processes, and may be viewed as risky by the development community. However, these programs offer the flexibility to increase or reduce community benefit requirements to reflect changing market conditions. The primary advantage of negotiation-based programs is that the potential for the community benefits requirement may be crafted to reflect the economics of the proposed project and the current real estate market, while the disadvantage is that the negotiation process can be labor intensive and may not be practical (particularly for smaller projects).
- Under a **Formulaic (Plan-Based) CBIZ Program**, specific development incentives are made available in return for the provision of pre-defined community benefits. The principal advantage of a formulaic approach is reduction of project risk, for both the development community and the municipality and community, due to program certainty and lower program administration costs. The key disadvantage is that the program cannot respond to unique project challenges or fast-changing market conditions. The concept of a **Development Opportunity Reserve** is one potential variation of the formulaic CBIZ that might be well suited to the Town Center. A Development Opportunity Reserve establishes a particular level of additional density or additional land use entitlement that may be allowed in a plan area but isn’t assigned to particular parcels. Allocation of the “reserve account” may be done on a competitive basis, with petitioning development projects qualifying on the basis of compliance with pre-set “community objectives,” which could include parcel assembly, development of catalytic or preferred project types, and / or participation in infrastructure financing efforts.

Applicability to Town Center Specific Plan

CBIZ programs are successful when there is strong enough market demand for the higher-density products made available through the zoning change to pay for expected benefits. In addition, administration of CBIZ programs can be labor-intensive for City Staff, especially where competitive applications for a limited supply of reserve or benefit is entailed. Currently, because the Town Center sub-market real estate market remains relatively “soft” for many of the

development prototypes envisioned for the Plan, CBIZ may not be an effective short-term tool for the City. Nevertheless, the structure and elements of a CBIZ can be advanced as part of the planning process to set expectations and ground rules for when development becomes more viable. For example, the terms, conditions, and mechanisms for a CBIZ Program such as a Development Opportunity Reserve program could be developed and incorporated into the Specific Plan to support long-term implementation of desired public facilities and infrastructure.

Land-Secured Funding and Financing

There is a long history in California and elsewhere in the United States of using land-secured financing methods to fund local infrastructure or provide services that benefit a particular area (ranging from an entire jurisdiction to sub-areas of all sizes). While increased voting requirements from Proposition 218 have created limitations on these mechanisms, the Mello-Roos Community Facilities District (CFD) remains a relatively flexible and well-used infrastructure finance tool. In addition, the State has recently increased the ease in which jurisdictions can leverage property tax increment through the Enhanced Infrastructure Financing Districts. However, several issues may limit the application of these tools in within the Town Center:

- **Multiple property Owners:** In the case of a CFD, a two-thirds voter approval is needed in areas that have more than 12 residents (landowners can approve special taxes in areas with 12 or fewer residents). This can be a difficult threshold in areas with numerous property owners.
- **Low Property Tax Allocation Factor:** The City has a relatively low property tax apportionment factor of 10 percent. Consequently, Duarte generates a relatively low amount of property tax with limited capacity for establishing a property-tax secured financing tool like an EIFD or CRIA.

City Funding and Financing

Cities have a number of ways in which they can raise money for capital projects, including seeking voter approval of general obligation bonds or special tax bonds, use of enterprise revenues (i.e., revenue-generating services) for enterprise investments (e.g., water and sewer utilities), and through "capitalizing leases" funded with general fund revenue sources. (City use of various State and federal grant program funds that continue to be available, as discussed separately below).

The long-term General Fund surplus associated with build-out of the Town Center area may present some opportunities for infrastructure financing. In most cases, this can be accomplished through a vote by City Council to obligate General Fund revenue for a particular purpose or period of time. For example, the City can vote to obligate sales tax increment from the Project Area to certain types of infrastructure and related improvements.

Another opportunity is the use of revenue from City-owned property, either through long-term lease or sale. For example, should the City choose to sell existing vacant properties within the Plan Area, or redevelop any part of the Civic Center and re-allocate any portion of it for commercial uses, the disposition or ground rent proceeds could be re-directed to support infrastructure development.

State and Federal Programs

Local and regional government entities commonly participate in a range of State and federal grant programs, compete for special grants, and partner with other public agencies on strategic infrastructure improvements. These grant programs and cooperative efforts, while mainly focused on maintenance of existing infrastructure, can be managed in a way that supports revitalization and infill development efforts. While the availability and level of funding from these sources are generally difficult to predict a-priori, the City should continue explore and pursue these opportunities as they arise.

Recommended Next Steps

Given the opportunities and constraints of the Town Center plan area discussed above, the following approach to infrastructure development strategy is recommended:

1. Continued progress towards improving the project area's development readiness by finalizing the Specific Plan, pursuing individual project opportunities, and supporting on-going re-tenanting and property re-investment activity. Indeed, approval of the Specific Plan itself represents one of the most important steps to improving the feasibility of infrastructure financing because doing so provides the guidance, certainty, and authority needed to induce further private sector investment.
2. Consider expanding Plan Area geography and/or coordination with related planning efforts. The City may consider pooling the Town Center Specific Plan with Duarte Station and City of Hope Master Plan (under development) areas for the purpose of infrastructure financing, as the relatively small size of the Town Center Area alone may constrain the range of financing options. Together, the City of Hope Master Plan and Duarte Station plans anticipate a substantial growth in the employment and residential bases of the City, which will increase demand for commercial and residential uses in the Town Center area and lead to greater area-wide motorized and non-motorized circulation. Coordinated development and financing of supportive infrastructure improvements could allow for cost sharing, implementation scale economies, access to TOD-oriented financing resources, and possibly also the establishment of a tax-increment-secured tool such as an EIFD or a CRIA.
3. Develop a detailed infrastructure financing plan. The City should initiate further analysis related to the scope, feasibility and capacity of the specific financing mechanisms identified in **Exhibit 16** and described further in **Appendix A**. The optimal financing plan will likely include a number of complementary tools reflecting the following interrelated analyses:
 - a. **Estimate market value, timing, and feasibility for proposed Plan Area uses.** Strong market support is a precondition for generating financing capacity for a wide range of developer-sourced forms of financing, including developer impact fees, Community Benefit Incentive Zoning programs, and developer exactions. Such financing tools capture residual surplus value that remains after the developer's expected return, so without sufficient market support, these resources may not materialize.
 - b. **Determine city willingness and ability to fund catalytic new infrastructure up-front.** Infrastructure development can create conditions that help stimulate new development, but many financing mechanisms capture value after the fact, which presents timing and phasing challenges as well as repayment risks. The City's willingness

and ability to fund infrastructure bonds up front, based on General Fund capacity (including expected fiscal benefits discussed above in Chapter 2) and other potential sources, is a key component in providing this catalytic infrastructure.

- c. **Consider increasing the size of the plan area and the scope of proposed infrastructure improvements.** As noted above, an infrastructure strategy that combines the Town Center, Duarte Station, and City of Hope plan areas will increase potential for implementing land-secured tools, such as an EIFD or CRIA, or obtaining certain transit- or complete streets-oriented grants. As noted above, scale and scope economies are an important pre-condition for use of many of these tools.
- d. **Assess potential public and stakeholder support for voter- or property-owner-approved sources of financing.** Tools such as special assessment and community facilities districts, ad valorem tax-funded GO bonds, and development-supporting sales and property tax increases, require voter approval. Considerations such as the location of district boundaries, size of expected voter contributions, and general political sentiment can determine the efficacy of these tools and whether they are even worth pursuing.

APPENDIX A

Infrastructure Funding Tools



APPENDIX A: INFRASTRUCTURE FUNDING TOOLS

The infrastructure and development funding and financing options currently available to California cities fall into four general categories:

- 1. Development-Based Funding**
- 2. Land-Secured Funding and Financing**
- 3. City Funding and Financing**
- 4. State and Federal Programs**

The following section describes each of the funding sources and financing mechanisms that fall under these general categories. Without Redevelopment, development-based funding, including citywide and area development impact fees, project-specific exactions, private financing, and land-secured taxes and debt, are the primary tools for funding new development-required infrastructure. These sources in some cases may be layered or augmented with local sources that offer “bridge” financing and/or provide funding for specific infrastructure projects.

1. Development-Based Funding

Development Impact Fees

A development impact fee is an ordinance-based, one-time charge on new development designed to cover a “proportional-share” of the total capital cost of necessary public infrastructure and facilities. The creation and collection of impact fees are allowed under AB-1600 as codified in California Government Code Section 66000, known as the Mitigation Fee Act. This law allows a levy of one-time fees to be charged on new development to cover the cost of constructing the infrastructure needed to serve the demands created by the new development. To the extent that required improvements are needed to address both “existing deficiencies” as well as the projected impacts from growth, only the portion of costs attributable to new development can be included in the fee. Consequently, impact fees commonly are only one of many sources used to finance a city’s needed infrastructure improvements. Fees can be charged on a jurisdiction-wide basis or for a particular sub-area of the jurisdiction (such as a specific plan area).

Establishment

Development impact fees can be imposed through adoption of a local enabling ordinance supported by a technical analysis showing the “nexus” between the fee and the infrastructure demands generated by new development. Fees may be charged for a particular improvement (e.g., transportation improvement) or include multiple infrastructure improvement categories in a comprehensive program. Impact fee programs must be reviewed annually and updated periodically to assure adequate funding and proper allocation of fee revenues to the infrastructure for which the fees are collected.

Cost Burden

The burden incidence of development impact fees is upon the project developers and builders who pay the fees. Fees are a cost of development and are “internalized” into project costs in the same manner as all other development- and construction-related costs. There is no direct effect

of fees on development pricing, because the markets set pricing independent of costs. However, when costs are too high for the market to bear, development may be deterred until such time as prices justify costs. All costs will influence land value, so it is often the case that landowners bear a portion of the cost of fees through lower land values (prices paid by developers or builders). So long as total development costs fall within a reasonable level, potential negative effects on development feasibility effects are manageable.

Economic Considerations

There are a number of specific economic considerations of development impact fees including:

- The effects of fees on the financial feasibility of new development and potential to deter otherwise desirable development (due to excessive costs); and
- The competitiveness effects of higher development costs (compared to neighboring jurisdictions) leading to dislocation of desired development.

A benefit of impact fees is that they provide a comprehensive and programmatic framework for identifying and allocating infrastructure costs to new development based on a demonstrated nexus between the new development and infrastructure need. In addition, there is no discretion on the part of developers subject to the fees nor is voter approval required.

The key limitation of development impact fees (in addition to the nexus requirement) is the timing of funding. Infrastructure often is needed "up-front" while fees are paid over time as development occurs. This means that other funding or financing methods are needed to close the timing gap. Fees also are irregular, as they depend on development activity that varies with economic conditions. During the 2008-09 recession, when development around the State and in the Bay Area slowed dramatically and prices fell precipitously in many locations, fee program revenues fell proportionately. Fees also require ongoing management including annual review, fund accounting, and updating to assure the efficacy and transparency of the fee program.

Related to the economic concerns discussed above, it is important to recognize that there are methods for moderating or deferring fees. Though individual development impact fee ordinances must be consistently applied and coordinated, they may contain features that can reduce potential negative economic effects and to avoid unnecessarily inhibiting otherwise desirable development. Also, there can be features of development impact fees that address economic concerns generally or on a case-by-case basis.

- **Fee Deferrals:** While the statute allows a levy of fees at issuance of building permit, many development impact fee ordinances allow a deferral until the "certificate of occupancy" is issued.
- **Fee Waivers:** Fee waivers provide the local government the ability to waive the fee for a particular project when it is determined that without such reduced costs a project that has substantial public benefit may otherwise not occur. Lacking such community benefits, waivers may be regarded as a "gift of public funds." Examples of such partial or total waivers include projects with the potential to generate substantial municipal revenue or community amenities, affordable housing projects, and employment-generating uses. Fee waivers reduce funding in a fee program proportional to the aggregate amount of waivers or exemptions

granted. Such revenue reductions must be “made up” by the city from other funding sources, or risk falling short on funding for infrastructure in the fee program.

- **Credits and Reimbursements:** Credits and reimbursements are mechanisms that allow developers subject to an impact fee to build infrastructure in-lieu of paying the fee. Credits provide proportional fee forgiveness for the value of that construction against the fee obligation. Reimbursements occur in the case where construction value exceeds the particular developer’s fee obligation.
- **Short-Term Fee Financing (interest bearing installment payments):** Ordinances can provide for a developer to pay fee obligations over a period of time subject to an interest bearing and secured note.

Private Financing, Agreements, and Partnerships

Developers commonly fund infrastructure requirements privately, for example virtually all “in-tract” improvements (infrastructure improvements within a subdivision) are privately financed. In some cases area-serving infrastructure (not fully the responsibility of a particular developer) can be privately financed. These cooperative arrangements are typically structured in development agreements or reimbursement agreements. This upfront infrastructure development may be fully or partially refunded, using subsequently collected development impact fees, special tax bond proceeds, or other city funding sources. These arrangements tend to be available during times of strong market performance. In weaker markets or locales it may be difficult to obtain such private financing.

Project-Specific Conditions and Exactions

Before the advent of ordinance-based development impact fees, it was common for infrastructure to be funded by the developer through project-specific exactions imposed by the local jurisdiction, including direct payments for or construction of infrastructure required as a condition of subdivision or project approval. While development impact fees have reduced the use of exactions, exactions remain an important part of development-based infrastructure financing as there are often infrastructure requirements of a new project that are not included in the applicable fee programs. Determination of the need for such additional infrastructure is based on “rough proportionality” (i.e., nexus) with the development itself and is often derived from CEQA-based mitigation measures.

Development Agreements

A development agreement (DA) is a legally binding agreement between a local government and developer authorized by State statute (Government Code Section 65864 et seq.). A DA is a means for a developer to secure a development entitlement for a particular development project for an agreed upon period (often long-term approvals) in exchange for special considerations by the city (or county), generally including infrastructure improvements, amenities, or other community benefits that cannot be obtained through the normal conditions applicable to the project. DAs are entirely discretionary on the part of local government (there is no nexus requirement) and must be individually adopted by local ordinance. Development agreements vary widely and cities often establish their own policies and procedures for considering development agreements.

Incentive Zoning

Land use regulations can be configured in a manner that can provide incentives for additional private investments in local infrastructure and community benefits beyond that obtainable through the normal regulatory procedures. Community Benefit Incentive Zoning (CBIZ) programs are founded on the concept of "value capture." Public entities commonly create value with investments in public facilities and services (e.g., transit and utilities upgrades) as well as through changes to zoning code that increase the value of land. Typically, when the public sector creates value in these ways, landowners enjoy a financial gain. Value capture occurs when the public sector reclaims some of the value created by its activities. The State of California's Affordable Housing Density Bonus Law is an example of a CBIZ value capture program. Under this law, developers are granted additional density (i.e., the right to build additional market rate units) in return for their development of affordable housing units. A key limitation of CBIZ is the requirement for a strong real estate market in which developers are seeking to take advantage and pay for the incentives offered.

2. Land-Secured Funding and Financing

Special Benefit Assessment Districts and Community Facilities Districts

There is a long history in California and elsewhere in the United States of using land-secured financing methods to fund local infrastructure or provide services that benefit a particular area (ranging from an entire jurisdiction to sub-areas of all sizes). Traditionally, special assessment bonds as authorized by the Improvement Bond Act of 1915 and other related legislation were issued and funded by annual property tax assessments from benefitting properties. Increased voting requirements created by Proposition 218 largely eliminated the use of Special Benefit Districts in the mid-1990s. However, since the mid-1980s the Mello-Roos Community Facilities District (CFD) has been a well-used infrastructure finance tool, though it is not well suited for most infill applications due to voting requirements.

Establishment

California's land-secured funding districts can fund a wide range of infrastructure improvements that generate direct and measurable benefits to specific properties. The districts require (resident) voter or landowner approval. In the case of assessment districts, majority landowner approval is typically required. In the case of a CFD, a two-thirds voter approval is needed in areas that have more than 12 residents (landowners can approve special taxes in areas with 12 or fewer residents).

Cost Burden

The owners or users of real estate pay assessments or special taxes. By adding to the cost of ownership, the assessment or tax may affect the price a buyer is willing to pay for a home or commercial property, in which case the cost incidence is shared with the builder, land developer, or landowner. Experience suggests that less than 100 percent of the financing burden is recognized by buyers.

Economic Considerations

Land-secured financing provides a well-established method of securing relatively low-cost tax exempt, long-term, fixed rate, fully-assumable debt financing. However, there can be challenges associated with establishing measurable and specific benefits to particular properties. In addition, land-secured financing adds financing costs (e.g., cost of issuance and program administration).

Further, the financing capacity of a district may be limited in early phases of development and it may be necessary to rely on other sources of infrastructure funding during initial years. Finally, while land-secured financing has been widely used in greenfield development where landowner approval is the norm, achieving a two-thirds voter approval in infill areas typically is a barrier to use of the tool.

Special Benefit Assessment Districts

Special benefit assessment districts are a way of creating a property-based assessment upon properties that benefit from a specific public improvement. The formation of assessment districts requires majority approval of the affected property owners. Benefit assessments can fund a wide range of infrastructure improvements so long as a direct and measurable benefit can be identified for the benefitting properties. There are numerous forms of special benefit assessments in the California statutes, including the Municipal Improvement Act of 1913, Lighting and Landscape Maintenance Districts, and others. However, in 1996, Proposition 218 effectively curtailed the use of Assessment Districts in California by limiting the methods by which local governments may exact revenue from taxpayers without their consent. In addition, recent court rulings (*Silicon Valley Taxpayers' Assn., Inc. v. Santa Clara County Open Space Authority*, 44 Cal. 4th 431 (Cal. 2008)) have further tightened the requirements for demonstration of "special benefit" thus further reducing the flexibility and utility of assessment districts.

Community Facilities District Act

The Mello-Roos Community Facilities Act of 1982 (*authorized by Section 53311 et. seq. of the Government Code*) enables the formation of a CFD by local agencies, with two-thirds voter approval (or landowner approval when there are fewer than 12 registered voters in the proposed district), for the purpose of imposing special taxes on property owners. The resulting special tax revenue can be used to fund capital costs or operations and maintenance expenses directly, or they may be used to secure a bond issuance, the proceeds of which are used to fund capital costs. Because the levy is a tax rather than an assessment, the standard for demonstrating the benefit received is lower, thus creating more flexibility. Despite limited use in populated infill areas, CFDs have become the most common form of land-secured financing in California.

3. City Funding and Financing

Cities have a number of ways in which they can raise money for capital projects, including seeking voter approval of general obligation bonds or special tax bonds, use of enterprise revenues (i.e., revenue-generating services) for enterprise investments (e.g., water and sewer utilities), and through "capitalizing leases" funded with general fund revenue sources. Cities also have discretion over the use of various State and federal grant program funds that continue to be available.

General Obligation Bonds

A general obligation bond is a type of municipal bond that is secured by a state or local government's pledge to use legally available resources, most typically including property tax revenues, to repay bond holders. General obligation bonds are restricted to defined capital improvements. Credit rating agencies often consider a general obligation pledge to have very strong credit quality and frequently assign them investment grade ratings. In California, cities must secure a two-thirds voter approval to issue general obligation bonds.

Establishment

Creation of general obligation bonds requires two-thirds voter approval if the issuance is for non-educational purposes.

Cost Burden

The incidence of burden of general obligation bonds is upon all property owners in the issuing jurisdiction proportional to the value of their property. It is this very broad base of funding that provides excellent security for general obligation bonds, thus typically garnering the lowest interest rate of any municipal debt instrument.

Economic Considerations

General obligation bonds allow public entities to finance at a low fixed rate over the useful life of the asset. However, general obligation bonds are limited to capital improvement expenditures and also are limited in their use to the precise purposes outlined in the authorizing ballot measure. General obligation bonds are commonly restricted to particular capital uses (e.g., street improvements, drainage improvements, parks and recreation).

Revenue Bonds

Cities and other local governments typically issue revenue bonds when they have access to a stable source of revenue such as municipal utility rates. Commonly, revenue bonds fund improvements to water and sewer facilities. Utility rates that fund revenue bonds can vary within a given jurisdiction if there are substantial differences in the costs of providing services. There also can be rate surcharges if unique improvements are needed to serve the area.

Establishment

Revenue bonds are issued by the municipal enterprise and require no voter approval. Revenue bonds may provide improvements for an entire jurisdiction or a sub-area.

Cost Burden

The incidence of burden of revenue bonds is upon rate payers.

Economic Considerations

Revenue bonds typically have a good risk profile and therefore garner comparatively low interest rates. Because they are secured exclusively by enterprise revenue, they are not general obligations of the city and do not require ballot approval. The ability to adjust rates to cover debt service costs and the ability to charge such rates differentially (given differing costs and benefits in service sub-areas) creates flexibility and appropriate cost allocation.

Revenue bonds are limited to enterprise-related expenditures and to the precise purposes outlined in the authorizing bond instrument. Revenue bonds also are limited by the rate base, which is a constraint when rates must conform to Constitutional and statutory requirements (e.g., Proposition 218).

Parcel Taxes

Citywide parcel taxes can be imposed with voter approval to fund municipal services and infrastructure. In practice, they typically are used to provide a broad-based source of funding for citywide-serving services. Due to the voter approval requirements and similar to general obligation bonds, jurisdiction-wide parcel taxes or special taxes typically are only successful if

they fund highly-desirable public services and improvements, such as improved public safety services. Parcel taxes differ from general obligation bonds in that they can be used for maintenance and operations and they are not levied "ad valorem" (i.e., they typically have a flat or escalating rate structure applied to particular classes of properties).

Establishment

Parcel taxes, if used for general purposes including infrastructure investments, can be imposed with majority voter approval. If used for special purposes, parcel taxes will require two-thirds voter approval. They may be used for funding ongoing services or pledged to debt service.

Cost Burden

The incidence of burden of parcel taxes (and special taxes) falls upon property owners. Typically such taxes are "flat rate" charged per parcel, sometimes with use-related variation and exemptions.

Economic Considerations

Parcel taxes (and special taxes) create an opportunity for voters to decide to pay for municipal services or facilities that they deem important. With a broad funding base and strict allocation rules, the taxpayers can assure that funding will be used as intended. However, parcel taxes (and special taxes) are limited to the purposes for which they were approved. They also are commonly subject to a "sunset" date, and must be re-authorized periodically to maintain funding.

Sales Tax and Other Local Taxes

Subject to a vote, cities and counties can use a variety existing or new funding sources to fund infrastructure directly or provide interim financing for development-based obligations. For example, local sales tax increases, transient occupancy taxes, utility user taxes, development taxes, and (local option) real estate transfer taxes (charter cities only) all can be created or increased for this purpose. By enhancing General Fund revenues, the City gains the ability to divert some funds to infrastructure projects. A commitment to fund specific types of projects can be made in the ordinances that create new taxes or can be made as a matter of city policy. City funding can be used to fund infrastructure using a "pay-as-you-go" approach, as a source of reimbursement, or to support a municipal bond issue (e.g., to fill an initial funding gap associated with development impact fee programs or land secured financing programs).

General Taxes versus Specific Taxes

General Tax

- Expended at the discretion of the local government's governing body on any programs or services
- *Simple majority (50% +1) approval is required for General Taxes*

Special Tax

- Tax levied by a city or county that is dedicated to a specific purpose
- Taxes (other than property taxes for infrastructure bonds) levied by special districts, school districts, and community college districts (i.e., Special-Purpose District Tax)
- All taxes levied on property other than the property tax
- *Two-thirds voter support is required to approve special taxes.*

Source: Legislative Analyst's Office

Establishment

Creation of new general or special revenues and any related issuance of bonds supported by such revenues are limited by State constitutional requirements and statutes that require voter approval of greater than 50 percent for general taxes and two-thirds approval for special taxes (i.e., those earmarked for particular uses).

Cost Burden

The incidence of burden falls to those paying the taxes or rates. For example, sales taxes are paid by residents, businesses, employees, and visitors, while transient occupancy taxes are paid by visitors. The rationale for this payer burden is that these residents, businesses, employees, and visitors will benefit from the investments made in infrastructure and development.

Economic Considerations

Use of various general fund sources to support infrastructure investments including repair and replacement of existing infrastructure, as well infrastructure that serves new development, requires little additional administrative effort and is typically secure given the broad range of revenue sources pledged to the financing. However, the use of existing General Fund revenue is limited by current demands to support municipal operations.

Capitalizing Leases

Capitalizing leases, most commonly Certificates of Participation (COPs), are typically used by government agencies for construction or improvement of public facilities. Through the use of a lease-type repayment structure, the monies needed to fund these building projects do not (by California State law) constitute public debt and do not require voter approval. Usually, a public entity enters into a tax-exempt lease-purchase with a lessor and the lessor provides the agreed-upon the public facility. In this way, government agencies may use their leasing powers to provide more expedient access to the capital markets than the more restricted powers to incur debt. Agencies typically use tax-exempt leases to finance non-enterprise projects, such as schools, courthouses, jails, and administration buildings.²

Infrastructure Financing Districts and Enhanced Infrastructure Financing Districts

Infrastructure Financing Districts (IFDs) and Enhanced Infrastructure Financing Districts (EIFDs) are forms of Tax Increment Financing (TIF) that currently are available to local public entities in California. Local agencies may establish an IFD or EIFD for a given project or geographic area in order to capture incremental increases in property tax revenue from future development. In the absence of the IFD or EIFD, this revenue would accrue to the city's General Fund (or other property-taxing entity revenue fund). EIFD funds can be used for project-related infrastructure, including roads and utilities, as well as parks and housing. Unlike prior TIF/Redevelopment law in California, IFDs and EIFDs do not provide access to property tax revenue beyond the local jurisdiction's share (AB-8 tax allocation, see "Local Property Tax" text box below).

Largely because IFDs can be difficult to enact, Senate Bill 628 created a similar but more flexible tool, the EIFD. The EIFD bill expands the scope of eligible projects considerably, and lowers the

² California Debt Advisory Commission 1993.

voter/landowner threshold to pass a bond from two-thirds to 55 percent. In addition, EIFDs can be formed and gain access to unlevered (debt free) revenue without a vote.

While any tax increment, no matter how small, could benefit a marginally financially feasible project, it is important that in most cases the local property tax available is very limited (California cities typically get between \$0.10 and \$0.20 of a property tax dollar). Moreover, the use of local property tax to support infrastructure financing has fiscal implications for California cities. Dededicating tax revenue to infrastructure limits funding for new public services costs associated with development.

Establishment

The establishment of an IFD or EIFD requires approval by every local taxing entity that will contribute its property tax increment. The IFD also requires two-thirds voter approval (within the specific geographic area) to form the IFD. EIFDs only require a vote when debt issuance is sought.

Cost Burden

The incidence of burden of an infrastructure financing district is local taxing jurisdiction that foregoes property tax revenue for services and dedicates these funds to infrastructure or other eligible investments.

Economic Considerations

IFDs and EIFDs, a form of TIF, redirect property taxes otherwise accruing to the city General Fund. The value created by the project is captured and invested in a manner that helps realize the project. However, only specific types of public investments of community-wide significance may be financed through an IFDs and EIFDs. IFDs and EIFDs cannot be used to finance operations and maintenance expenses. Unlike former Redevelopment TIF, IFDs only can utilize local government's share of property tax (along with other agencies who agree to forego their share of tax increment).

Local Property Tax

The county auditor is responsible for allocating property tax revenue to local governments pursuant to state law. The allocation system (referred to as AB 8) defines the share of property tax that accrues to local government and services districts.

The county auditor allocates the revenue to local governments by Tax Rate Area (a single county may have thousands). Each local government's share is based on its share of countywide property taxes during the mid-1970s.

The most significant factor in explaining the differences among local governments' shares of property tax is the difference in service responsibility. Local governments that provide a full range of governmental services typically receive a greater share of property tax.

Source: Legislative Analyst's Office; Elledge 2006

Community Revitalization and Investment Authority

The Community Revitalization and Investment Authority Law (AB 2) allows cities (and other property-taxing entities, except school districts) to establish a Community Revitalization and Investment Authority (CRIA) in disadvantaged communities (defined by the legislation). The CRIA area may adopt a resolution to allocate its share of property tax increment to the CRIA for funding of affordable housing and other redevelopment-related costs (e.g., infrastructure, environmental remediation, property). CRIA powers are similar to the authority of former Redevelopment agencies, including eminent domain.

Establishment

A CRIA is formed by City resolution or through entering into a joint powers agreement. The actions of the CRIA are governed by a community revitalization plan. To adopt an AB2 community revitalization plan, the CRIA must hold hearings. If there is a majority protest, the CRIA must terminate proceedings. A majority protest exists if protests have been filed representing over 50 percent of the combined number of property owners and residents in the area (who are at least 18 years of age). If between 25 percent and 50 percent of the combined number of property owners and residents in the area who are at least 18 years of age file a protest, then an election must be held. If an election is required, a majority vote is required to adopt the revitalization plan.

Cost Burden

The incidence of burden of CRIA tax increment funds falls to the local taxing jurisdiction that foregoes property tax revenue for services and dedicates these funds to the CRIA.

Economic Considerations

CRIAs create a new opportunity to redirect property taxes otherwise accruing to the city General Fund to infrastructure. However, similar to IFDs and EIFDs, the CRIA only may utilize local government's share of property tax (along with other agencies who agree to forego their share of tax increment). Furthermore, the CRIA area must include at least 80 percent of land that has an annual household income that is less than 80 percent of the statewide annual median income, as well as three out of the four additional criteria defined in the statute (high unemployment, high crime rates, deteriorated or inadequate infrastructure, deteriorated commercial or residential structures, including a former military base).³ A key concern related to the potential for CRIAs is that they are targeted for use in areas that likely, given these eligibility requirements, typically will have weak market conditions and local jurisdictions with minimal flexibility to give up property tax revenue that is otherwise needed to support municipal service costs.

4. State and Federal Programs

Grant Programs

Local and regional government entities commonly participate in a range of State and federal grant programs, compete for special grants, and partner with other public agencies on strategic infrastructure improvements. These grant programs and cooperative efforts, while mainly focused on maintenance of existing infrastructure, can be managed in a way that supports revitalization and infill development efforts.

State Infrastructure Bank (IBank)

The IBank was created in 1994 to finance public infrastructure and private development that promote a healthy climate for jobs, contribute to a strong economy and improve the quality of life in California communities. The IBank operates pursuant to the Bergeson-Peace Infrastructure and Economic Development Bank Act (Government Code Sections 63000 et seq.). The IBank is administered by the Governor's Office of Business and Economic Development and is governed

³ See AB-2 Community revitalization authority full text here:
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2.

by a five-member Board of Directors. Since its inception, the IBank has financed more than \$32 billion in infrastructure and economic development projects around the State.

The IBank has broad authority to issue tax-exempt and taxable revenue bonds, provide financing to public agencies, provide credit enhancements, acquire or lease facilities, and leverage state and federal funds. The IBank's current programs include the Infrastructure State Revolving Fund (ISRF) Program, 501(c)(3) Revenue Bond Program, Industrial Development Revenue Bond Program, Exempt Facility Revenue Bond Program and Governmental Bond Program.

The ISRF Program provides very low-interest rate loans up to \$25 million (per applicant) to municipal governments for a wide variety of municipal infrastructure, including infrastructure needed to serve new development. An application is required for these loans, and loans require a stable and reliable source of repayment. If approved, loan repayment can be funded through a commitment of city general fund revenues or a pledge of a particular revenue source, including a citywide tax, land secured assessment, or special tax levied on a particular area.

Common criticisms of the IBank ISRF Program have included its cumbersome program application process, its strict credit standards and related risk aversion, and limited financial incentive to participate. However, recent changes to the program may increase IBank lending to cities without other credit options. Pursuing further opportunities to modify or expand the Program, or to create an entirely new program, could make State-sponsored lending a useful tool for assisting and incentivizing infill development.⁴

Statewide Community Infrastructure Program

The Statewide Community Infrastructure Program (SCIP) is a program of the California Statewide Communities Development Authority (CSCDA) that makes use of a local government's ability to create land-secured financing districts. The Program "pools" debt obligations to gain a comparatively lower interest rate and issuance costs (particularly if the issue is less than \$5 million). SCIP can benefit developers because it provides low-cost, long-term financing of fees and improvements, which can otherwise entail substantial upfront cash outlays. Local agencies benefit from SCIP when fee funds are made available upfront or infrastructure is financed with attractive terms. Typically, most public improvements required as conditions of project approval are eligible, including roads, street lights, landscaping, storm drains, water and sewer facilities, and parks. Further, the availability of low-cost, long-term financing also can soften the burden of rising fees and improvement costs, which benefits developers and local agencies. According to CSCDA, the SCIP program has assisted communities and developers throughout California to finance over \$150.2 million in impact fees since 2003.

CSCDA is a Joint Powers Authority sponsored by the League of California Cities and the California State Association of Counties. Membership in the Authority is open to every California city and county, and most are members. SCIP financing is available for development projects situated within cities or counties (local agencies) which have elected to become SCIP participants. Eligibility to become a local agency requires only (a) membership in the League of Cities or

⁴ Find more information concerning California Infrastructure and Economic Development Bank programs available here: http://www.ibank.ca.gov/programs_overview.htm.

California State Association of Counties, (b) membership in the Authority, and (c) adoption of a resolution making the election (the "SCIP Resolution").

Participation in SCIP entails the submission of an application by the property owner of the project for which development entitlements either have been obtained or are being obtained from a local agency. For projects determined to be qualified, SCIP provides non-recourse⁵ financing of either (a) eligible development impact fees payable to the local agency or (b) eligible public capital improvements (or both). Under certain circumstances, determined on a case-by-case basis, development impact fees payable to local agencies also may be used as repayment for upfront SCIP funding.

SCIP funding awards are aggregated for inclusion in a round of financing authorization. Periodically, as warranted by the accumulation of approved funding applications, the California Statewide Communities Development Authority issues tax-exempt revenue bonds. For projects involving a sufficient amount of financing (generally \$5 million or more), a special series of bonds may be issued to fund the project separately if the timing of issuance of a pooled financing does not suit the project. Revenues to pay debt service on the SCIP bonds are derived from special assessments pursuant to the Municipal Improvement Act or through the levy of special taxes by establishing a CFD pursuant to the Mello-Roos Community Facilities Act.

⁵ Non-recourse financing is a loan structure in which the lending bank is only entitled to repayment from the proceeds of the project, not from other assets of the borrower.

MEMORANDUM

TO: Darrell J. George, City Manager

FROM: Kristen Petersen, Assistant City Manager and Rafael Casillas, Public Works Manager

DATE: September 7, 2016

SUBJECT: **AUTHORIZATION OF EMERGENCY PURCHASES PURSUANT TO DMC SECTION 2.36.050 AND AUTHORIZATION FOR CITY MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH U.S. DEPARTMENT OF AGRICULTURE - NATURAL RESOURCES CONSERVATION SERVICE (NRCS) AND A TEMPORARY RIGHT OF ENTRY AGREEMENT WITH DUARTE UNIFIED SCHOOL DISTRICT AND AUTHORIZATION FOR THE PURCHASING OFFICER TO EXECUTE ALL CONTRACTS AND PURCHASE ORDERS RELATED TO THE IMPLEMENTATION OF THE NRCS AGREEMENT AND A BUDGET AMENDMENT IN THE AMOUNT OF \$400,000**

Background

The Fish Fire began on June 20, 2016. It burned over 5,000 acres directly above the City of Duarte. Following the end of the fire, Los Angeles County Flood Control, the United States Department of Agriculture - National Resources Conservation Service (NRCS) and the Duarte Public Works Division conducted assessments of the burn area in order to develop an Emergency Watershed Protection Program. Based on this assessment, a Damage Survey Report (DSR) has been prepared by NRCS, which recognizes that there is a substantial risk to life and property as a result of the potential for flooding from the burned area into the residential neighborhoods below. In order to address this, the DSR makes the recommendation that approximately 4,000 LF of K-rail, a deflector wall, traffic control barriers/reflectors, and sand bags be installed for the protection of private homes, Valley View Elementary School and other public utility facilities within the City of Duarte.

The importance of having NRCS involved in the assessment of our burn area is that NRCS provides Federal technical and financial assistance to communities such as Duarte for restoring watersheds ravaged by natural disasters. Through the Federal Emergency Watershed Protection (EWP) program, NRCS helps safeguard people and property following natural disasters such as floods, fires, windstorms, earthquakes, and drought from further damage of subsequent storms. NRCS provides financial assistance for up to 75 percent of the construction costs for installing eligible emergency treatments in Cities such as Duarte. Cities with EWP projects are responsible for providing 25 percent cost-share, and providing for the operation and maintenance of completed emergency measures.

Discussion

As mentioned above, the DSR prepared for the City of Duarte recommends the installation of K-rail, barriers, reflectors, sand bags and a deflector wall in the identified impact area. NRCS estimates that

DSR Concurrence and Budget Amendment
September 7, 2016
Page 2

the cost of this project will be approximately \$350,000. Upon a review of the DSR by the Community Development Department, including the City Engineer and the Public Works Manager, staff agrees with the recommendations of the DSR. A full presentation on the Fish Fire recovery plan and the placement of K-rails was presented at the September 6th Community Meeting.

City staff signed and submitted the DSR to the NRCS State office and is awaiting final approval and funding. A copy of the DSR is attached. If awarded, the City will enter into a formal cooperative agreement with NRCS and must complete the project within 10 days of the effective date of the agreement. The City will directly purchase all necessary equipment and hire outside contractors to install and construct the project. Please note that the City is still under a declaration of local emergency and Section 2.36.050 of the Duarte Municipal Code specifies that the City Council may authorize emergency purchases over twenty five thousand dollars exempt from the formal bidding procedures when an emergency exists. The City has already sent out bid requests and should have vendors and contractors identified well before the agreement is effective. It will become very important that contracts be ready for execution immediately after the NRCS agreement becomes effective so as to meet the 10 day completion schedule.

The City and Duarte Unified School District (DUSD) must enter into a Temporary Right of Entry agreement so that the City's contractors can install the K-rail on the campus of Valley View Elementary School. A draft of the agreement is attached. The City will pay for all expenses up front and then request a reimbursement from NRCS. DUSD will be responsible for reimbursing the City for their 25% match of the portion of K-rail installation on their property. Per the DSR the estimated quantity and cost for the k-rail placement at Valley View Elementary is 420 lineal feet at \$55-per lineal foot for a total of approximately \$23,000. As a result, the estimated amount that DUSD will be reimbursing the City is \$5,800.

Please note that the City will need to pay for all expenses up front and then request a reimbursement of 75% of all costs upon completion and inspection by NRCS of the project. The total cost of the project is estimated at \$350,000. \$263,000 of that amount should be reimbursed by NRCS. \$5,800 will be reimbursed by DUSD and the remaining \$81,200 will be the responsibility of the City.

Recommendation

Staff recommends that the City Council authorize emergency purchases pursuant to Section 2.36.050 of the Duarte Municipal Code, and authorize the City Manager to sign the NRCS cooperative agreement, and authorize the City Manager to sign the Temporary Right of Entry agreement with Duarte Unified School District, and authorize the Purchasing Officer to sign all contracts and purchase orders related to the purchase and installation of improvements included in the NRCS agreement, and approve a \$400,000 budget amendment to account number 1405-8100 for the payment of expenses related to this project.

DAMAGE SURVEY REPORT (DSR)
Emergency Watershed Protection Program - Recovery

NRCS Entry Only

Eligible: YES ☐ NO ☐

Approved: YES ☐ NO ☐

Funding Priority Number (from Section 4) 1

Section 1A

Date of Report: July 19, 2016

Limited Resource Area: YES ☐ NO ☐

DSR Number: 01-16-1840

Project Number: _____

Section 1B Sponsor Information

Sponsor Name: City of Duarte

Contact Person: Darrell George, City Manager

Address: 1600 Huntington Drive

City/State/Zip: Duarte, CA 91010

Telephone Number: (626) 357-7931

Fax: (626) 358-0018

Section 1C Site Location Information

County: Los Angeles County

State: California

Congressional District: 32

Latitude: 34.1394513

Longitude: -117.9772873

Section: _____

Township: _____

Range: _____

UTM Coordinates: _____

Drainage Name: San Gabriel River

Reach: Multiple

Damage Description: The San Gabriel Complex Fire (consisting of two fires, Fish & Reservoir) began June 20, 2016 and burned 5,399 acres of Chaparral above the City of Duarte, Los Angeles County. These steep sub-watersheds within the fire are 100 burned and drain directly into homes. Burn severity class is predominately medium to high. A significant amount of floating woody debris and

Section 1D Site Evaluation

All answers in this Section must be YES in order to be eligible for EWP assistance.

Site Eligibility	YES	NO	Remarks
Damage was a result of a natural disaster?*	☒	☐	
Recovery measures would be for runoff retardation or soil erosion prevention?*	☒	☐	
Threat to life and/or property?*	☒	☐	42 Private Homes & 1 Elementary School Threatened
Event caused a sudden impairment in the watershed?*	☒	☐	
Imminent threat was created by this event?**	☒	☐	
For structural repairs, not repaired twice within ten years?**	☒	☐	
Site Defensibility			
Economic, environmental, and social documentation adequate to warrant action (Go to pages 3, 4, 5 and 6***)	☒	☐	B/C Ratio is 7.6
Proposed action technically viable? (Go to Page 9 ***)	☒	☐	

Have all the appropriate steps been taken to ensure that all segments of the affected population have been informed of the EWP program and its possible effects? YES ☒ NO ☐

Comments: Met with potential sponsors (City of Duarte & Los Angeles County Public Works) and discussed EWP program.

* Statutory

** Regulation

*** DSR Pages 3 through 6 and 9 are required to support the decisions recorded on this summary page. If additional space is needed on this or any other page in this form, add appropriate pages.

DSR NO: 01-16-1840

Section 1E Proposed Action

Describe the preferred alternative from Findings: Section 5A:

Project consists of the installation of approximately 120 LF of 5 Ft. High Post & Timber Deflector Wall, 3,930 LF of K-Rail, Traffic Control Barriers/Reflectors, and Sand Bags along multiple city streets for the protection of private homes, Valley View Elementary School, and other public utility facilities within the City of Duarte, Los Angeles County, California.

Total installation cost identified in this DSR: Section 3: \$338,415

Section 1F NRCS State Office Review and Approval

Reviewed By: _____ Date Reviewed: _____
State EWP Program Manager

Approved By: _____ Date Approved: _____
State Conservationist

PRIVACY ACT AND PUBLIC BURDEN STATEMENT

NOTE: The following statement is made in accordance with the Privacy Act of 1974, (5 U.S.C. 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is 7 CFR 624 (EWP) and Section 216 of the Flood Control Act of 1950, Public Law 81-516, 33 U.S.C. 701b-1; and Section 403 of the Agricultural Credit Act of 1978, Public Law 95334, as amended by Section 382, of the Federal Agriculture Improvement and Reform Act of 1996, Public Law 104-127, 16 U.S.C. 2203. EWP, through local sponsors, provides emergency measures for runoff retardation and erosion control to areas where a sudden impairment of a watershed threatens life or property. The Secretary of Agriculture has delegated the administration of EWP to the Chief or NRCS on state, tribal and private lands.

Signing this form indicates the sponsor concurs and agrees to provide the regional cost-share to implement the EWP recovery measure(s) determined eligible by NRCS under the terms and conditions of the program authority. Failure to provide a signature will result in the applicant being unable to apply for or receive a grant the applicable program authorities. Once signed by the sponsor, this information may not be provided to other agencies. IRS, Department of Justice, or other State or Federal Law Enforcement agencies, and in response to a court or administrative tribunal.

The provisions of criminal and civil fraud statutes, including 18 U.S.C. 286, 287, 371, 641, 651, 1001; 15 U.S.C. 714m; and 31 U.S.C. 3729 may also be applicable to the information provided. According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0578-0030. The time required to complete this information collection is estimated to average 117/1.96 minutes/hours per response, including the time for reviewing instructions, searching existing data sources, field reviews, gathering, designing, and maintaining the data needed, and completing and reviewing the collection information.

USDA NONDISCRIMINATION STATEMENT

"The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.)

Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination write USDA, Director of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.

Civil Rights Statement of Assurance

The program or activities conducted under this agreement will be in compliance with the nondiscrimination provisions contained in the Titles VI and VII of the Civil Rights Act of 1964, as amended; the Civil Rights Restoration Act of 1987 (Public Law 100-259); and other nondiscrimination statutes: namely, Section 504 of the Rehabilitation Act of 1973, Title IX of the Amendments of 1972, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990. They will also be in accordance with regulations of the Secretary of Agriculture (7 CFR 15, 15a, and 15b), which provide that no person in the United States shall on the grounds of race, color, national origin, gender, religion, age or disability, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the U.S. Department of Agriculture or any agency thereof.

Section 2 Environmental Evaluation

2A Resource Concerns	2B Existing Condition	2C Alternative Designation		
		Proposed Action	No Action	Alternative
		practice 362 (diversion) K-rail barriers and Post & Timber Diversion Structure.	homes and school will likely be impacted by flooding and debris flow from rain event	
2D Effects of Alternatives				
Soil				
Sheet, rill, or wind erosion	Burn area, 100% burned, resident and native vegetation significantly reduced leaving soils vulnerable to sheet and rill erosion	Rain event over burned area will result in sheet and rill erosion, Krail barriers and diversions will not improve this condition	Rain event over burned area will result in sheet and rill erosion,	
Concentrated flow erosion	Burn area, 100% burned, reduction in resident and native vegetation will likely result in concentrated forms of erosion	Rain event over burned area will result in concentrated erosion, Krail barriers and diversions will not improve this condition but will divert runoff away from homes and school	Rain event over burned area will result in concentrated forms of erosion,	
Water				
Ponding, flooding, seasonal high water table, & seeps	Steep sub-watersheds within the burn area are 100% burned and drain directly into homes and a school. Burn severity class is predominately medium. A significant amount of woody debris and sediment is expected to flow from these watersheds resulting in potential risk to life and property	Installation of practice 362, k-rail barriers and Post & Timber diversion, will deflect flood waters, sediment and debris away from homes and a school into existing drainages	left untreated, flooding, sediments and debris will likely impact homes and a school	
Excessive sediment in surface waters	Rain events will likely transport sediments from burn area to surface water and areas of deposition	Installation of practice 362, k-rail barriers and Post & Timber diversion, will not reduce sediment discharge from burn area, will deflect sediment and debris away from homes and a school into existing drainages	left untreated, flooding, sediments and debris will likely impact homes and a school	
Air				
Emissions of Particulate Matter (PM) and PM Precursors	Burn area, 100% burned, reduction in resident and native vegetation will likely PM-10 emissions during dry and windy conditions	K-rail treatments will have no effect on PM-10 emissions	PM-10 emissions likely to occur until vegetation is established back to pre-fire condition	
Plant				
Undesirable plant productivity and health	Burn area 100% burned. Resident and native vegetation impacted by fire.	K-rail treatments will have no effect on vegetative recovery in the watershed	Vegetative recovery in the burn area will occur with time	

Animal				
Inadequate Habitat for Fish & Wildlife – Habitat degradation	Burn area 100% burned. Wildlife habitat, resident and native vegetation impacted by fire.	K-rail treatments and Post & Timber diversion will have no effect on habitat recovery in the watershed	Habitat recovery in the burn area will likely occur with time	
Other				

Section 2E Special Environmental Concerns

Resource Consideration	Existing Condition	Alternative and Effects		
		Proposed Action	No Action	Alternative
Clean Water Act Waters of the U.S.	Precipitation over burn area will likely transport sediments and debris into surface waters	K-rail and Post & Timber Diversion deployment will deflect debris away from homes and school into existing drainages	Precipitation over burn area will likely impact homes and school and transport sediments and debris into surface waters	
Coastal Zone Management Areas	CZMA's not near project site	NA	NA	
Coral Reefs	Coral Reefs not near project site	NA	NA	
Cultural Resources	Pending Cultural Resource Specialist review	Pending Cultural Resource Specialist review	Pending Cultural Resource Specialist review	
Endangered and Threatened Species	Species within 1 mile buffer of project site	Species within 1 mile buffer of project site but not impacted by project implementation		
Environmental Justice	Homes and public school adjacent to burn area could be impacted from burn area runoff	Homes and school in areas that will likely be impacted by burn area runoff will be protected by K-rail deployment	Homes and public school adjacent to burn area will likely be impacted from burn area runoff without K-rail deployment	
Essential Fish Habitat	Essential fish habitat not in project area	NA	NA	
Fish and Wildlife Coordination				
Floodplain Management	no floodplains in project area	no effect	no effect	
Invasive Species	Invasive species potentially in the area	no effect from K-rail treatments and Post & Timber Diversion.		
Migratory Birds	nesting vegetation potentially in project area	K-rail and Post & Timber installation will not have effect on nesting veg.		
Natural Areas	project is within a residential area	K-rail and Post & Timber diversion to be installed in residential area	no effect	
Prime and Unique Farmlands	USDA soil data not available for project site	no effect		
Riparian Areas	Riparian area downhill from project site	no effect, K-rail and Post & Timber diversion will not be installed in riparian area		
Scenic Beauty	project site is within a residential area	installed K-rail may be objectionable to some viewers	without K-rail installation burn area debris flow will likely impact homes and a school	
Wetlands	Wetland areas downhill from project site	no effect, K-rail and Post & Timber Diversion will not be installed in wetlands		
Wild and Scenic Rivers	Designated wild and scenic rivers not near project site	no effect	no effect	

Completed By: Brooks Engelhardt, Resource ConservationistDate: 08/22/16

DSR NO: 01-16-1840

Section 2F Economic

This section must be completed by each alternative considered (attach additional sheets as necessary).

	Future Damages (\$)	Damage Factor (%)	Near Term (\$)
Properties Protected (Private)			
See Attachments - 42 Single Family Residences			\$1,790,924
Properties Protected (Public)			
See Attachments			\$160,162
DSUD Valley View Elementary, ADMR Air Quality Station, City Water Valves			
Business Losses			
None			
Other			
None			
B/C Ratio = $\$2,557,186 / \$338,415 = 7.6$			
Total Near Term Damage Reduction \$			\$2,557,186
Net Benefit (Total Near Term Damage Reduction minus Cost from Section 3)			\$2,218,771

Completed By: Elisabeth Miller, Area Engineer

Date: 07/19/16

DSR NO: 01-16-1840

Section 2G Social Consideration

This section must be completed by each alternative considered (attach additional sheets as necessary).

	Yes	No	Remarks
Has there been a loss of life as a result of the watershed impairment?	☐	☒	
Is there the potential for loss of life due to damages from the watershed impairment?	☒	☐	Many small watersheds drain directly into homes and onto city streets and towards elementary school.
Has access to a hospital or medical facility been impaired by watershed impairment?	☐	☒	Potential during storm events as segments of residential streets will be blocked.
Has the community as a whole been adversely impacted by the watershed impairment (life and property ceases to operate in a normal capacity)	☐	☒	
Is there a lack or has there been a reduction of public safety due to watershed impairment?	☒	☐	Numerous locations may result in difficulties in emergency services getting to homes elementary school.

Completed By: Elisabeth Miller, Area Engineer

Date: 07/19/16

DSR NO: 01-16-1840

Section 2H Group Representation and Disability Information

This section is completed only for the preferred alternative selected.

Group Representation	Number
American Indian/Alaska Native Female Hispanic	116
American Indian/Alaska Native Female Non-Hispanic	63
American Indian/Alaska Native Male Hispanic	
American Indian/Alaska Native Male Non-Hispanic	
Asian Female Hispanic	74
Asian Female Non-Hispanic	3,287
Asian Male Hispanic	
Asian Male Non-Hispanic	
Black or African American Female Hispanic	101
Black or African American Female Non-Hispanic	1,486
Black or African American Male Hispanic	
Black or African American Male Non-Hispanic	
Hawaiian Native/Pacific Islander Female Hispanic	2
Hawaiian Native/Pacific Islander Female Non-Hispanic	24
Hawaiian Native/Pacific Islander Male Hispanic	
Hawaiian Native/Pacific Islander Male Non-Hispanic	
White Female Hispanic	5,347
White Female Non-Hispanic	10,821
White Male Hispanic	
White Male Non-Hispanic	
Total Group	21,321

Census tract(s) Census Year 2010 (City of Duarte). Numbers represent both populations: Male (10,078) and Female (11,243)

Completed By: Elisabeth Miller

Date: 07/19/16

Section 21 Required consultation or coordination between the lead agency and/or the RFO and another governmental unit including tribes:

Easements, permissions, or permits:

City of Duarte will coordinate with Duarte Unified School District (Valley View Elementary School) and others as needed. City of Duarte is responsible for obtaining all necessary Easements, permissions, and/or permits. DUSD is responsible to coordinate closely with the City of Duarte.

Mitigation Description:

None

Agencies, persons, and references consulted, or to be consulted:

Los Angeles Department of Public Works, City of Duarte and Duarte Unified School District (Valley View Elementary School).

Section 3 Engineering Cost Estimate

Date: 07/19/16

Unit Abbreviations:

10 of 15
Approved 7/2005

Section 4 NRCS EWP Funding Priority

Complete the following section to compute the funding priority for the recovery measures in this application (see instructions on page 10).

Priority Ranking Criteria	Yes	No		Ranking Number Plus Modifier
1. Is this an exigency situation?	☒	☐		1
2. Is this a site where there is serious, but not immediate threat to human life?	☒	☐		
3. Is this a site where buildings, utilities, or other important infrastructure components are threatened?	☒	☐		
4. Is this site a funding priority established by the NRCS Chief?	☐	☒		
The following are modifiers for the above criteria			Modifier	
a. Will the proposed action or alternatives protect or conserve federally-listed threatened and endangered species or critical habitat?			☐	
b. Will the proposed action or alternatives protect or conserve cultural sites listed on the National Register of Historic Places?			☐	
c. Will the proposed action or alternatives protect or conserve prime or important farmland?			☐	
d. Will the proposed action or alternatives protect or conserve existing wetlands?			☐	
e. Will the proposed action or alternatives maintain or improve current water quality conditions?			☐	
f. Will the proposed action or alternatives protect or conserve unique habitat, including but not limited to, areas inhabited by State-listed species, fish and wildlife management area, or State identified sensitive habitats?			☐	

Enter priority computation in Section 1A, NRCS Entry, Funding priority number.

Remarks:

DSR NO: 01-16-1840

Section 5A Findings

Finding: Indicate the preferred alternative from Section 2 (Enter to Section 1E):

Project consists of the installation of approximately 120 LF of 5 Ft. High Post & Timber Deflector Wall, 3,930 LF of K-Rail, Traffic Control Barriers/Reflectors, and Sand Bags along multiple city streets for the protection of private homes, Valley View Elementary School, and other public utility facilities within the City of Duarte, Los Angeles County, California.

☒ Has been sufficiently analyzed in the EWP PEIS (reference all that apply)

Chapter 2.3.4.2 Floodplain Diversions

Chapter 2.3.5.2 Upland Diversions

Chapter _____

Chapter _____

Chapter _____

☐ May require the preparation of an environmental assessment or environmental impact statement.

NRCS representative of the DSR team:

Elisabeth Miller

Title: Area Engineer

Date: 08/23/16

Section 5B Comments:

Section 5C Sponsor(s) Review and Concurrence:

Sponsor Representative:

Title: City Manager

Date: 8/23/16

Section 6 Attachments:

A. Location Map

B. Site Plan or Sketches

C. Other (explain):

DRAFT

TEMPORARY RIGHT OF ENTRY AND AGREEMENT

THIS TEMPORARY RIGHT OF ENTRY AGREEMENT ("Agreement") is made this day of _____, 20____, (the "Effective Date") by and between the DUARTE UNIFIED SCHOOL DISTRICT hereinafter referred to as "Grantor", and, the CITY OF DUARTE, a municipal corporation, hereinafter referred to as "Grantee".

WHEREAS, Grantor is the owner of the real property situated in the City of Duarte, County of Los Angeles commonly known as Valley View Elementary School, and more particularly shown on Exhibit A (hereinafter the "Property");

WHEREAS, due to the damage caused by the Fish Fire, which took place in June 2016, Los Angeles County Flood Control, the United States Department of Agriculture - National Resources Conservation Service (NRCS) and the Duarte Public Works Division conducted assessments of the burn area and developed an Emergency Watershed Protection (EWP) Program, which recommends that K Rail, traffic control barriers, reflectors, sand bags and a deflection wall be installed throughout the impact area. Included in the recommendation was the installation of K Rail on the Grantor Property; and

WHEREAS, Grantee has reviewed and approved the EWP, and desires Grantor's assistance in implementing its recommendations with respect to Grantor's property; and

WHEREAS, Grantee and its authorized agents, employees and Contractors require a Temporary Right of Entry (hereafter "ROE") upon that portion of Property shown and designated as "ROE AREA" on Exhibit "A", attached, for the purpose of installing K Rail.

WHEREAS, Grantee has requested financial assistance from NRCS for the implementation of the EWP, including the cost of the K Rail installation on the Grantor Property. If approved, NRCS will provide financial assistance for up to 75 percent of the cost and the Grantor will be responsible for the remaining 25 percent. If not approved, the Grantor will be responsible for all costs related to the K Rail installation on the Grantor Property.

NOW, THEREFORE, THE PARTIES DO HEREBY AGREE AS FOLLOWS:

1. Grantor hereby grants to Grantee this ROE for the express purpose of installing K Rail on the Property, and performing such other work thereon as is contemplated in the EWP.
2. The term of ROE shall begin on the Effective Date and expire upon completion of the installation of K Rail on the Property by Grantee.
3. Grantee shall comply with all applicable laws, ordinances and regulations, including but not limited to all applicable regulatory, environmental and safety

requirements in performing the EWP work contemplated hereunder.

4. Grantee shall not use, deposit or permit the use or deposit of any hazardous material or toxic waste or other harmful substances on any real property of the Grantor.

5. Grantee shall not materially interfere with the use by and operation and activities of Grantor on its property, and Grantee shall use such routes and follow such procedures on Grantor's property as result in the least damage and inconvenience to Grantor, consistent with reasonably efficient completion the work to be performed.

6. Grantee will retain and manage licensed contractors and subcontractors to install the K Rail on the Property.

7. Grantee will pay all invoices related to the installation of the K Rail and submit for reimbursement to the NRCS, Upon receipt of such invoices, Grantee shall provide copies of same to Grantor, and Grantor shall have ten (10) days to object or dispute any invoiced amount. Any such objection by Grantor shall be in writing, and shall specify the amounts objected to, the reasons therefore, and the correct amount Grantor believes should be reflected for the work or materials that are the subject of the invoice. Grantor's failure to object shall conclusively be presumed to be Grantor's approval of such invoiced amounts. Grantor will reimburse the Grantee for all costs not reimbursed by NRCS. Grantee shall invoice Grantor for any such unreimbursed accounts, and Grantee shall pay such invoice within thirty (30) days.

8. Grantee shall be responsible for all damages to persons or property that occur as a result of Grantee's or its officers, agents, employees, and/or servants fault or negligence in connection with Grantee's participation in the exercise of the rights herein granted. Further, Grantee shall indemnify and save harmless the Grantor, its officers, agents, employees, and servants from all claims, suits, or actions of every name, kind, description, brought for, or on account of, injuries to or death of any person or damage to property resulting from the fault or negligence of Grantee, its officers, agents, employees, and/or servants in connection with the exercise of rights herein granted. Grantor shall indemnify and save harmless Grantee, its officers, agents, employees and servants from all claims, suits, or actions of every name, kind, description, brought for, or on account of, injuries to or death of any person or damage to property resulting from the fault or negligence of the Grantor, its officers, agents, employees, and/or servants in connection with the exercise of rights herein granted..

9. The rights granted to Grantee hereunder are temporary only, and no permanent easement or other right is intended or to be implied. Upon completion of the EWP installation work to be performed by Grantee, and as consideration for Grantee's work in installing same and seeking reimbursement for same, Grantor accepts full possession and ownership of same, including all responsibilities of maintenance, replacement, restoration, or removal, and shall hold Grantee harmless from any responsibility of other liability therefor, or arising therefrom.

10. Grantee shall not cause liens of any kind to be placed against the any of the Grantor's real property.

11. This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force or effect except in a subsequent modification in writing, signed by the party to be charged.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

GRANTOR: THE DUARTE UNIFIED SCHOOL DISTRICT

By

Its _____

GRANTEE: THE CITY OF DUARTE

By

Its _____

Attachment: Exhibit A – RIGHT OF ENTRY AREA AND KRAIL
PLACEMENT PLAN