

MEMORANDUM

TO: City Council
FROM: Assistant City Manager
DATE: May 20, 2015
SUBJECT: Comments on Agenda Items, Meeting of May 26, 2015

ITEM 3B (Closed Session). The City Council will have a closed session item at 5:30pm. Food and refreshments will be provided.

ITEM 4 (Interviews). The City Council will be conducting interviews of the Mayor's Youth Council applicants from 6pm to 7pm in the Community Center Lounge. A copy of the interview schedule and applications is included in your agenda packet.

ITEM 9A. The City Council will be recognizing Duarte residents Mitch Skinner and Vic Abekian. At the April 25th Temple Station Volunteer recognition dinner, Mitch Skinner and Vic Abekian were both recognized for having served over 2,500 hours patrolling the streets of Duarte as Volunteers on Patrol. The City of Duarte would like to thank them both for helping to keep Duarte safe.

ITEM 9B. Ahmad Solomon from Southern California Edison Company will be presenting the Annual Circuit Reliability Review for the City of Duarte. A copy of the presentation is included in your agenda packet.

ITEM 13F (Consent). Staff is recommending that City Council adopt Resolution 15-06 establishing the City of Duarte's Gann Appropriations Limit for fiscal year 2015-16. California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIII B of the State Constitution in 1979. Annual adjustments are based on increases in population, the cost of living, and service responsibility transfers.

ITEM 13G (Consent). The Duarte Youth and Family Committee voted unanimously to accept Steve Hernandez as a committee member on May 18th. The Committee is requesting that the City Council accept their recommendation.

ITEM 13H (Consent). This is the second reading of the Massage Ordinance that was introduced on May 12, 2015. This Ordinance adds certain standards applicable to massage establishments, and amends sections of the Municipal Code to amend certain definitions that are applicable in the regulation of massage establishments.

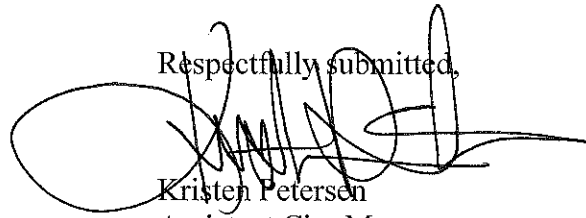
ITEM 15. Staff is recommending that the City Council hold a public hearing (known as a "TEFRA Hearing") and adopt a corresponding resolution in connection with the proposed issuance of bonds by Duarte Manor Apartments at 1235 N. Highland Avenue in Duarte. This action will allow Duarte Manor Apartments, a 42-unit multifamily housing rental facility, to qualify for tax exempt bonds. The bonds to be issued will be the sole responsibility of Duarte Manor Apartments, and not an obligation of the City. Outside of holding the TEFRA Hearing and adopting the required resolution,

no other participation or activity of the City will be required. The City of Duarte will receive approximately \$1,000 to offset the time and material costs of preparing this resolution and holding the hearing.

ITEM 16A. City Council will be appointing the members they have selected for the Mayor's Youth Council. The list of candidates who are to be interviewed is included in your agenda packet.

ITEM 16B. Staff is recommending that the City Council not approve a Slide the City event at this time, and instead encourage the Mayor's Youth Council to plan a teen-themed activity and festival area as part of the Golden Street ("open streets") event scheduled for Summer 2016. The primary factors in recommending against doing the Slide the City event are: 1) a giant water slide activity is not consistent with the water restrictions recently ordered by the State due to the severe drought; 2) a partial street closure exposes the City to exceptional risk of pedestrian/vehicle conflicts and accidents; 3) a 10-hour street closure negatively impacts two churches (on a Sunday), the commercial centers on the corners of Highland Avenue and Huntington Drive, and approximately 200 multi-family residential units; and 4) the cost to the City will be more than \$31,000 for the personnel, equipment, staging, and traffic safety.

Respectfully submitted,



Kristen Petersen
Assistant City Manager



Circuit Reliability Review City of Duarte

January 2015

Reliability Metrics

Momentary Outages:

Outages lasting 5 minutes or less

- MAIFI:
 - The number of times the average customer is interrupted by Momentary outages each year.

Sustained Outages:

Outages lasting longer than 5 minutes

- SAIFI:
 - The number of times the average customer is interrupted by Sustained outages each year.
- SAIDI:
 - The cumulative amount of time the average customer is interrupted by Sustained outages each year.

Cities in the Monrovia District

Altadena

Arcadia

Azusa

Baldwin Park

Bradbury

Duarte

East Pasadena

East San Gabriel

Glendale

Irwindale

La Canada Flintridge

La Crescenta-Montrose

Los Angeles

Mayflower Village

Monrovia

Pasadena

San Gabriel

San Marino

Sierra Madre

South Pasadena

Temple City

Vincent

West Puente Valley

Reliability by District – (No Exclusions)

	2009				2010				2011				2012				2013				2014			
District Name	District SAIDI	SAIDI RANKING	District SAIFI	SAIFI Ranking	District SAIDI	SAIDI RANKING	District SAIFI	SAIFI Ranking	District SAIDI	SAIDI RANKING	District SAIFI	SAIFI Ranking	District SAIDI	SAIDI RANKING	District SAIFI	SAIFI Ranking	District SAIDI	SAIDI RANKING	District SAIFI	SAIFI Ranking	District SAIDI	SAIDI RANKING	District SAIFI	SAIFI Ranking
ANTELOPE VALLEY	71.23	29	0.52	33	131.06	17	0.77	31	208.16	11	1.25	13	78.60	28	0.56	31	94.42	22	0.62	31	50.96	35	0.59	34
ARROWHEAD	534.08	2	3.41	1	537.40	4	3.84	2	792.79	3	4.40	1	129.58	13	1.31	7	180.59	7	1.39	8	193.25	5	1.59	5
BARSTOW	153.49	10	1.14	14	123.02	23	1.51	11	308.76	8	1.63	8	184.80	7	1.15	12	204.33	6	1.40	7	201.53	4	1.34	10
BIG CREEK	259.27	3	1.44	8	5700.99	1	12.89	1	1667.05	2	4.22	2	1184.25	1	4.52	1	176.51	8	3.08	1	920.25	1	1.34	11
BISHOP	143.55	12	1.36	9	407.92	6	2.50	5	666.06	5	1.55	10	463.09	2	1.25	9	104.44	17	0.51	35	118.79	17	0.59	35
BLYTHE	83.88	25	0.82	21	1332.78	2	2.03	6	378.39	7	1.40	11	225.88	6	1.53	3	483.13	1	1.38	9	707.22	2	2.42	2
CATAUNA	98.59	19	2.54	2	67.23	35	1.55	10	65.03	34	3.45	3	78.46	30	0.72	29	105.94	16	2.97	2	97.02	24	4.17	1
COVINA	78.04	27	0.68	26	117.66	26	0.81	28	166.97	15	0.87	24	108.73	19	0.92	19	100.51	19	0.86	20	91.42	27	0.87	22
DOMINGUEZ HILLS	89.81	22	0.68	27	119.23	24	0.78	30	109.41	23	0.72	31	117.22	18	0.82	24	89.21	26	0.80	21	82.16	30	0.71	28
FOOTHILL	94.33	21	0.62	30	76.60	33	0.46	35	117.40	22	0.96	21	91.69	25	0.90	20	85.80	27	0.79	24	93.34	25	0.93	21
FULLERTON	62.35	31	0.46	34	135.22	16	1.19	15	90.11	30	0.61	32	68.99	33	0.42	35	90.57	25	0.79	22	82.20	29	0.72	27
HUNTINGTON BEACH	109.42	14	1.04	16	129.50	18	1.02	21	122.54	20	0.96	20	95.78	23	0.89	21	66.51	32	0.68	29	79.41	31	0.78	25
KERNVILLE	585.93	1	2.01	4	584.74	3	1.80	7	165.69	16	1.02	18	226.76	5	1.31	6	232.18	4	1.96	3	178.69	8	1.99	3
LONG BEACH	41.50	35	0.42	35	72.28	34	0.63	34	58.48	35	0.58	34	75.83	31	0.55	33	75.11	30	0.70	28	66.23	34	0.61	32
MENIFEE	106.45	16	1.81	5	100.65	29	0.76	32	100.48	27	0.89	22	99.32	22	0.84	23	107.39	15	1.26	10	156.64	11	1.32	12
MONROVIA	219.77	4	0.87	20	124.34	21	1.08	18	2414.04	1	1.89	6	108.11	20	1.13	15	99.12	20	1.02	16	133.31	14	1.16	16
MONTEBELLO	192.33	5	1.19	11	147.85	14	1.12	17	678.33	4	1.21	15	131.06	12	1.13	14	118.08	13	1.17	12	158.32	10	1.16	15
ONTARIO	88.19	23	0.75	23	90.45	32	0.81	26	117.66	21	0.82	26	93.09	24	0.87	22	77.39	29	0.79	23	97.88	23	1.00	19
PALM SPRINGS	151.66	11	1.11	15	180.69	11	1.04	20	164.77	17	0.89	23	175.92	8	1.27	8	112.80	14	0.77	25	106.96	20	0.71	29
REDLANDS	107.20	15	0.90	19	216.76	8	1.69	9	253.70	9	1.63	9	120.13	16	1.11	16	96.48	21	1.04	15	154.23	12	1.04	18
RIDGECREST	58.34	34	0.68	25	153.38	12	1.41	12	89.26	31	0.74	30	229.65	4	1.44	4	161.95	9	1.12	13	176.80	9	1.57	6
SADDLEBACK	78.99	26	0.70	24	137.24	15	0.96	24	75.94	33	0.55	35	83.04	27	0.73	27	70.66	31	0.53	34	99.07	22	0.74	26
SAN JOAQUIN	96.59	20	0.91	18	126.70	20	1.04	19	83.98	32	0.74	29	135.90	10	1.04	18	244.44	2	1.45	6	137.98	13	1.17	14
SANTA ANA	67.83	30	0.60	31	104.57	27	0.81	27	102.01	26	0.82	27	78.60	29	0.55	32	93.35	24	0.74	26	91.65	26	0.84	23
SANTA BARBARA	178.87	7	1.80	6	151.19	13	1.01	22	104.86	25	0.87	25	153.77	9	1.15	13	82.00	28	0.70	27	183.69	7	1.38	9
SANTA MONICA	86.23	24	0.65	28	98.32	30	0.89	25	95.08	29	0.58	33	101.69	21	0.79	25	122.78	12	1.00	17	110.74	19	0.99	20
SOUTH BAY	158.58	9	1.16	12	190.65	9	1.20	14	178.73	13	1.35	12	122.67	15	1.17	10	142.15	10	1.49	5	125.15	16	1.39	8
TEHACHAPI	168.04	8	2.01	3	434.02	5	3.23	3	231.23	10	1.81	7	117.96	17	1.43	5	232.67	3	1.12	14	130.70	15	1.29	13
THOUSAND OAKS	103.16	17	0.99	17	124.26	22	1.37	13	146.69	18	1.14	16	127.73	14	1.05	17	93.86	23	0.91	18	104.17	21	1.10	17
VALENCIA	101.70	18	0.81	22	117.82	25	0.81	29	130.85	19	1.04	17	62.01	35	0.46	34	51.04	34	0.53	33	79.22	32	0.61	33
VENTURA	112.42	13	1.29	10	182.74	10	1.72	8	167.85	14	2.25	4	134.81	11	1.15	11	100.52	18	1.21	11	183.77	6	1.65	4
VICTORVILLE	61.93	32	0.64	29	96.45	31	1.01	23	196.85	12	1.01	19	67.70	34	0.66	30	61.33	33	0.63	30	68.84	33	0.63	31
WHITTIER	74.92	28	0.53	32	101.33	28	0.70	33	99.74	28	0.75	28	72.60	32	0.74	26	135.04	11	0.86	19	87.60	28	0.70	30
WILDOMAR	59.71	33	1.48	7	127.12	19	1.12	16	109.41	24	1.22	14	88.55	26	0.72	28	40.50	35	0.56	32	118.49	18	0.81	24
YUCCA VALLEY	192.28	6	1.16	13	307.67	7	3.02	4	436.44	6	2.16	5	319.82	3	3.41	2	216.97	5	1.50	4	304.18	3	1.49	7
SCE SystemWide	105.80		0.90		140.91		1.05		232.39		1.04		108.13		0.89		102.61		0.91		112.18		0.97	

**In the columns showing "Rank," lower numbers indicate poorer performance.

Overview of Duarte

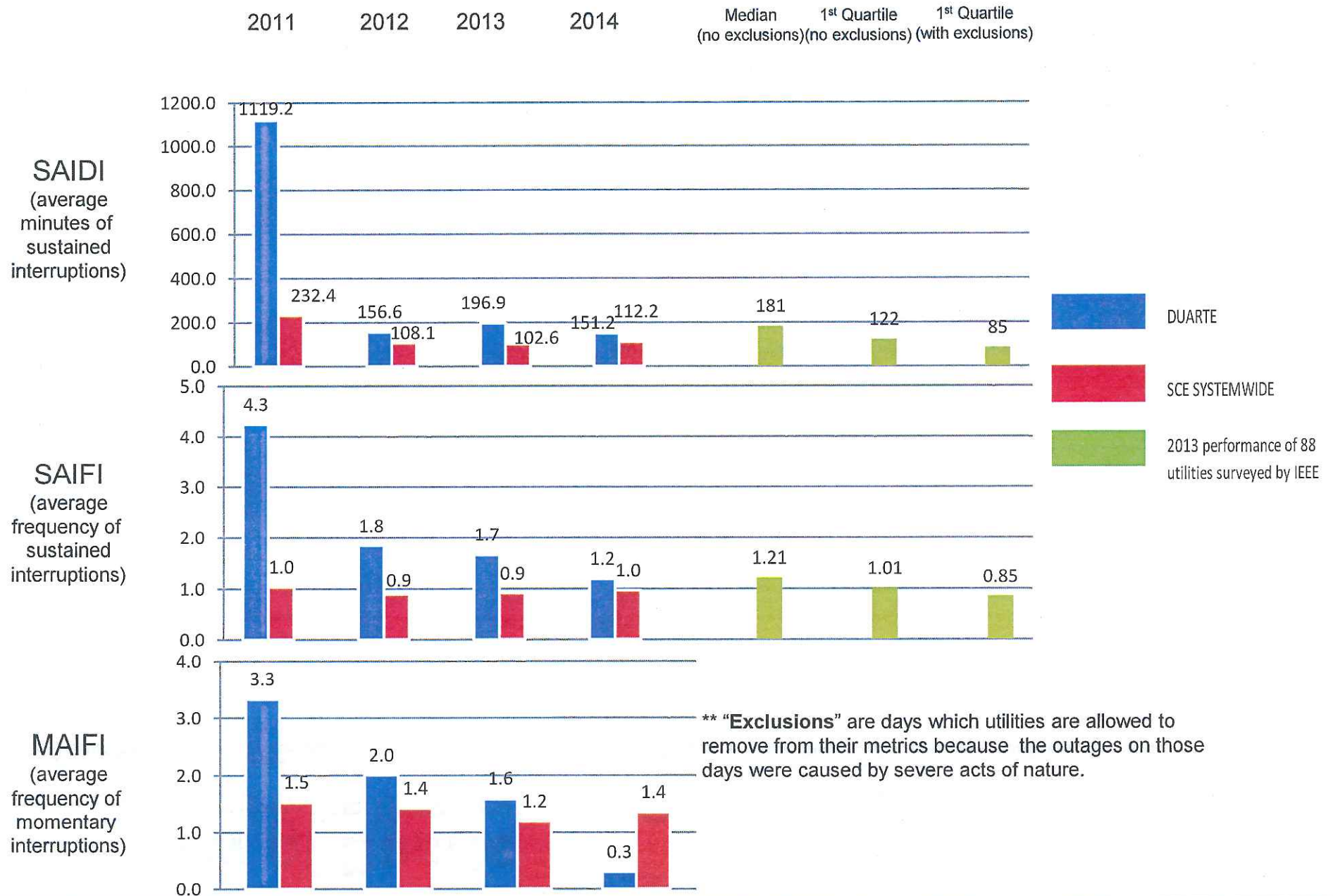
There are 7 circuits that serve the City of Duarte

Circuit Type	Sum of Customers	Circuit Type	Sum of Customers	Circuit Type	Sum of Customers	Circuit Type	Sum of Customers
AMBRUS(16KV)	2,198						
BATEMAN(16KV)	1,078						
BONNIE(4KV)	481						
HONEYWELL(16KV)	1,746						
PAYNE(16KV)	2,202						
SANITARIUM(4KV)	893						
SPINKS(4KV)	471						

Grand Total

9,069

Reliability History of Circuits Serving Duarte (No Exclusions)

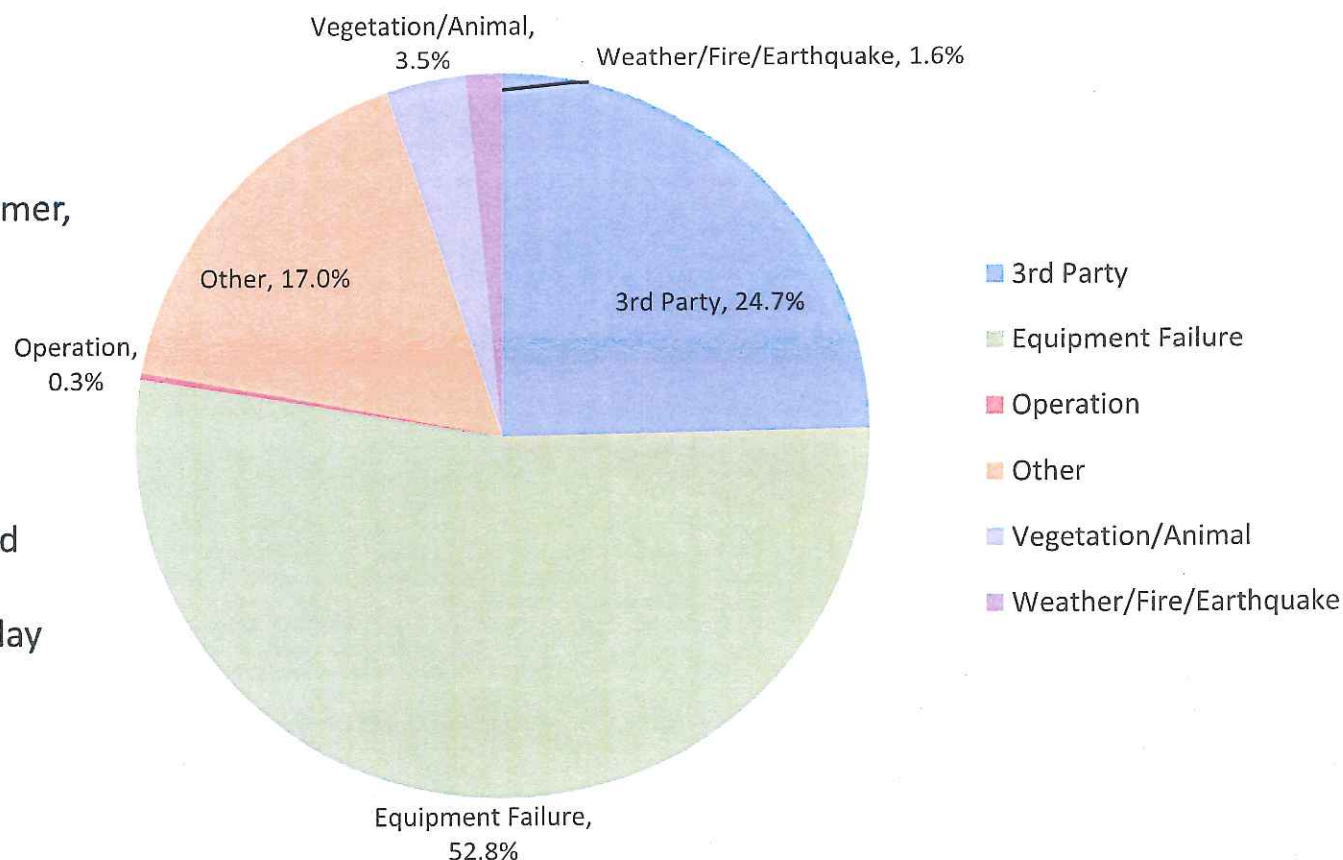


** "Exclusions" are days which utilities are allowed to remove from their metrics because the outages on those days were caused by severe acts of nature.

Causes of Repair Outages in Duarte Circuits 2014

Contributions to SAIDI by Outage Cause

- **Equipment Failure**
e.g., in-service failure of transformer, switch, or conductors
- **Vegetation/Animal**
e.g., tree branch, rodent, or bird causing a short circuit between conductors
- **Other**
e.g., patrolled but no cause found
- **Operations**
e.g., urgent maintenance w/o 3-day notice
- **3rd Party**
e.g., balloon, car hit pole, dig-in

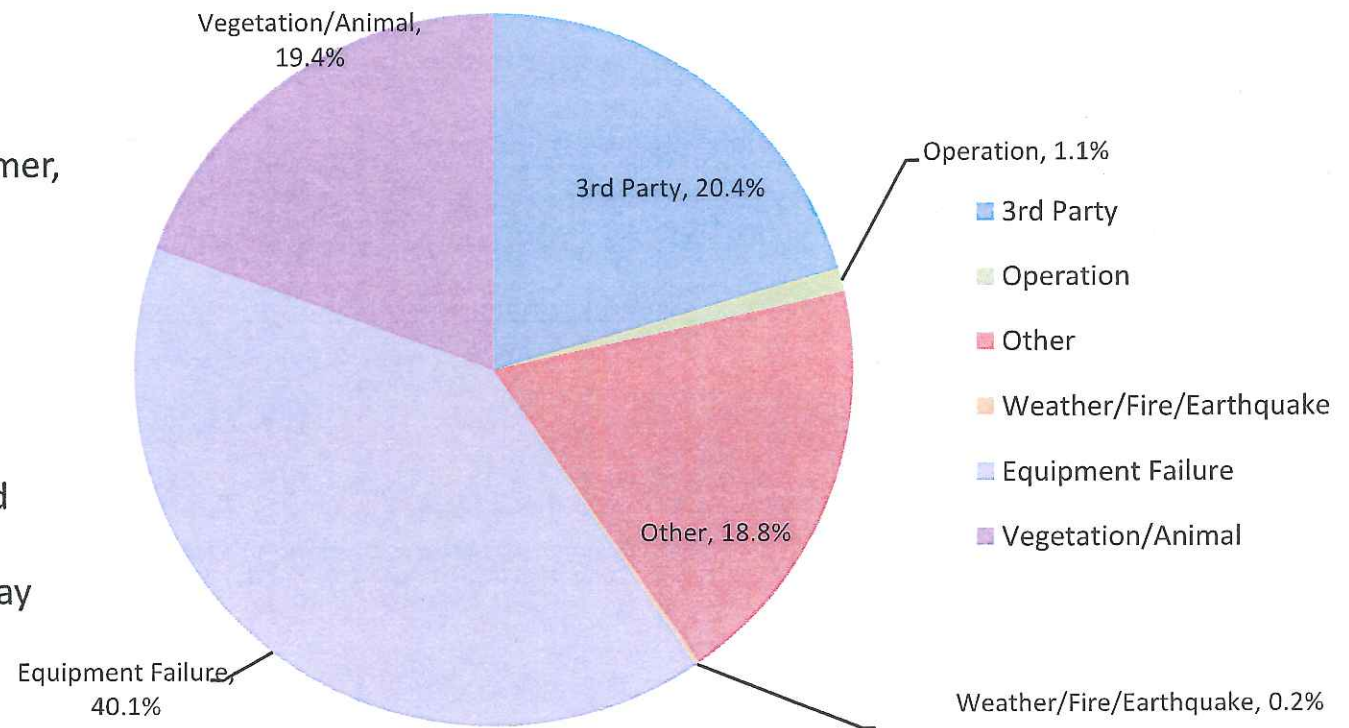


SAIDI = the cumulative amount of time the average customer is interrupted by “sustained” outages each year.

Causes of Repair Outages in Duarte Circuits 2014

Contributions to SAIFI by Outage Cause

- **Equipment Failure**
e.g., in-service failure of transformer, switch, or conductors
- **Vegetation/Animal**
e.g., tree branch, rodent, or bird causing a short circuit between conductors
- **Other**
e.g., patrolled but no cause found
- **Operations**
e.g., urgent maintenance w/o 3-day notice
- **3rd Party**
e.g., balloon, car hit pole, dig-in



SAIFI = the number of times the average customer is interrupted by “sustained” outages each year.

Circuit Reliability Management

To perform circuit rehabilitation in 2015, the process started in 2012



2012: Review circuit outage records for 2009 – 2011.

Note: The significant volatility in circuit performance requires evaluation of performance over a long period of time to ensure the targeting of “actual” versus “apparent” problem circuits.

2012: Identify candidate “worst” circuits based on outage statistics.

Refine list of circuits based on field personnel input, e.g., engineering, operations, public affairs.

2013: For each targeted circuit, identify improvements and/or replacements which would cost-effectively improve future reliability based on past outage causes and locations, equipment age, and circuit design.

Work may include equipment replacement, installation of isolation devices, and provisions for providing alternate sources of power

2014: Survey the job sites, develop the construction Work Orders, obtain easements, & identify needed permits.

2015: Project construction.

Rehabilitating circuits is a systematic and objective process.

Duarte

2015

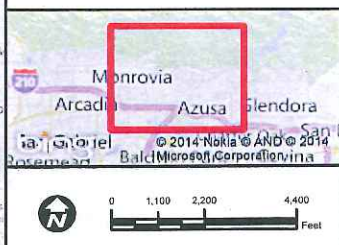
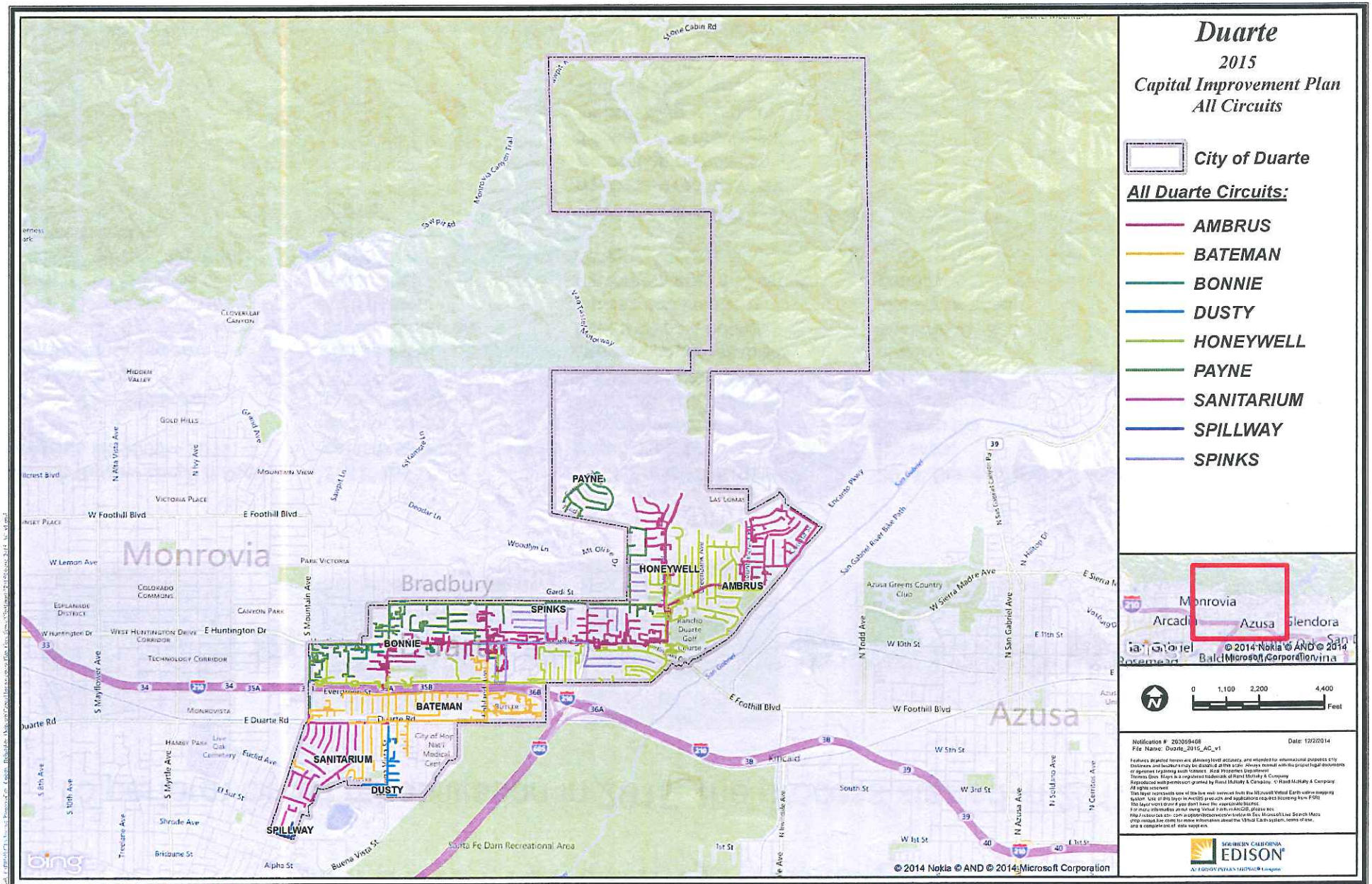
Capital Improvement Plan

All Circuits

 City of Duarte

All Duarte Circuits:

-  AMBRUS
-  BATEMAN
-  BONNIE
-  DUSTY
-  HONEYWELL
-  PAYNE
-  SANITARIUM
-  SPILLWAY
-  SPINKS



Notification # 203098408
 File Name: Duarte_2015_AC_v1
 Date: 12/2014

Features depicted here are shown for informational purposes only. The City of Duarte is not responsible for any errors or omissions in this map. The City of Duarte is not responsible for any damages or losses resulting from the use of this map. The City of Duarte is not responsible for any claims or lawsuits resulting from the use of this map. The City of Duarte is not responsible for any claims or lawsuits resulting from the use of this map. The City of Duarte is not responsible for any claims or lawsuits resulting from the use of this map.

EDISON
 A MICROSOFT PARTNER

City of Duarte

 16 Poles

 Bateman Circuit

 *Ambrus Circuit*

 Honeywell Circuit

Notification #: 202059468 Date: 1/14/2015
File Name: Duarte_2015_CIP_v1

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Back-up Slides

Reliability Histories of Circuits Serving Duarte

Updated through Year-End 2014

Average Reliability of 7 Circuits Serving Duarte

	2011			2012			2013			1st Qtr 2014			2nd Qtr 2014			3rd Qtr 2014			4th Qtr 2014			2014		
	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI
DUARTE	1119.2	4.3	3.3	156.6	1.8	2.0	196.9	1.7	1.6	2.8	0.0	0.0	28.9	0.3	0.2	69.7	0.6	0.1	49.7	0.3	0.0	151.2	1.2	0.3
3rd Party	1%	5%	28%	3%	1%	14%	2%	7%	30%	0%	0%	0%	0%	0%	78%	0%	0%	0%	75%	75%	0%	25%	20%	64%
Equipment Failure	32%	45%	58%	77%	82%	33%	58%	52%	30%	0%	0%	0%	56%	7%	0%	83%	80%	100%	12%	3%	0%	53%	40%	19%
Operation	2%	43%	0%	11%	11%	0%	32%	24%	4%	11%	83%	0%	0%	1%	0%	0%	0%	0%	0%	0%	0%	0%	1%	0%
Other	0%	0%	0%	0%	0%	39%	0%	0%	3%	0%	0%	0%	30%	20%	22%	17%	20%	0%	10%	16%	0%	17%	19%	18%
Vegetation/Animal	0%	1%	12%	7%	4%	14%	7%	16%	32%	0%	0%	0%	14%	72%	0%	0%	0%	0%	3%	6%	0%	4%	19%	0%
Weather/Fire/Earthquake	64%	7%	2%	2%	2%	0%	0%	0%	0%	89%	17%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	2%	0%	0%
SCE Systemwide	232.4	1.0	1.5	108.1	0.9	1.4	102.6	0.9	1.2	21.4	0.2	0.3	26.4	0.2	0.4	29.5	0.2	0.3	35.0	0.3	0.4	112.2	1.0	1.4

Notes:

No outages are excluded from the metrics.

Outage Causes:

Other: e.g., patrolled but no cause could be found

Operations: e.g., urgent maintenance w/o 3-day notice to customers

3rd Party: e.g., balloons, car hit pole, dig-in

Vegetation/Animal: e.g., tree branch, rodent, or bird causing short circuit across conductors

SAIDI (minutes) = the cumulative amount of time the average customer is interrupted by "sustained" (longer than 5 minutes) outages.

SAIFI (interruptions) = the number of times the average customer is interrupted by "sustained" outages.

MAIFI (interruptions) = the number of times the average customer is interrupted by "momentary" (lasting 5 minutes or less) outages.

Reliability Histories for Individual Circuits Serving Duarte

	2011			2012			2013			1st Qtr 2014			2nd Qtr 2014			3rd Qtr 2014			4th Qtr 2014			2014		
	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI
HONEYWELL(16KV) - Customers: 1,746	269.8	4.1	2.6	23.9	0.1	2.0	510.2	3.9	3.5	0.0	0.0	0.0	16.6	0.0	1.0	181.5	1.7	0.3	17.2	0.0	0.0	215.9	1.8	1.3
Weather/Fire/Earthquake	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Operation	9%	50%	0%	0%	0%	0%	15%	23%	10%	0%	0%	0%	3%	50%	0%	0%	0%	0%	1%	6%	0%	0%	1%	0%
Vegetation/Animal	0%	0%	40%	0%	2%	0%	9%	18%	46%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Other	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
3rd Party	29%	25%	21%	0%	0%	50%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%	0%	0%	0%	0%	0%	77%
Equipment Failure	63%	25%	40%	100%	98%	50%	75%	59%	43%	0%	0%	0%	97%	50%	0%	100%	100%	100%	99%	94%	0%	100%	99%	23%
BONNIE(4KV) - Customers: 481	3175.8	3.1	2.1	4.6	0.2	2.0	0.2	0.0	1.0	0.0	0.0	0.0	21.6	1.0	1.0	12.0	0.0	0.0	95.2	1.0	0.0	128.6	2.0	1.0
Weather/Fire/Earthquake	99%	33%	50%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Operation	1%	66%	0%	0%	0%	0%	100%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Vegetation/Animal	0%	0%	0%	36%	98%	0%	0%	0%	0%	0%	0%	0%	88%	99%	0%	0%	0%	0%	0%	0%	0%	15%	49%	0%
Other	0%	0%	0%	0%	0%	100%	0%	0%	100%	0%	0%	0%	0%	0%	100%	0%	0%	0%	99%	100%	0%	73%	49%	100%
3rd Party	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Equipment Failure	0%	0%	50%	64%	2%	0%	0%	0%	0%	0%	0%	0%	12%	1%	0%	100%	100%	0%	1%	0%	0%	12%	2%	0%
PAYNE(16KV) - Customers: 2,202	79.7	2.7	2.6	120.0	1.5	2.3	10.2	0.1	2.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	159.1	1.1	0.0	162.0	1.1	0.0
Weather/Fire/Earthquake	17%	0%	0%	13%	13%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Operation	33%	76%	0%	0%	0%	0%	6%	1%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Vegetation/Animal	11%	3%	1%	38%	17%	52%	60%	72%	14%	0%	0%	0%	0%	0%	0%	0%	0%	0%	3%	8%	0%	3%	8%	0%
Other	0%	0%	0%	0%	0%	4%	34%	27%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
3rd Party	0%	0%	40%	0%	0%	0%	0%	0%	86%	0%	0%	0%	0%	0%	0%	0%	0%	0%	97%	92%	0%	97%	92%	0%
Equipment Failure	39%	21%	59%	49%	70%	44%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
SPINKS(4KV) - Customers: 471	3248.7	3.9	1.0	138.9	1.0	1.0	99.8	1.0	0.0	0.0	0.0	0.0	166.1	2.0	0.0	13.9	0.1	0.0	0.0	0.0	0.0	187.7	2.2	0.0
Weather/Fire/Earthquake	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Operation	1%	53%	0%	100%	100%	0%	5%	15%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Vegetation/Animal	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	12%	50%	0%	0%	0%	0%	0%	0%	0%	11%	47%	0%
Other	1%	1%	0%	0%	0%	100%	0%	0%	0%	0%	0%	0%	88%	50%	0%	27%	86%	0%	0%	0%	0%	84%	52%	0%
3rd Party	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Equipment Failure	99%	46%	100%	0%	0%	0%	95%	85%	0%	0%	0%	0%	0%	0%	0%	73%	14%	0%	0%	0%	0%	5%	1%	0%

Reliability Histories for Individual Circuits Serving Duarte

	2011			2012			2013			1st Qtr 2014			2nd Qtr 2014			3rd Qtr 2014			4th Qtr 2014			2014		
	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI	SAIDI	SAIFI	MAIFI
AMBRUS(16KV) - Customers: 2,198	578.0	6.3	5.8	320.0	4.4	2.5	103.5	1.5	0.0	1.3	0.0	0.0	53.5	0.1	0.0	0.0	0.0	0.0	10.9	0.0	0.0	65.7	0.1	0.0
Weather/Fire/Earthquake	12%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Operation	3%	16%	0%	10%	3%	0%	0%	0%	0%	100%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	2%	33%	0%
Vegetation/Animal	2%	2%	6%	0%	0%	0%	15%	33%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Other	0%	0%	0%	0%	0%	81%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
3rd Party	0%	0%	35%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Equipment Failure	84%	81%	59%	90%	97%	19%	85%	67%	0%	0%	0%	0%	100%	100%	0%	0%	0%	0%	100%	100%	0%	98%	67%	0%
BATEMAN(16KV) - Customers: 1,078	1659.4	3.6	3.5	264.2	2.8	0.8	306.2	3.1	1.8	20.8	0.0	0.0	0.0	0.0	0.0	196.6	1.1	0.0	0.0	0.0	0.0	217.5	1.1	0.0
Weather/Fire/Earthquake	95%	25%	0%	0%	0%	0%	0%	0%	0%	100%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	10%	1%	0%
Operation	1%	50%	0%	2%	32%	0%	49%	33%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Vegetation/Animal	0%	0%	25%	0%	0%	0%	0%	0%	57%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Other	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	8%	7%	0%	0%	0%	0%	7%	7%	0%
3rd Party	0%	0%	25%	0%	0%	0%	12%	33%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Equipment Failure	4%	25%	50%	98%	68%	100%	39%	34%	43%	0%	0%	0%	0%	0%	0%	92%	93%	0%	0%	0%	0%	83%	92%	0%
SANITARIUM(4KV) - Customers: 893	3576.9	4.8	2.4	64.6	0.2	1.9	298.5	1.0	1.0	0.0	0.0	0.0	19.0	1.0	0.0	102.0	1.0	0.0	0.0	0.0	0.0	121.0	2.0	0.0
Weather/Fire/Earthquake	98%	25%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Operation	1%	50%	0%	0%	0%	0%	99%	99%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Vegetation/Animal	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	100%	0%	0%	0%	0%	0%	0%	0%	16%	50%	0%
Other	0%	0%	0%	0%	0%	53%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	100%	0%	0%	0%	0%	84%	50%	0%
3rd Party	0%	0%	0%	66%	83%	47%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Equipment Failure	1%	25%	100%	34%	17%	0%	1%	1%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Mayor's Youth Council Interview Schedule 5/26/15

6:00pm

1. Julianna Barragan
2. Tamera Barron
3. Roberto Bejarane

6:15pm

4. Rene Giles
5. Chavon Jackson
6. Giselle Lopez

6:30pm

7. Clarice Ramirez
8. Rachel Robinson
9. Ashley Rosal

6:45pm

10. Andrea Sanchez
11. Rayven Searles
12. Sarah Smith
13. Felipe Valdez



MEMORANDUM

TO: Darrell George, City Manager

FROM: City Department Heads

SUBJECT: SLIDE THE CITY EVENT

DATE: MAY 26, 2015

Recommendation

Staff recommends that this event not be approved at this time.

The primary factors in making this recommendation include the following:

- This event is not consistent with the water restrictions recently ordered by the State due to the severe drought.
- This event is a high risk event and the proposed plan for a partial street closure exposes the City to further risk with potential for pedestrian/vehicle conflicts and accidents.
- This event requires a 10-hour street closure, negatively impacting two churches (on a Sunday), the commercial centers on the corners of Highland Avenue and Huntington Drive, and approximately 200 multi-family residential units.
- This event would cost more than \$31,000 for the personnel, equipment, staging, and traffic safety of the event.

Background

Slide the City is a large-scale event that was recommended to City Council by the members of the Mayor's Youth Council. While this event began in July 2014 in Salt Lake City and has been presented at various cities throughout the country, it has not been conducted in California. The company provides onsite staffing to set up and operate the event, including a 1,000' long and 24' wide slide, and temporary fencing for crowd control. The assembly of the slide requires approximately 3 hours of work and 3 hours to disassemble. The proposed event time is 3 hours, so up to 10 hours would be needed for the entire event. The location must have a specific incline grade of 35' to 85'. The company handles regional and national marketing for the event. The cost of one ride on the slide ranges from \$15-\$25 depending on when the tickets are purchased. Given the extensive marketing done by the company, these events have generally attracted more than 2,500 participants, including many that travel from well outside the community. City clients are responsible for providing the street location, all necessary public safety services, street closures, traffic control and parking.

The Mayor's Youth Council proposed two optional locations for the event. Staff has determined that the proposed Vineyard Avenue location is not feasible because of inadequate street width to allow the slide event and circulation for emergency vehicles. As a result, the focus of the information compiled is based on the second proposed site on Highland Avenue between Huntington Drive and Central Avenue.

Drought Considerations

Regardless of location, this event is not drought sensitive. Currently there are no firm commitments from any city in California to stage this event. San Jose and San Francisco are listed by Slide the City as being in negotiations, but their primary roadblock is the use of water in this manner during a drought, and health department concerns. 15,000 – 20,000 gallons of chlorinated water is used for the slide. The company claims that the water is recycled during the event and can be recycled by the City at the end of the day. However, the water will be chlorinated and will be considered contaminated grey water and, therefore, is unusable for irrigation in the City of Duarte. In September of 2014, the City of Los Angeles Bureau of Streets voted to reject a proposal to bring the Slide the City event to the City of Los Angeles opposing the idea in these times of drought, and separately nearly 11,000 petitions were signed asking the Los Angeles City Council to reject the event due to the severe drought that the state is experiencing.

Likewise, the City of Duarte has already begun adjusting activities and uses due to the drought. For example, the City Hall outdoor fountain will remain drained until further notice. City Hall landscaping is being changed to drought tolerant landscaping. Watering at all parks and median areas has been drastically reduced. And finally, the primary summer playground event called Splash Zone involving water slides and other water attractions has been cancelled.

Staff believes that in order to effect community adherence of new water use policies, we must lead by setting a proper example. Public perception and leadership are critical when asking residents to make water restriction sacrifices, especially when noncompliance may include fines.

Risk Management Considerations

After inquiring about insurance coverage for the event, it was made clear from the Joint Powers Insurance Authority (JPIA) staff that our insurance carrier would not provide any coverage for the Slide portion of the event. Slide the City will provide a \$2,000,000 liability insurance that will cover the slide portion of the event, covering registered participants who have completed the company waiver form, while they are on the slide. While JPIA staff recommends against the event, our carrier will insure the City's staging efforts including traffic controls and public parking areas. In JPIA's opinion, this is a high risk event that exposes the City to potential pedestrian/vehicle conflicts and accidents.

Staging & Public Safety Costs

City staff and Slide the City would prefer a complete closure. However, it is not realistic for us to land lock businesses and residents or emergency services for 10 hours. Therefore, one way is to do a partial street closure and install concrete barricades along either side of the slide and in other key areas, along with public safety staff and volunteers to conduct traffic and pedestrian control and afford adequate protection for the participants.

The following are estimated costs associated with Public Safety/Traffic staging of the event:

Traffic Control Plan (Design and implementation)	\$9,200
Traffic Control (Install, take down, signal work)	\$4,000
Concrete Barriers for 1000' (Rental)	\$12,000
Public Safety/Security Cost	\$4,000

The following are estimated costs associated with a festival staging at Northview School:

Staff salaries 15 staff x 5 hrs @ \$11	\$825
Stage rental	\$500
<u>Misc. supplies and equipment</u>	<u>\$500</u>
<i>Total Estimated Costs =</i>	<i>\$31,025</i>

Conclusion

On April 1, 2015, for the first time ever, California Governor Jerry Brown announced mandatory statewide water use restrictions. All California cities and towns are required to reduce their water use by 25% and residential homeowner violators could be fined up to \$500. With this in mind, a water slide event of this type does not seem appropriate or consistent with that direction. Additionally, with the costs involved, the huge assumption of risk and the potential negative impact to the neighborhood, staff feels very strongly that this is not the appropriate time to approve this type of event.

Please note that the City of Duarte is in the preliminary stages of planning the Golden Streets event for Summer 2016. This event is similar to the Ciclaviva L.A. events that take place in downtown Los Angeles, and will include several cities along the Metro Gold Line route from South Pasadena to Azusa. Duarte tentatively plans to close the north side of Duarte Road from Mountain Avenue to Highland for several hours (projected to take place on a Sunday morning) and community members of all ages can walk, bike, play, jog, and more. We plan to have several festival areas set up along the route for participant activities and booths. This important City event has the potential to attract many young, active participants including many teens and families. Staff would recommend that the Mayor's Youth Council consider designing and planning a designated festival area, including activities and entertainment specifically for teens.

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 – MAY 12, 2015

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 Paras-Caracci called the meeting to order at 7:12 p.m.
RECORDATION OF ATTENDANCE	The following were in attendance: PRESENT: Fasana (arrived at 7:16 p.m.), Kang, Reilly, Paras-Caracci ABSENT: Finlay ADMINISTRATIVE STAFF PRESENT: City Manager George, Assistant City Attorney Marticorena
ADOPTION OF AGENDA	Reilly moved, Kang seconded to adopt the Agenda, and carried with Finlay absent.
PLEDGE TO THE FLAG	Mary Pat Paddock led the Pledge of Allegiance to the Flag.
MOMENT OF REFLECTION	A moment of reflection was observed.
FITNESS/MENTAL WARM-UP	Fasana provided the warm-up.
SPECIAL ITEM Recognition – Mary Pat Paddock Senior Volunteer of the Year Proclamation – Older Americans	Cesar Monsalve introduced Mary Pat Paddock and provided information about her volunteer services and recognition at the L.A. County Supervisor's event. Mayor Paras-Caracci read and presented the Proclamation for Older Americans Month to Mrs. Paddock, and congratulations were extended.
ANNOUNCEMENTS	Joanna Gee, Duarte Library, announced continuation of roof improvements and upcoming story times, classes, and programs in May and June. Wendy Wright, Friends of the Duarte Library, announced upcoming scholarship fundraiser and book clubs. Mayor Pro Tem Kang presented a \$1,000 donation to the Friends of the Duarte Library for the purchase of Legos, and to start a STEM program at the library. Karen Herrera presented community announcements about City events, projects, programs, and activities in May and June. Councilmember Fasana stated in discussions with the AQMD, City of Azusa, and Vulcan, a location has not yet been identified for the Azusa monitoring station.

City Manager George presented a brief update on the Ralphs closure, and stated the City received a formal announcement on April 30, 2015, that the Duarte store will be closing beginning July 10, 2015.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda.
Cheryl Taylor – Dottie Treat turning 100 years old.
Joann Chiles – Duarte Park, Skate Park, Ralphs, Mike’s Center.
Martha Hernandez–Ralphs, Buena Vista signal/light, programs.

ITEMS ADDED TO CONSENT

Fasana moved, Reilly seconded to add attendance at the Desert Showdown World Amateur Boxing Championships, July 14-18, 2015, Indio, to Consent Item G, and carried with Finlay absent.

CONSENT CALENDAR

Fasana moved, Reilly seconded to approve the Consent Calendar, as amended, as follows, and carried with Finlay absent.
Approve Items A, B, C, D, E, G.
Receive and File Item F.

COUNCIL BILL

Council Bill 15-O-03
Massage Establishments
Business Licenses/Regulations
(MCA 14-06)
(Re-Introduce for First Reading)

COUNCIL BILL 15-O-03 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AMENDING IN ITS ENTIRETY CHAPTER 5.56, “MASSAGE ESTABLISHMENTS,” OF TITLE 5, “BUSINESS LICENSES AND REGULATIONS,” OF THE DUARTE MUNICIPAL CODE TO REVISE CERTAIN REGULATIONS APPLICABLE TO THE OPERATION OF MASSAGE ESTABLISHMENTS (MCA 14-06) (Re-Introduce for First Reading)

George presented a staff report about the Council Bill, stated the document reflects corrected typographical errors and other minor alterations, and the timeframe will not impair the timing for approval of CUP applications.

Reilly moved, Fasana seconded to re-introduce Council Bill 15-O-03 for first reading, and carried with Finlay absent.

BUSINESS ITEMS

Part-Time Employee Sick Leave Policy

George presented a staff report about the proposed policy. Reilly moved, Kang seconded to approve the Part-Time Employee Sick Leave Policy, and carried with Finlay absent.

Agency-State Master Agreement
Gold Line Station Improvements
Council Bill 15-R-04
Designates Grantee’s Agent

Council Bill 15-R-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE DESIGNATING THE GRANTEE’S AGENT FOR ALL MATTERS RELATING TO THE STATE OF CALIFORNIA FOR ACTIVE TRANSPORTATION PROGRAM CYCLE I

Rafael Casillas, Public Works Manager, presented a staff report about the proposed agreement with Cal Trans, the appropriation of Prop A funds, the RFP process, and the proposed Council Bill designating the grantee’s agent, and answered questions from City Council pertaining to matching funds.

Reilly moved, Kang seconded to authorize the execution of an Administering Agency-State Master Agreement for Plans, Specifications, and Estimates (PS&E) phase of the Active Transportation Program Duarte Gold Line Station Pedestrian and Bicycle Improvements First/Last Mile Connectivity; appropriate \$38,000 Prop A Local Return matching funds for the PS&E phase; authorize staff to solicit Request for Proposals for professional services for the PS&E phase, project and construction management of the Citywide way-finding signs, pedestrian, and bicycle improvements consistent with the Duarte Gold Line Station; and to adopt Resolution No. 15-04, and carried with Finlay absent.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

GEORGE: Stated he will be attending the ICSC Conference next week.

KANG: Stated he emceed an event for the UN Ambassador to Hostage Negotiations, he is saddened about the Ralphs closure, the City is trying to get another market, and encouraged all to shop in Duarte.

REILLY: Attended AQMD open house, suggested the Public Services Commission oversee the AQMD monitoring and Vulcan mining operations, thanked sponsors, participating restaurants, and staff for assisting with the Special Olympics Host Town event, presented Mayor Pro Tem Kang with a gold ribbon for providing a meal for the event, stated another senior has received railings through the Ramp Up Duarte program, attended a presentation about shingles at the Senior Center, and thanked Senior Center staff for the Mother's Day Tea and Fashion Show.

FASANA: Thanked staff for the presentation of the 2015/16 budget at the workshop, thanked Cal Trans for installing channelizers at Mount Olive/210 Freeway to prevent U-turns, regarding the closure of Ralphs, stated the business model has switched and there has been a change in shopping habits, there are other options for healthy food in the City, received an email about the increased number of homeless persons and allegations of theft, he will forward it to his colleagues and City Manager, and noted an LA Times article indicated a critical aspect of homelessness is that there is not enough affordable housing.

PARAS-CARACCI: Stated she spoke with many residents about Ralphs, noted online shopping also affects the grocery business, attended AQMD open house, open communication is important, she agreed that the Public Services Commission could possibly take on the monitoring/mining oversight, regarding the homeless issue, stated she would like clarification and signage at our public building facilities that there are no public restrooms, or that use of restrooms is restricted to staff and participants, attended bone marrow transplant reunion press conference at City

of Hope, and she would like a certificate or note presented to City of Hope CEO Robert Stone for being named CEO of the Year by L.A. Business Journal.

ADJOURNMENT

The meeting was adjourned at 8:25 p.m.

Mayor Tzeitel Paras-Caracci

ATTEST:

City Clerk



MEMORANDUM

RECEIVED

MAY 18 2015

CITY OF DUARTE

TO: CITY COUNCIL

FROM: COMMISSIONER Johnny McLaurin

SUBJECT: NOTICE OF ABSENCE FROM PARKS AND REC. COMMISSION MEETING

DATE: 05/11/15

REASON FOR ABSENCE:

_____ ACCIDENT _____ VACATION _____ OTHER*

☒ SICKNESS _____ DEATH IN FAMILY

Need to TAKE wife TO L.A.X
Flight Leave at 6:15 Today to SAN ANTONIO TEXAS

DATE OF MEETING ABSENCE 05/11/15

* EXPLANATION OF ABSENCE Need to TAKE wife to L.A.X Airport

Flight Leave at 6:15 today to SAN ANTONIO TEXAS

Johnny McLaurin
SIGNATURE

ABSENCE NOTED BY CITY COUNCIL

05/11/15
DATE



MEMORANDUM

RECEIVED

MAY 18 2015

CITY OF DUARTE

TO: CITY COUNCIL

FROM: COMMISSIONER Nathan Kirschenbaum

SUBJECT: NOTICE OF ABSENCE FROM Economic Development COMMISSION MEETING

DATE: 5-6-15

REASON FOR ABSENCE

ACCIDENT

VACATION

SICKNESS

☒ OTHER 其他

DEATH IN FAMILY

DATE OF MEETING ABSENCE

DATE OF MEETING ABSENCE 5-6-15

* EXPLANATION OF ABSENCE

* EXPLANATION OF ABSENCE Business Meeting during
same time period.

Nathan L. Hinkle
Signature

前 前 前 前 前 前 前 前 前 前 前

Absence noted by City Council

Date _____

MEMORANDUM

TO: Darrell J. George, City Manager

FROM: Kristen Petersen, Assistant City Manager

DATE: May 26, 2015

SUBJECT: GANN APPROPRIATION LIMIT

Background

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIII B of the State Constitution. Article XIII B sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, State and local governments must adopt resolutions establishing appropriation limits. FY 1978-79 appropriations served as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and service responsibility transfers.
- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations, and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court and federal government mandates.
- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.
- Voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIII B of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is now defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.
- The change in population is now defined to be either the change in the City's population or the change in the population of Los Angeles County as a whole. Previously, the change in

population was defined to be the change in the City's population.

- "Qualified capital outlay projects" have been added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years, and a cost, which equals or exceeds \$100,000.
- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.
- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

Computation

The information used to calculate the City's FY 2015-16 appropriations limit is presented in Attachment 1. The City's appropriations limit for FY 2014-15 was \$27,436,102. The change allowed by Proposition 111, due to population change and the increase in the cost of living, is 1.0467%. This results in a FY 2015-16 appropriations limit of \$28,717,368.

As indicated above, Proposition 111 provides several options for calculating changes in the appropriations limit. With respect to the change in population, the County's calculation used the greater of the percentage increase in either the City or the County population. Therefore, the increase in County population was used since it was greater than the City's increase (.82% vs. .75%). With respect to the cost of living, the change in California per capita personal income was used.

Recommendation

It is recommended that the City Council adopt Resolution 15-R-06 establishing the City of Duarte's Appropriations Limit for the fiscal year 2015-16.

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE
ESTABLISHING AN APPROPRIATIONS LIMIT PURSUANT TO THE PROVISIONS
OF ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION**

WHEREAS, the voters approved the Gann Spending Limitation Initiative (Proposition 4) on November 6, 1979, adding Article XIII B to the Constitution of the State of California to establish and define annual appropriations limits on state and local government entities; and

WHEREAS, SB 1352 provides for the implementation of Article XIII B by defining various terms used in the article and prescribing procedures to be used in implementing specific provisions of the article, including the establishment by resolution each year by the governing body of each local jurisdiction of its appropriations limit; and

WHEREAS, the voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111) on June 5, 1990, amending Article XIII B of the Constitution of the State of California; and

WHEREAS, SB 88 provides for the implementation of Proposition 111 by defining various terms used in the article and prescribing procedures to be used in implementing the amendments to the article; and

WHEREAS, the required computations to determine the appropriations limit for FY 2015-16 have been performed by the Administrative Services Department and are on file with the Office of the City Clerk, and are available for public review; and

WHEREAS, these computations are provided in Attachment 1, which is herein incorporated by reference and attached hereto.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DUARTE DOES
RESOLVE AS FOLLOWS:**

SECTION 1: The Appropriations Limit for the City of Duarte for fiscal year 2015-16 is \$28,717,368.

SECTION 2: The adjustment factors for the City's Appropriations Limit are: a) the change in County population; and b) the change in California per capita personal income.

PASSED, APPROVED AND ADOPTED this 26th day of May, 2015

Mayor Tzeitel Paras-Caracci

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. 15-06 was adopted by the City Council of said City of Duarte at a regular meeting of said Council held on the 26th day of May, 2015, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk Marla Akana
City of Duarte, California

Resolution 15-06

Attachment 1

**CITY OF DUARTE
COMPUTATION OF APPROPRIATIONS LIMIT**

FY 2014-15 Appropriations Limit	\$27,436,102
Change in per capita personal income	103.82%
Change in County population (Change in City population = .75%)	1.0082%
Cumulative compound change (103.82 x 1.0082)	1.0467
FY 2015-16 Appropriations Limit	\$28,717,368

Source: State of California, Department of Finance, Price and Population Information, May 2015



Duarte Youth & Family Committee

MEMORANDUM

TO: CITY COUNCIL

FROM: YOUTH AND FAMILY COMMITTEE

SUBJECT: COMMITTEE VACANCIES

DATE: MAY 26, 2015

Recommendation:

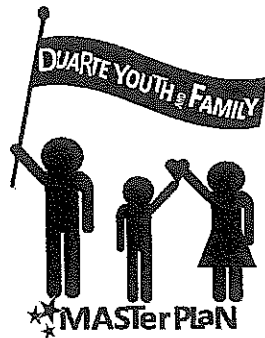
At the May 18 regular meeting of the Duarte Youth and Family Committee, Mr. Steve Hernandez was nominated to become a Youth and Family Committee member. Committee member Cabral moved to accept Mr. Hernandez as a committee member and to ask the City Council to accept the nomination. Nielsen seconded. The motion carried unanimously. The Committee formally recommends that Steve Hernandez be approved to serve on the Youth and Family Committee. Attached is his application.

Discussion:

By council resolution, The Youth and Family Committee can maintain a total of up to but not exceeding 12 members to serve as committee members. The addition of Mr. Hernandez, currently also serving on the Public Safety Commission, will bring the Committee's total up to 6 members with two more applications pending for approval and recommendation at the next committee meeting.

The committee continues to encourage those who would like to serve on the committee to submit an application. By consensus, the types of applicants the committee is seeking are:

- Dedicated residents who may be homemakers or professionals who are dedicated and who want to improve what is offered to youth and families in Duarte.
- Members of the clergy.
- Health care/medical practitioners.
- Teens or young members under 23 years old.
- Legal office representatives or Chamber of Commerce member.
- A representative from Maryvale early childhood development center.



Duarte Youth & Family Committee Application Information



City of Duarte
1600 Huntington Drive
Duarte, CA 91010
(626) 357-7931

Duarte's Youth & Family Master Plan (YFMP) details an Action Plan, which summarizes the steps necessary to implement a community vision to improve programs, services and facilities for Duarte's youth and families over the next few years. The plan was adopted on July 26, 2010 and utilizes a three-prong approach: 1. Mobilizing; energizing and informing the community. 2. Creating a unified and coordinated system of family and youth activities, a system of support and opportunities. 3. Provide for coordination and monitoring to ensure full implementation of the Action Plan. Duarte's YFMP provides a blueprint to lead our community to become more healthy, nurturing, and supportive of our youth and families.

The process of implementing the plan includes:

1. Addressing the goals of the YFMP
2. Coordinating efforts to carry out the action steps in partnership with the City of Duarte, Duarte Unified School District, and service providers
 - a. Becoming aware of youth and family services and programs offered in Duarte and the surrounding areas
 - b. Partnering with other agencies in serving youth and families
 - c. Coordinating distribution of information on programs, services, and skill building opportunities for service providers and ensuring accessibility of programs for youth and families
3. Advising, recommending, encouraging and assisting the City, School District and service providers regarding activities, programs and services for youth and families
4. Carrying out methods of community-wide outreach and participatory research, taking into account the diversity of the Duarte community, to ensure change is monitored, gaps in services are reduced, and needs among youth and families are regularly assessed
5. Annually reviewing and evaluating existing programs through a community-wide report card to be reported to the Parks and Recreation Commission, City Council, Board of Education and the community
6. Advocating and promoting the Duarte YFMP throughout the community
7. Working cooperatively with staff and service providers in developing goals and evaluating outcomes consistent with the YFMP

8. Seeking and recommending grant funding to support both the sustainability and creation of new and emerging programs for youth and families

GENERAL INFORMATION OF THE YOUTH & FAMILY COMMITTEE

Applicants must be able to:

- Serve a two-year term
- Commit to attending at least one meeting per month
- Participate in task oriented sub-committees
- Serve as a liaison to groups implementing YFMP action steps

The Youth & Family Committee will consist of no more than 12 persons with the following representation:

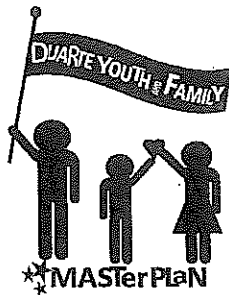
- One member shall be a current Parks and Recreation Commissioner
- At least 25% of the membership shall be former YFMP Advisory Committee members
- At least 25% of the membership shall be age 23 or younger

Applications can be obtained online at www.accessduarte.com or at Duarte City Hall, 1600 Huntington Drive, Duarte, CA 91010.

Return applications to:

Duarte Youth & Family Master Plan
1600 Huntington Drive
Duarte, CA 91010
Attention: Cesar Monsalve

Questions regarding Duarte's YFMP or the Youth & Family Committee can be directed to Cesar Monsalve, Director of Parks and Recreation at 357-7931, Monday through Thursday, 7:30am-6:00pm, or via email at monsalvec@accessduarte.com



City of Duarte
1600 Huntington Drive
Duarte, CA 91010
(626) 357-7931

DUARTE YOUTH & FAMILY COMMITTEE APPLICATION

Completed applications must be returned no later than 6:00pm on Thursday, November 8, 2012.

Please type or print legibly

Name SRUE HERNANDEZ Profession RETIRED

Address__

Phone

Email__

Are you under age 24? ☐ Yes ☒ No

What experiences do you have that will benefit the facilitation, implementation and evaluation of Duarte's Youth and Family Master Plan?

PARENT / GRAND PARENT

What are the key issues that you see impacting the quality of life for youth and families?

ACTIVITIES FOR ALL AGE GROUPS, MENTORSHIP

Please share additional insight about yourself and why you'd like to serve on the Youth & Family Committee?

LONG TIME RESIDENT INTERESTED IN POSITIVE GROWTH OF OUR YOUTH - SENIORS AND EVERY ONE IN THE MIDDLE

Please list three local references that are familiar with your work/experience:

1. Name: LEO/PILAR PONCE Phone Number:

2. Name: MARGARET PINAY Phone Number:

3. Name: DEBBY DIAMOND ST. LOUIS Phone Number:

Attach additional pages if necessary

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA AMENDING IN ITS ENTIRETY CHAPTER 5.56, "MASSAGE ESTABLISHMENTS," OF TITLE 5, "BUSINESS LICENSES AND REGULATIONS," OF THE DUARTE MUNICIPAL CODE TO REVISE CERTAIN REGULATIONS APPLICABLE TO THE OPERATION OF MASSAGE ESTABLISHMENTS (MCA 14-06)

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

SECTION 1. CHAPTER 5.56 AMENDED.

Chapter 5.56, "Massage Establishments," of Title 5, "Business Licenses and Regulations," of the Duarte Municipal Code is amended in its entirety to read as follows:

5.56.010 - Purpose and intent.

The intent and purpose of this chapter is to comply with the provisions found in California Business and Professions Code section 4600 et seq. relating to the regulation of massage or massage services, which shall include but not be limited to services referred to as Reiki, applied oils, body sponge, reflexology, bodywork-, and acupressure (collectively "Massage"), and to allow legitimate massage uses while restricting business fronts for illicit sexual activity and/or human trafficking. Any terms used in this chapter that are not defined in this chapter shall have the same meaning as that defined by California Business and Professions Code section 4600 et seq. Nothing in this chapter shall serve to limit the city's authority under California Business and Professions Code section 4600 et seq.

5.56.020 - License required.

- (a) It shall be unlawful and a violation of this code for any individual person, association, partnership, corporation, or other entity to engage or permit to engage in, conduct, or carry on, in or upon any premises within the city the business of massage in exchange for compensation without being currently certified as a massage practitioner or massage therapist by the operation of a Massage establishment unless: (1) all persons providing Massages at the establishment are certified massage practitioners and/or certified Massage therapists pursuant to the California Massage Therapy Organization Council's certification procedures in accordance with California Business and Professions Code section 4600 et seq.; and (2) the Massage establishment operator has obtained a business license and a conditional use permit from the city as well any other permits, licenses and other approvals required by law. Procedures for obtaining a business license are set forth in chapter 5.04 of this code and section 5.56.040 of this chapter.
- (b) All persons administering Massages in the city for compensation must be a certified Massage practitioner and/or a certified Massage therapist holding a valid certification from the Massage Therapy Council. No person may administer massage within the city without first providing, to the Director of Administrative Services, a copy of his or her massage certificate and a list of the names and addresses of all Massage establishments at

which he or she will provide Massage for compensation. Any change in the locations at which a person will provide Massage for compensation shall be reported to the city within five (5) business days of the change.

- (c) This section applies to all independent contractors, sole proprietors, and owners of a Massage business. Accordingly, pursuant to Government Code section 51034(c)(8), any Massage business owner, including a sole proprietor or independent contractor who is California Massage Therapy Council certified, must obtain a business license and any other entitlement required by this Code to carry on the business of Massage therapy.

5.56.030 — Business license required; inspection of premises; notification to city.

~~(a) Any person, association, partnership, corporation, or other entity engaged in the businesses of massage described in Section 5.56.010 of this chapter shall apply for and secure a city business license under Chapter 5.04 prior to commencing any operation in the city.~~

5.56.040 – Massage Establishment business license required; inspection of premises; notification to city.

- (a) In addition to the information required to be provided under chapter 5.04 of this Code, a person applying for a business license for a Massage establishment as described in sections 5.56.020 of this chapter shall provide the following information:
- (1) The prior business and permit history of the applicant, including but not limited to whether the applicant has ever had any permit or license issued by any agency, board, city, county, territory, or state; the date of issuance of such a permit or license; whether the permit or license was revoked or suspended; and whether a vocational or professional license or permit was issued, revoked, or suspended, and the reason for any revocation or suspension.
 - (2) A description of the proposed Massage establishment, including the type of treatments to be administered;
 - (3) Authorization for the city, its agents and employees, to seek information and conduct an investigation into the truth of the statements set forth in the application.
 - (4) A complete current list of the names and residence addresses of all proposed Massage technicians, aides, trainees and other employees who are or will be employed in the Massage establishment, if known, together with the State-issued Massage Technician's License for each proposed Massage technician. If not known at the time of submission of the application, the applicant shall provide the required information no later than five (5) business days prior to opening for business.
 - (5) For each person that the Massage establishment does or will employ, retain or permit to perform Massage for compensation: a copy of that person's legal form of identification with photograph, a copy of that person's current certificate issued

by the Massage Therapy Council, and a copy of that person's identification card issued by the Massage Therapy Council.

- (6) The name and residence addresses of the proposed operator(s) and manager(s) who will be principally in charge of the operation of the Massage establishment.
- (7) The name and mailing address of the Landlord and the fee owner of the property at which the Massage establishment will be conducted.
- (8) Evidence satisfactory to the Director of Administrative Services demonstrating that the proposed Massage establishment is authorized under city zoning to conduct Massage activities at the proposed Massage establishment site.
- (9) A scaled floor plan of the Massage establishment, including, at minimum measurements and purposes labeled of all rooms and spaces within the building.
- (b) As a condition of issuance of a business license, the city shall have the right to inspect the premises to confirm compliance with this chapter and applicable state law.
- (c) Except as otherwise specifically provided in this subdivision, once a business license is issued to a Massage establishment, the applicant shall submit to the city any change to any of the information required above within five (5) business days of discovering that change. Such changes include, but are not limited to, changes in the types of services to be provided, changes in the persons employed or retained by the Massage establishment to perform Massage for compensation and changes to the floor plan or physical arrangement of space within the Massage establishment.
- (d) ~~(e) The owner or operator of a massage-Massage establishment-, including independent contractors and sole providers, shall notify the city in writing of any intention to rename, change management, or convey the business to another person or entity at least fifteen~~ five (5) business days prior to such renaming, change of management, or conveyance of the business.

5.56.040 5.56.060 - Display of permit and certifications.

- (a) ~~Each person employed or retained by a massage, including independent contractors, by a Massage establishment to perform massage-Massage services in or on the premises or through an outcall massage service shall display on keep in his or her person possession a copy of a valid certification identification card issued to that employee by the California Massage Therapy Council and a legal form of identification with photograph. It should be the obligation of the massage business or establishment to display a copy of each such permit or certification in an open and conspicuous place visible from the entrance and/or reception and waiting area of the massage establishment and business. A passport-size photograph of the employee shall be affixed to each permit, certification, or identification card on display pursuant to this section. The home address of any employee need not be displayed.~~
- (b) The Massage business or establishment must also display a copy of each such certificate for every certified Massage therapist and certified Massage practitioner employed by the Massage establishment, as an employee, independent contractor or otherwise, in an open

and conspicuous place visible from the entrance and/or reception and waiting area of the massage establishment and business. A passport-size photograph of the employee shall be affixed to each permit, certification, or identification card on display pursuant to this section. The home address of any employee need not be displayed.

5.56.070 – Massage School Prohibited.

No Massage establishment shall operate as a school of Massage or use, or permit use of, any portion of its facilities as a school of Massage.

5.56.050 5.56.080 - Attire and physical hygiene requirements.

The following attire and physical hygiene requirements shall be applicable to all massage Massage businesses and establishments and to all persons performing massage services in owners, operators, managers, employees, and independent contractors of such Massage establishments located within the city.

- (a) All persons shall wear clean and sanitary outer garments ~~at all times~~ when present on the premises of the Massage establishment. ~~All outer garments shall be of a fully opaque, nontransparent material and provide complete covering from at least the mid thigh to two inches below the collarbone. The midriff shall not be exposed.~~
- (b) All outer garments shall comply with the standards set forth in Business and Professions Code section 4609, and, accordingly shall be of a fully opaque, nontransparent material, and shall not expose any genitals, pubic areas, buttocks or breasts.
- (c) All persons shall thoroughly wash their hands with soap and water or any equally affective cleansing agent immediately before providing any ~~massage~~ Massage service to a patron. No ~~massage~~ Massage services shall be provided upon a surface of the skin or scalp of a patron where such skin is inflamed, broken (e.g., abraded, cut) or where a skin infection or eruption is present.
- (d) No person afflicted with an infection or parasitic infestation capable of being transmitted to a patron shall knowingly provide ~~massage~~ Massage services to a patron, or remain on the premises of a ~~massage~~ Massage business or establishment while so infected or infested. Infections or parasitic infestations capable of being transmitted to a patron include, but are not limited to:
 - (1) Cold, influenza or other respiratory illness accompanied by a fever, until twenty-four hours after resolution of the fever;
 - (2) Streptococcal pharyngitis ("strep throat"), until twenty-four hours after treatment has been initiated and twenty-four hours after resolution of fever, whichever is the later;
 - (3) Purulent conjunctivitis ("pink eye"), until examined by a physician and approved for return to work;
 - (4) Pertussis ("whooping cough"), until five days of antibiotic therapy has been completed;

- (5) Varicella ("chicken pox"), until the sixth day after onset of rash or sooner if all lesions have dried and crusted;
- (6) Mumps, until nine days after onset of parotid gland swelling;
- (7) Tuberculosis, until a physician or local health department authority states that the person is noninfectious;
- (8) Impetigo (bacterial skin infection), until twenty-four hours after treatment has begun and twenty-four hours after resolution of the infection, whichever is later;
- (9) Pediculosis (head lice), until the morning after first treatment; and
- (10) Scabies ("crabs"), until after treatment has been completed.

Blood-borne diseases, such as HIV/AIDS and hepatitis B (HBV), shall not be considered infectious or communicable diseases for the purpose of this paragraph (c).

~~5.56.060 - Ventilation requirements.~~

~~Minimum ventilation shall be provided in accordance with the applicable building code regulations.~~

~~5.56.070~~ 5.56.100 - Reception area separate from customer waiting area; screening of openings.

~~There shall be a reception or front desk area accessed through the front door of the premises and a separate location within the premises to be used as a waiting area for customers who are awaiting massage services. To ensure that the view of the interior of the premises is obscured from outside the premises, any building openings, entries, windows, and the like found in massage businesses and establishments shall be located, covered, or screened in such a manner as to prevent a view into the interior from outside the building with the exception of the reception or front desk, and/or customer waiting area which shall be visible from the exterior through the front door, and/or store-front window. To ensure that the view of each of the Massage rooms of the premises is partially obscured, all interior openings, entries, windows, doorways, and the like into Massage rooms found in Massage businesses and establishments shall use obscured glass doors without use of any type of additional covering, such that use of a Massage room may be visually confirmed, but the identity of the room occupants is protected.~~

~~5.56.080 - Lighting in parking lot.~~

~~To ensure the personal safety and security of patrons and employees and to reduce the incident of vandalism and theft, lighting at all massage businesses and establishments must be designed to illuminate all off-street parking areas serving any massage business and establishments.~~

~~5.56.090~~ 5.56.110 - Construction.

The following construction standards are adopted to ensure the personal health and safety of patrons and employees by imposing reasonable hygiene requirements:

- (a) Construction of rooms used for toilets, tubs, steam baths, and showers at all massage businesses and establishments shall be made waterproof with approved waterproofed material and shall be installed in accordance with all applicable state and local laws and regulations. Plumbing fixtures shall be in accordance with all applicable state and local laws and regulations.
- (b) Steam rooms and shower compartments shall have waterproof floors, walls and ceilings approved by the city.
- (c) Floors of wet and dry heat rooms shall be adequately pitched to one or more drains properly connected to the sewer. However, dry heat rooms with wooden floors need not be provided with pitched floors and drains.
- (d) A source of hot water must be available within the immediate vicinity of dry and wet heat rooms to facilitate cleaning.

~~5.56.100 - Unlocked exterior doors.~~

~~To protect the personal health and safety and security of patrons and employees, all exterior doors of a massage business and establishment shall remain unlocked during business hours.~~

~~5.56.110 - Locked interior doors prohibited.~~

~~To protect the personal safety and security of patrons and employees, it shall be unlawful for any massage service to be carried on within any cubicle, room, booth, or any area within a massage business and establishment which is fitted with a door capable of being locked.~~

~~5.56.120 - Unobstructed opening required.~~

- ~~(a) To protect the personal safety and security of patrons and employees, all doors or doorway coverings within all massage businesses and establishments shall have an unobstructed opening six inches by six inches in size capable of clear two-way viewing into and out of all cubicles, rooms, or booths. The opening shall not be less than four and one half feet from the floor of the establishment nor more than five and one half feet from the floor.~~

5.56.120 - Minimum number of employees and unlocked exterior and interior doors.

- (a) All Massage businesses and/or establishments shall utilize a minimum of two (2) employees during all business hours.
- (b) All exterior doors of a Massage business and/or establishment shall remain unlocked during business hours.
- (c) It shall be unlawful for any Massage service to be carried on within any cubicle, room, booth, or any area within a Massage business and establishment which is fitted with a door capable of being locked.
- (d) (b)Toilets and cubicles used solely for the application of liquid and vapor baths shall have no such opening in the covering door or curtain, but shall be clearly marked as to such purpose on the exterior door or curtain of the cubicle, room or booth.

- (e) (e)Nothing contained in this section shall be construed to eliminate other requirements of statute, ordinance, or this code concerning the maintenance of premises, nor to preclude authorized inspection thereof, whenever such inspection is deemed necessary by the police or health departments, or by the city to assure compliance with the provisions of this chapter and applicable fire, health, and safety requirements.

5.56.130 - Video security.

- (a) The reception or front desk area, all hallways, and every entry and exit of every Massage business and/or establishment shall utilize a video security system that provides surveillance of such areas during all business hours. All video footage shall be retained in a digital format for a minimum of 30 calendar days. The Massage business establishment owner, operator, manager, and/or employee shall make the recorded surveillance immediately available for inspection upon reasonable demand of the City Manager, City Manager's designee, city law enforcement or any city code compliance officer. The owner of the Massage business establishment shall submit to the Director of Public Safety a Supplemental Security Plan, before the issuance of a city business license, prepared to the Director's satisfaction outlining implementation of the following measures, which shall be monitored by the Public Safety Department. Upon plan approval by the Director of Public Safety, the plan components shall be installed and made operational prior to the Massage establishment commencing operation. At a minimum, the security plan shall provide the following:
- (1) A Closed Circuit Television (CCTV) System capable of viewing and recording events inside and outside the premises. The quantity, type, and location of cameras shall be subject to Public Safety Director approval.
 - (2) Details on the location of the CCTV system recorder and storage of recorded content. The recorder shall be locked in a cabinet within an office; access to the cabinet shall be available to employees on duty at all times.
 - (3) Details on clearly distinguishable height markers on the interior side of the doorjamb, or on the interior edge of a pair of doors, for all doors used by the public to access the establishment. Horizontal marks, one-inch wide by three inches long, in different colors, and in a contrasting color to the background, shall be placed every six inches beginning at 5' and ending at 6'6".

5.56.150 - Cleanliness.

- (a) (a)Adequate equipment for disinfecting and sterilizing instruments used in performing the acts of ~~massage~~ Massage shall be provided.
- (b) (b)Hot and cold running water shall be provided at all times.
- (c) A washer and dryer, for thoroughly cleaning soiled linens, shall be located within the interior of the massage establishment.
- (d) (e)Separate closed cabinets shall be provided for the storage of clean and soiled linen, and shall be plainly marked: "Clean Linen" and "Soiled Linen."

5.56.140-5.56.160 - Separate rooms and group massage.

~~In any establishment in which massage Massage services are rendered only to members of the same sex at any one time, such persons of the same sex may be placed in a single separate room if such persons are related by blood, marriage, registered domestic partnership, or adoption, or the operators of the massage Massage establishment may elect to place such persons of the same sex, who are eligible to be in the same room, in separate enclosed rooms or booths having adequate ventilation to an area outside said room or booth while massage Massage services are being performed.~~

Massage services for one gender must be provided in a room separate from members of the opposite gender. Establishments that provide Massage services to a group of two (2) or more persons (e.g. group Massage), may only do so for members of the same gender in a room separate from members of the opposite gender. Group Massage may be provided to members of the opposite gender in a separate single room, only if such persons are related by blood, marriage, registered domestic partnership or adoption.

5.56.150-5.56.170 - Genders served. Bathing Lockers, dressing, and toilet facilities.

Massage services shall be offered to members of both genders at all times. Adequate bathing, dressing, locker, and toilet facilities shall be provided for patrons. A minimum of one separate locker for each patron served at any given time shall be provided, which locker shall be capable of being locked. If male and female patrons are to be served simultaneously at the establishment, separate bathing, a separate massage room or Massage rooms, ~~s~~Separate dressing, and separate toilet facilities shall be provided for male and for female patrons.

5.56.160-5.56.180 - Washbasins.

A minimum of one separate washbasin shall be provided in each ~~massage~~ Massage establishment for the use of employees of any such establishment, which basin shall provide soap or detergent and hot and cold running water at all times and shall be located within or as close as practicable to the area devoted to the performing of ~~massage~~ Massage services. In addition, there shall be provided at each washbasin, sanitary towels placed in permanently installed dispensers.

5.56.170-5.56.190 - Services to minors.

To ensure safety and security, minors are not permitted to enter the premises of a ~~massage~~ Massage business or establishment without being accompanied at all times by a parent or legal guardian and the building entrance to any ~~massage~~ Massage business and establishment shall be clearly and legibly posted by a notice indicating that minors are precluded from entering the premises unless accompanied by a parent or legal guardian at all times. As used herein, the term "minor" means an individual under the age of eighteen years.

5.56.180-5.56.200 - Harmful displays.

To protect minors from viewing displays of harmful materials, no display or exhibit which emphasize or direct the viewer's attention to the subject's genitals or which depict or describe sexual activities or specified anatomical areas, shall be placed in, on, or at a ~~massage~~ Massage business and establishment in such a manner as to be visible from the exterior of the premises.

5.56.190-5.56.210 - Permitted hours.

To ensure the personal safety and security of patrons and employees and limit negative secondary impacts to surrounding uses, ~~massage~~ Massage businesses and establishments shall only operate between the hours of ~~eight~~ 8:00 a.m. and ~~eight~~ 89:00 p.m.-

~~5.56.200~~ 5.56.220 - **List of services display.**

All ~~massage~~ Massage businesses and establishments shall post a list of services available, described in English, and at the option of the ~~massage~~ Massage business and establishment one or more other language, and the cost of such services in a conspicuous place on the premises. No service shall be included on the list unless it is a service that falls within the professionally recognized scope of practice of a certified Massage therapist or certified Massage practitioner. No owner, manager or operator of a Massage establishment shall allow, and no person shall perform or offer to perform, any service other than those posted pursuant to this paragraph.

~~5.56.210~~ 5.56.230 - **Records of Services Rendered.**

To ensure the personal safety and security of patrons and employees and to aid law enforcement officials in their investigation of illegal activities, all ~~massage~~ Massage businesses and establishments and independent ~~massage~~ Massage therapists and ~~massage~~ Massage practitioners shall maintain a record which includes ~~at minimum~~, the date and time of each ~~massage~~, the name and address of the patron, the name of the person administering such ~~massage~~, and the type of ~~massage~~ given. In addition, each ~~massage~~ business and establishment shall maintain a current list of all ~~massage~~ therapists and ~~massage~~ practitioners providing ~~massage~~ services at said location. Such records service, the full name and complete address of the patron (which information shall be verified through the presentation of a proper form of legal identification), the full name of any certified Massage practitioner or certified Massage therapist who administered any portion of such service, and the type of Massage given. Such records shall be retained for a minimum of two (2) years from the date of service, and shall be made available, upon request, for inspection by the city manager or police chief City Manager or City Manager's designee, city law enforcement or any city code compliance officer. The information contained in such records shall be confidential unless otherwise required under applicable law.

5.56.240 – Records of Employees and Independent Contractors.

The operator and/or manager of a Massage establishment shall maintain on the premises a register of all Massage therapists and Massage practitioners, including employees and independent contractors, providing Massage services at said establishment. Information concerning an employee or independent contract shall be maintained for a minimum of two years after the person ceases to work for the establishment. The operator and/or manager shall make the register immediately available for inspection upon reasonable demand of the City Manager, City Manager's designee, city law enforcement or any city code compliance officer. The register shall include, but not be limited to, the following information:

- (a) The name, nicknames and/or aliases used by an employee.
- (b) The employee's home address and relevant phone numbers (including but not limited to home, cellular and pager numbers.)
- (c) The employee's age, date of birth, gender, height, weight, color of hair and eyes.
- (d) The employee's Social Security number.
- (e) The date of employment and termination, if any.

- (f) The duties of each employee.
- (g) A legal form of identification with photograph

5.56.250 – Advertisement .

No Massage establishment owner, operator, manager, employee or independent contractor shall place, publish or distribute, or cause or allow to be placed, published or distributed, any advertising matter that would reasonably suggest to prospective patrons that any service is available unless such service is listed on the Massage establishment's list of available services required under section 5.56.220, above.

~~5.56.220~~ 5.56.255 - Prohibited procedures and equipment.

No invasive procedures shall be performed on any patron. Invasive procedures include, but are not limited to:

- (a) (1)Application of electricity which contracts the muscle;
- (b) (2)Application of topical lotions, creams, or other substances which affect living tissue, such as chemical peel preparations or bleaches;
- (c) (3)Penetration of the skin by metal needles;
- (d) (4)Abrasion of the skin below the non-living, epidermal layers;
- (e) (5)Removal of skin by means of any razor-edged instrument or other device or tool; and
- (f) (6)Any needle-like instrument which is used for the purpose of extracting skin blemishes and other similar procedures.
- (g) Any table shower massage, Vichy massage or other procedure that involves a table or other flat surface that is intended for patrons to lay on while receiving bathing and/or massage services (in any location, including, without limitation, a shower or lavatory).
- (h) Any table shower device, or other device that is intended for patrons to lay on while receiving bathing and/or massage services (in any location, including, without limitation, a shower or lavatory).

~~5.56.230~~ 5.56.260 - Restrictions on garments provided.

All bathrobes, bathing suits and/or other garments that are provided for the use of patrons shall be either fully disposable and shall not be used by more than one patron, or shall be laundered after each use.

~~5.56.240~~ 5.56.270 - Restrictions on grooming and hygiene products provided.

All combs, brushes, and or other personal items of grooming or hygiene that are provided for the use of patrons shall be either fully disposable and shall not be used by more than one patron, or shall be fully disinfected after each use.

~~5.56.250~~ 5.56.280 - Required footwear while showering.

No patrons shall be allowed to use any shower facilities of the business or establishment unless such patrons are wearing slip-resistant sandals or flip-flops while in the shower compartment. All footwear such as sandals or flip-flops that are provided for the use of patrons

shall be either fully disposable and shall not be used by more than one patron, or shall be fully disinfected after each use.

5.56.260-5.56.290 - Prohibited conduct.

~~The~~ To protect the personal health and safety of patrons and employees, the following conduct is prohibited to deter criminal activity and to protect the personal health and safety of patrons and employees: from taking place within a Massage establishment:

- (a) ~~(a) It is unlawful for any massage therapist, massage practitioner, any patron, or any other person present where massage services are being offered or performed, to~~ No person present at a Massage establishment may expose or touch an anatomical area, whether his or her own, or those of another person.
- (b) ~~It is unlawful for any massage therapist, massage practitioner, any patron, or any other person present where massage services are being offered or performed, to be in a state of full nudity or semi-nudity. Full nudity or semi-nudity means any of the following: a) the appearance or display of an anus, male or female genital, pubic region, or a female breast below a point immediately above the top of the areola, and/or (b) a state of undress which less than completely covers an anus, male or female genital, pubic region or a female breast below a point immediately above the top of the areola.~~
- (b) A Massage of the genitals or anal region of a patron, or any other person located within the Massage establishment, as provided in Business and Professions Code section 4609(a)(1)(E).
- (c) No Massage services shall be rendered to a patron, unless the patron's genitals are fully covered. In the case of a female patron, the patron's breasts must also be covered to the point immediately above the top of the areola. In addition, no patron's genitals or breasts of a any female patron shall intentionally be touched while the patron is on the premises of the Massage establishment.
- (d) ~~(e) It is unlawful for any massage therapist, massage practitioner, any patron~~ It is unlawful for any massage establishment to allow any of its employees, independent contractors, patrons, or any other person present where massage-Massage services are being offered or performed, to engage in any sexual activity.
- (e) ~~(d) It is unlawful for any person owning, operating or managing a massage-Massage businesses and establishment knowingly to cause, allow or permit in or about such massage-Massage businesses and establishment any agent, employee or any other person under his control or supervision to perform such acts prohibited in this section.~~
- (f) ~~(e) For purposes of this section, the phrase "anatomical area" means human genitals, pubic region, anus, or a female breast below a point immediately above the top of the areola.~~
- (g) ~~(f) For purpose of this section, the phrase "sexual activity" means any of the following: (a) the fondling or other touching of human genitals, pubic region, anus, or female breasts; (b) sex acts, normal or perverted, actual or simulated, including, but not limited to, intercourse, oral copulation, masturbation, or sodomy; or (c) excretory functions as part of or in connection with the fondling or other touching of human genitals, pubic region, buttocks, anus, or female breasts, sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, masturbation, or sodomy.~~

This section does not prohibit any certified massage practitioner or certified massage therapist from performing:

- (h) A Massage of the gluteal muscles for compensation.
 - (i) A massage of female breasts with (1) the written consent of the person receiving the Massage and (2) a referral from a licenses California health care provider pursuant to Business and Professions Code section 4609(a)(1)(F).
 - (j) Specific techniques recognized by the California Massage Therapy Council as legitimate.
- ~~5.56.270—Alcohol prohibited.~~

~~To protect the personal health, safety and security of patrons and to deter criminal activity, no massage therapist, massage practitioner or massage business and establishment shall provide or offer any alcoholic beverage to a patron during the course of providing or offering to provide any massage service.~~

5.56.300 – Alcohol, prophylactic devices and non-prescription drugs prohibited.

No alcoholic beverage or drug, other than a prescription medication in the possession of the person for whom the prescription was written, and no condoms or other prophylactic devices, shall be stored or allowed on a Massage establishment's premises. Service of alcoholic beverages shall not be permitted.

~~5.56.280~~ **5.56.310 - Minors—Employment or services prohibited.**

No holder of a ~~massage~~ Massage businesses and establishment permit ~~license~~ shall employ any person under eighteen years of age.

~~5.56.290~~ **5.56.320 - Violations of a public nuisance, penalties and nuisance abatement.; license revocation for repeated violations; notifications to Landlord.**

- (a) Any ~~massage~~ Massage establishment operated, conducted, or maintained contrary to the provisions of this ~~chapter or related chapters~~ shall be, and the same is hereby declared to be unlawful and a public nuisance, and the ~~city attorney or city prosecutor~~ City Manager or City Manager's designee, City Attorney or City Prosecutor may, in addition to or in lieu of prosecuting a criminal action hereunder, commence an action or actions, proceeding or proceedings, against the Massage establishment owner and/or its agents and/or employees, and/or the landlord and/or fee owner of the property on which the Massage establishment is operated, for the abatement, removal and enjoinder thereof, in the manner provided by law. Such remedies shall be in addition to any other penalties or remedies available to the city under this code, or under state law.
- (b) In addition to any other penalty authorized by law or this code, the penalty for violating any of the terms, conditions, or requirements of this chapter shall be as follows:
 - (1) First Violation. When a person or business is found to violate any provision of this chapter, that person or business shall be issued a formal, written warning from a city code enforcement officer to cease the prohibited activity.

- (2) Second Violation. When a person or business is found to violate any provision of this chapter after being issued a formal, written warning within the prior twelve (12) month period for a previous violation, that person or relevant agent for the business shall be given a second written notice of violation advising that any further violations will result in the revocation of the business license for such establishment, and a prohibition on a re-application for a business license for a period of one (1) year from the subsequent violation.
- (3) Third Violation. When a person or business is found to violate any provision of this chapter for a third time within a twelve (12) month period following receipt of a second violation, that person or business shall be given written notice by the Code Enforcement Officer that its business license for the premises in question is immediately and summarily revoked, and that continued operation of the business in question thereafter shall be deemed an additional violation of the city's Municipal Code. A copy of such notice shall be posted at a prominent location upon the property in question. An action to revoke a business license under this section may be appealed within ten (10) days of the date of the written notice of the summary revocation, pursuant to the procedure set forth in section 5.04.260 of this Code. Notwithstanding any provision of the Municipal Code to the contrary, and because the City Council has declared that a business operating in violation of this chapter poses an immediate threat to public health, safety and welfare, the filing of an appeal in connection with the immediate, summary revocation of a business license under this chapter shall not stay the effectiveness of the revocation during the pendency of an appeal. Upon revocation of a business license pursuant to this section, (1) the applicant and any affiliate thereof shall be prohibited from re-occupancy of a Massage Establishment during the twelve (12) month period following the revocation., and (2) all persons shall be prohibited from applying for a business license to operate a Massage Establishment at the subject location during the twelve (12) month period following the revocation.
- (c) The Landlord and the fee owner of the property at which the Massage establishment is conducted, as identified in the business license application, shall be notified of each citation, violation, conviction, and/or business license revocation action taken pursuant to this chapter.

5.26.330 – Management; liability of management.

One or more managers shall be designated to act as the person(s) in charge of managing day-to-day operations of the Massage establishment, including receiving all complaints. The names of such managers must be provided to the city. At least one manager shall be on premises of the massage establishment at all times during all business hours of operation. In addition to the holder of the Massage facility's business license, on-site managers shall be responsible for all violations taking place on the massage establishment premises during their respective shifts.

5.56.300 5.56.340 - Exemptions from chapter.

This chapter shall not apply to:

- (a) ~~(a)~~Persons holding a valid certificate to practice the healing arts under the laws of the State of California and their employees, including, but not limited to, holders of medical degrees such as physicians, surgeons, chiropractors, osteopaths, naturopaths, podiatrists, acupuncturists, physical therapists, registered nurses, and licensed vocational nurses;
- (b) ~~(b)~~State-licensed hospitals, nursing homes, sanitariums, physiotherapy establishments, or other state-licensed physical or mental health facilities and their employees;
- (c) ~~(e)~~Barbers and cosmetologists who are licensed under the laws of the State of California while providing massage services within the scope of their licenses, provided that such massage services are limited solely to the neck, face, scalp, feet and lower limbs up to the knees, and hands and arms, of their patrons;
- (d) ~~(d)~~Persons who provide ~~massage~~ Massage services to amateur, semi-professional or professional athletes or athletic teams, facilities or events, so long as such persons do not practice ~~massage~~ Massage services as their primary occupation within city limits;
- (e) ~~Massage businesses or establishments that are sole proprietorships as defined under paragraph (1) of subdivision (b) of Section 4612 of the California Business and Professions Code, except that such businesses or establishments shall not be exempt from this chapter to the extent Section 4612 expressly permits the regulation of such businesses or establishments by local ordinance, and such businesses or establishments shall comply with the provisions of this chapter to extent permitted by Section 4612 of the California Business and Professions Code.~~

5.56.350 – Compliance with applicable laws.

Massage establishments shall be operated in compliance with all applicable laws and regulations, including without limitation, the California Massage Therapy Act (Business and Professions Code section 4600 et seq.).

5.56.360 – Pre-Existing Massage Establishments.

- (a) Except as set forth in subsection 5.56.360(b), all requirements of this chapter shall be applicable effective within the timeframes described below.
 - (1) The city shall notify both the tenants and the property owners of all Massage Establishments that were legally operating with the city prior to MayJune 1, 2015 of —(1) the city’s then-current Massage Establishment regulations, (2) an opportunity —to meet and confer with city staff concerning the then-current Massage —Establishment regulations, and (3) a list of materials that must be submitted to the —city under this chapter.
 - (2) All existing Massage Establishments shall, within sixty (60) days after receiving the notifications required in subsection 5.56.360(a)(1), provide to the city any and all documentation required by this chapter, and shall authorize an inspection of the Massage Establishment by city staff. Following receipt of the documentation and completion of the inspection, city staff shall notify the tenants and the property owners of the Massage Establishment of all required corrections or changes as necessary to achieve compliance with this chapter.

- (3) All existing Massage Establishments shall, within sixty (60) days after receiving the notifications required in subsection 5.56.360(a)(2), make any necessary changes to the physical structure or operations of said Massage Establishment as necessary to be in compliance with this chapter (except to the extent required compliance is deferred pursuant to section 5.56.360(b)).
- (b) Notwithstanding subsection 5.56.360(a), all Massage Establishments that were legally operating in the city prior to MayJune 1, 2015 and determined by the Director of Community —Development to be out of compliance with the requirements of sections 5.56.100, —5.56.130, 5.56.150(c) and/or 5.56.170 of this chapter, shall achieve full compliance with —such sections on or prior to July 1, 2018.

SECTION 2. CEQA DETERMINATION.

In adopting this Ordinance, the City Council finds and determines, based on all of the information in the record and on the basis of its independent judgment, that this Ordinance is exempt from the California Environmental Quality Act pursuant to the following exemptions, and each of them independently: Title 14 California Code of Regulations Section 15061(b)(3), in that it can be seen with certainty that the adoption of this Ordinance proposes no activity that may have a significant effect on the environment, and pursuant to Title 14 California Code of Regulations Section 15301, in that this Ordinance involves no expansion of use of existing facilities.

SECTION 3. SEVERABILITY.

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

SECTION 4. POSTING OF ORDINANCE.

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect thirty (30) days following its second reading.

PASSED, APPROVED, AND ADOPTED after second reading at a regular meeting of the City Council of the City of Duarte this ____ day of _____, 2015.

Mayor Tzeitel Paras-Caracci

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

I, Marla Akana, City Clerk of the City of Duarte, County of Los Angeles, State of California, hereby attest to the above signature and certify that Ordinance No. ____ was adopted by the City Council of said City of Duarte at a regular meeting of said Council held on the ____ day of _____, 2015, by the following Roll Call vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk Marla Akana
City of Duarte, California

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Duarte (the "City"), at its regular meeting on May 26, 2015, will hold a public hearing and consider approval of the issuance by the California Statewide Communities Development Authority (the "Issuer") of multifamily housing revenue obligations (the "Obligations") in a principal amount not to exceed Nine Million, Five Hundred Thousand Dollars (\$9,500,000) to assist in the financing of the acquisition, rehabilitation, and development of a 42-unit multifamily housing rental facility located at 1235 N. Highland Avenue in the City of Duarte, California (the "Project").

The owner of the Project is expected to be Preservation Duarte Manor II, LP, a California limited partnership, on behalf of and together with its successors or assigns or any other limited partnership or limited liability company established by Preservation Western America Development, LLC, a California limited liability corporation. The Project will be operated by Western America Properties.

The Obligations will not constitute an indebtedness or obligation, or a pledge of the faith and credit of, the Issuer or the City. The Obligations will be limited obligations of the Issuer, payable solely from the revenues of the Project.

All those interested in matters related to the execution and delivery of the Obligations and the financing of the acquisition, rehabilitation, and development of the Project are invited to attend and be heard at the meeting which will commence at 7:00 p.m., or as soon thereafter as the matter can be heard, and will be held in Council Chambers, 1600 Huntington Drive, Duarte, California, or submit written comments, which must be received by the City Clerk prior to the hearing. Written comments should be sent to the City of Duarte, 1600 Huntington Drive, Duarte, California 91010, Attention: City Clerk.

Marla Akana
City Clerk

PUBLISH: Duartean,
Saturday, May 16, 2015
POSTED: Duarte City Hall,
Duarte Public Safety Office, Duarte
Library 5/7/15
Published: Duartean AD#666682

MEMORANDUM

TO: Honorable Mayor and Members of the City Council of the City of Duarte

FROM: Jeff Melching, Rutan & Tucker, LLP, City Attorney

DATE: May 19, 2015 for City Council Meeting of May 26, 2015

RE: Public Hearing and Consideration of Resolution Approving Issuance of Tax-Exempt Bonds to Assist in the Finance, Acquisition, Rehabilitation, and Development of a 42-unit Multifamily Housing Rental Facility Known as Duarte Manor Apartments and Located at 1235 N. Highland Avenue in the City of Duarte, California

RECOMMENDATIONS

1. That the City Council hold a public hearing (known as a "TEFRA Hearing"), which is required under the Tax and Equity Fiscal Responsibility Act of 1982 as amended ("TEFRA") and Section 147(f) of the Internal Revenue Code ("Code"), in connection with the proposed issuance, in one or more series, of revenue bonds by the California Statewide Communities Development Authority (the "Authority"), a joint exercise of powers authority and public entity of the State of California, in an amount not to exceed Nine Million Five Hundred Thousand Dollars (\$9,500,000.00) (the "Bonds") to assist to finance the acquisition, rehabilitation, and development of a 42-unit multifamily housing rental facility known as Duarte Manor Apartments and located at 1235 N. Highland Avenue in the City of Duarte, California (the "Project").
2. Following the public hearing, adopt a Resolution approving the issuance of the Bonds by the Authority for the benefit of Preservation Duarte Manor II, LP, a California limited partnership, on behalf of and together with its successors or assigns or any other limited partnership or limited liability company established by Preservation Western America Development, LLC, a California limited liability corporation (the "Developer"), to provide for the financing of the Project (the "Resolution"). The adoption of the Resolution is solely for the purposes of satisfying the requirements of TEFRA and the Code. *The City has no liability with respect to the Bonds or repayment of the Bonds.*

BACKGROUND

Purpose of the Bond Issuance:

Developer is the proposed developer of a 42-unit multifamily housing rental facility known as Duarte Manor Apartments and located at 1235 N. Highland Avenue in the City of Duarte, California. In order to effect the Project, Developer requested that the Authority issue tax-exempt revenue bonds (“Bonds”). As the Project is located in Duarte, in order for all or a portion of the Bonds to qualify as tax-exempt bonds, the City of Duarte must conduct a public hearing (the “TEFRA Hearing”) and provide members of the community an opportunity to speak in favor of or against the use of tax-exempt bonds for the financing of the Project.

Prior to such TEFRA Hearing, reasonable notice must be provided to the members of the community. To satisfy that requirement, a notice of public hearing was published not less than 10 days prior to the hearing in accordance with applicable law.

Following the close of the TEFRA Hearing, an “applicable elected representative” of the governmental unit hosting the Project must provide its approval of the issuance of the Bonds for the financing of the Project. That requirement is met through adoption of the Resolution.

No City Liability:

The Joint Exercise of Powers Agreement for the Authority, to which the City of Duarte is a signatory, provides that the Authority is a public entity, separate and apart from each member executing such agreement including the City of Duarte. The debts, liabilities and obligations of the Authority do not constitute debts, liabilities or obligations of the members executing the agreement.

As such, the Bonds to be issued by the Authority for the Project will be the sole responsibility of the Developer, and the City will have no financial, legal, or moral obligation, or any liability or responsibility, for the Project or for the repayment of the Bonds for the financing of the Project. All financing documents with respect to the issuance of the Bonds will contain clear disclaimers that the Bonds are not obligations of the City or the State of California, but are to be paid for solely from funds provided by the Borrower.

Outside of holding the TEFRA hearing and adopting the required Resolution, no other participation or activity of the City or the City Council with respect to the issuance of the Bonds will be required.

Reimbursement of City Costs:

Through its conduit issuance activities, the Authority shares a portion of the issuance fees it receives with its member communities. With respect to the City of Duarte, it is expected that 25% of the issuance fee—approximately \$1,000.00—will be granted by the Authority to the general fund of the City. Such grant may be used for any lawful purpose of the City.

Honorable Mayor and Members of the City
Council of the City of Duarte
May 19, 2015
Page 3

CONCLUSION

In light of the foregoing, it is recommended the City Council conduct the TEFRA Hearing and thereafter adopt the Resolution approving the issuance of the Bonds by the Authority.

RESOLUTION NO.**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, APPROVING THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS AND DIRECTING CERTAIN ACTIONS**

WHEREAS, the California Statewide Communities Development Authority (the "Authority") has been requested to issue tax-exempt obligations (the "Obligations") by Preservation Duarte Manor II, LP, a California limited partnership, on behalf of and together with its successors or assigns or any other limited partnership or limited liability company established by Preservation Western America Development, LLC, a California limited liability corporation (the "Developer"), for the purpose, among other things, of making a loan to the Developer, the proceeds of which shall be used by the Developer to finance the acquisition, rehabilitation, and development of a 42-unit multifamily housing rental facility known as Duarte Manor Apartments and located at 1235 N. Highland Avenue in the City of Duarte, California (the "Project"); and

WHEREAS, the City of Duarte (the "City") is a member of the Authority and signatory to the Authority's Amended and Restated Joint Exercise of Powers Agreement, dated as of June 1, 1988 ("Agreement"); and

WHEREAS, the Obligations will be considered to be qualified "exempt facility bonds" under Section 142(a) of the Internal Revenue Code of 1986, as amended (the "Code"), and Section 147(f) of the Code requires that the "applicable elected representative" with respect to the City hold a public hearing on and approve the issuance of the Obligations; and

WHEREAS, this City Council is the elected legislative body of the City; and

WHEREAS, a notice of public hearing in a newspaper of general circulation in the City has been published, to the effect that a public hearing would be held by this City Council on the date hereof regarding the execution and delivery of the Obligations by the Authority and the nature and location of the Project; and

WHEREAS, this City Council held said public hearing, at which time an opportunity was provided to present arguments both for and against the execution and delivery of such Obligations and the nature and location of the Project; and

WHEREAS, it is in the public interest and for the public benefit that the City approve the issuance and delivery of the Obligations for the purpose of financing the acquisition, rehabilitation, and development of the Project; and

WHEREAS, the City shall not have any liability for the repayment of the Obligations or any responsibility for the Project;

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

1. This City Council hereby finds and determines that the foregoing recitals are true and correct.

2. This City Council hereby approves the execution and delivery of the Obligations in an aggregate principal amount not to exceed Nine Million, Five Hundred Thousand Dollars (\$9,500,000) by the Authority. It is the purpose and intent of the City that this Resolution constitute approval of the execution and delivery of the Obligations (a) by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is to be located, in accordance with said Section 147(f), and (b) by the City in accordance with the Section 9 of the Agreement.

3. The execution and delivery of the Obligations shall be subject to the approval of the Authority of all financing documents relating thereto to which the Authority is a party. The City shall have no responsibility or liability whatsoever with respect to the Obligations.

4. The adoption of this Resolution shall not obligate the City or any department thereof to (i) provide any financing to acquire or construct the Project or any refinancing of the Project; (ii) approve any application or request for or take any other action in connection with any planning approval, permit or other action necessary for the acquisition, rehabilitation or operation of the Project; (iii) make any contribution or advance any funds whatsoever to the Authority; or (iv) take any further action with respect to the Authority or its membership therein.

5. The Mayor, the City Manager, the City Clerk, and all other proper officers and officials of the City are hereby authorized and directed to execute such other agreements, documents, and certificates, and to perform such other acts and deeds, as may be necessary or convenient to effect the purposes of this Resolution and the transactions herein authorized.

6. The City Clerk shall forward a certified copy of this Resolution to the Authority in care of its counsel:

Justin Cooper, Esq.
Orrick, Herrington & Sutcliffe LLP
405 Howard Street
San Francisco, California 94105

7. This resolution shall take effect upon its adoption.

PASSED, APPROVED, AND ADOPTED this 26th day of May, 2015.

Mayor Tzeitel Paras-Caracci

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. 15-07 was adopted by the City Council of the City of Duarte at a regular meeting of said Council held on the 26th day of May, 2015, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk Marla Akana
City of Duarte, California