

City Council Agenda

Tuesday, August 6, 2024 6:30 PM

Closed Session 5:30 PM

Regular Meeting 6:30 PM

South Coast Air Quality Management District/Main Auditorium
21865 Copley Drive, Diamond Bar, CA 91765

How to Observe the Meeting From Home:

The public can observe the meeting by calling +1 (631) 992-3221, Access Code: 404-773-405 OR visit:
<https://attendee.gotowebinar.com/register/5806961875560028>.

How to Submit Public Comment:

The public may provide public comment by attending the meeting in person, by sending an email, or by logging into the teleconference. Please send email public comments to the City Clerk at cityclerk@DiamondBarCA.gov by 4:00 p.m. on the day of the meeting and indicate in the Subject Line "FOR PUBLIC COMMENT." Written comments will be distributed to the Council Members, noted for the record at the meeting and posted on the City's official agenda webpage as soon as reasonably practicable (found here: <http://diamondbarca.igq2.com/Citizens/Default.aspx>).

The public may log into the meeting through this link:

<https://attendee.gotowebinar.com/register/5806961875560028>. Members of the public will be called upon one at a time during the Public Comment portion of the agenda. Speakers are limited to five minutes per agenda item, unless the Mayor determines otherwise.

American Disability Act Accommodations:

Pursuant to the Executive Order, and in compliance with the Americans with Disabilities Act, if you need special assistance to participate in the Council Meeting, please contact the City Clerk's Office (909) 839-7010 within 72 hours of the meeting. City Council video recordings with transcription will be available upon request the day following the Council Meeting.

**ANDREW CHOU***Council Member***RUTH M. LOW***Council Member***STEVE TYE***Council Member***STAN LIU***Mayor***CHIA TENG***Mayor Pro Tem*

City Manager Dan Fox • City Attorney Omar Sandoval • City Clerk Kristina Santana

DIAMOND BAR CITY COUNCIL MEETING RULES

Welcome to the meeting of the Diamond Bar City Council. Meetings are open to the public and are broadcast on Spectrum Cable Channel 3 and Frontier FiOS television Channel 47. You are invited to attend and participate. Copies of staff reports or other written documentation relating to agenda items are on file and available for public inspection by contacting the Office of the City Clerk. If requested, the agenda will be made available in an alternative format to a person with disability as required by Section 202 of the Americans with Disabilities Act of 1990. If you have questions regarding an agenda item, please contact the City Clerk at (909) 839-7010 during regular business hours.

PUBLIC INPUT

Members of the public may address the Council on any item of business on the agenda during the time the item is taken up by the Council. In addition, members of the public may, during the Public Comment period address the Council on any Consent Calendar item or any matter not on the agenda and within the Council's subject matter jurisdiction. Any material to be submitted to the City Council at the meeting should be submitted through the City Clerk.

Speakers are limited to five minutes per agenda item, unless the Mayor determines otherwise. The Mayor may adjust this time limit depending on the number of people wishing to speak, the complexity of the matter, the length of the agenda, the hour and any other relevant consideration. Speakers may address the Council only once on an agenda item, except during public hearings, when the applicant/appellant may be afforded a rebuttal.

Public comments must be directed to the City Council. A person who disrupts the orderly conduct of the meeting after being warned by the Mayor or the Mayor's designee that their behavior is disrupting the meeting, may result in the person being removed from the meeting.

INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE COUNCIL

Agendas for regular City Council meetings are available 72 hours prior to the meeting and are posted in the City's regular posting locations, on DBTV (on Spectrum Cable Channel 3 and Frontier FiOS television Channel 47) and on the City's website at www.diamondbarca.gov/agendas. The City Council may take action on any item listed on the agenda.

HELPFUL PHONE NUMBERS

Copies of agendas, rules of the Council, Video of meetings: (909) 839-7010

Computer access to agendas: www.diamondbarca.gov/agendas

General information: (909) 839-7000

THIS MEETING IS BEING VIDEO RECORDED AND BY PARTICIPATING VIA TELECONFERENCE, YOU ARE GIVING YOUR PERMISSION TO BE TELEVISED. THIS MEETING WILL BE RE-BROADCAST EVERY SATURDAY AND SUNDAY AT 9:00 A.M. AND ALTERNATE TUESDAYS AT 8:00 P.M. AND IS ALSO AVAILABLE FOR LIVE VIEWING AT [HTTPS://ATTENDEE.GOTOWEBINAR.COM/REGISTER/5806961875560028](https://attendeegotowebinar.com/register/5806961875560028) AND ARCHIVED VIEWING ON THE CITY'S WEB SITE AT WWW.DIAMONDBARCA.GOV.

CITY OF DIAMOND BAR

CITY COUNCIL AGENDA

August 06, 2024

CLOSED SESSION

5:30 p.m., CC-8 Conference Room,

In Person ONLY - no teleconference

Public Comments

CONFERENCE WITH LEGAL COUNSEL
– ANTICIPATED LITIGATION

Initiation of litigation pursuant to
Government Code Section 54956.9(d)(4):

One potential case

CALL TO ORDER:

6:30 p.m.

PLEDGE OF ALLEGIANCE:

Mayor

INVOCATION:

Cantor Paul Buch, Temple Beth Israel

ROLL CALL:

Chou, Low, Tye, Mayor Pro Tem Teng,
Mayor Liu

APPROVAL OF AGENDA:

Mayor

1. SPECIAL PRESENTATIONS, CERTIFICATES, PROCLAMATIONS:

1.1 San Gabriel Valley Council of Governments 57/60 Confluence Project Update.

Written materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's Office at 21810 Copley Dr., Diamond Bar, California, during normal business hours.

2. CITY MANAGER REPORTS AND RECOMMENDATIONS:**3. PUBLIC COMMENTS:**

“Public Comments” is the time reserved on each regular meeting agenda to provide an opportunity for members of the public to directly address the Council on Consent Calendar items or other matters of interest not on the agenda that are within the subject matter jurisdiction of the Council. Although the City Council values your comments, pursuant to the Brown Act, members of the City Council or Staff may briefly respond to public comments if necessary, but no extended discussion and no action on such matters may take place. There is a five-minute maximum time limit when addressing the City Council.

4. SCHEDULE OF FUTURE EVENTS:

- 4.1 Free Drive-Thru Paper Shredding and E-Waste Collection – August 10, 2024, 9:00 a.m. – 1:00 p.m., South Coast Air Quality Management District – Parking Lot.
- 4.2 Coffee with a Cop – August 10, 2024, 8:00 – 10:00 a.m., GRID Coffee, 1139 S. Diamond Bar Blvd. Ste B.
- 4.3 Planning Commission Meeting – August 13, 2024, 6:30 p.m., online teleconference and Windmill Room, 21810 Copley Dr.
- 4.4 Red Cross Blood Drive – August 19, 2024, 9:00 a.m. – 3:00 p.m., Diamond Bar Center - Pine Room, 1600 Grand Ave.
- 4.5 City Council Meeting – August 20, 2024, 6:30 p.m., online teleconference and SCAQMD Main Auditorium, 21865 Copley Dr.

5. CONSENT CALENDAR:

All items listed on the Consent Calendar are considered by the City Council to be routine and will be acted on by a single motion unless a Council Member or member of the public request otherwise, in which case, the item will be removed for separate consideration.

5.1 CITY COUNCIL MINUTES OF THE JULY 16, 2024 REGULAR MEETING.**5.1.a July 16, 2024 City Council Regular Meeting Minutes**

Recommended Action:

Approve the July 16, 2024 Regular City Council meeting minutes.

Requested by: City Clerk

- 5.2 RATIFICATION OF CHECK REGISTER DATED JULY 10, 2024 THROUGH JULY 30, 2024 TOTALING \$3,277,002.22.

Recommended Action:

Ratify the Check Register.

Requested by: Finance Department

- 5.3 AGREEMENT WITH CITY OF COMMERCE FOR EXCHANGE OF PROPOSITION A FUNDS.

Recommended Action:

A. Adopt Resolution No. 2024-34 approving, and authorizing the City Manager to sign, the Funds Exchange Agreement selling \$1,333,333 of Proposition A Funds to the City of Commerce; and

B. Appropriate \$1,333,333 from the Proposition A Fund and recognize \$1,000,000 in Park & Facility Development Fund (262) revenue for the exchange.

Requested by: Finance Department

- 5.4 CANCELLATION OF SEPTEMBER 3, 2024 CITY COUNCIL MEETING.

Recommended Action:

Adjourn the August 20, 2024 City Council meeting to September 17, 2024.

Requested by: City Manager

- 5.5 CONSULTING SERVICES AGREEMENT WITH VIDIFLO, LLC FOR AUDIOVISUAL AND TELEPRODUCTION SYSTEM ENGINEERING SERVICES THROUGH JUNE 30, 2025.

Recommended Action:

A. Approve, and authorize the City Manager to sign the Consultant Services Agreement with Vidiflo, LLC for audiovisual and teleproduction system engineering services through June 30, 2025; and

B. Appropriate \$20,500 from the PEG Fund (Fund 270) fund balance.

Requested by: City Manager

- 5.6 AMENDMENTS TO THE DIAMOND BAR CITY CODE TO PROHIBIT SMOKING IN CITY PARKS.

Recommended Action:

Approve for second reading by title only, waive full reading, and adopt

Ordinance No. 04 (2024) (Smoking Prohibited in City Parks):

ORDINANCE 04 (2024): "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DIAMOND BAR, CALIFORNIA, ADDING SECTION 12.00.470 (SMOKING PROHIBITED IN CITY PARKS) TO DIVISION 2 (PARK RULES AND REGULATIONS) OF CHAPTER 12.00 (PARKS AND RECREATION) OF TITLE 12 (STREETS, SIDEWALKS AND PUBLIC PROPERTY) OF THE DIAMOND BAR CITY CODE TO PROHIBIT SMOKING IN CITY PARKS."

Requested by: Parks & Recreation Department

5.7 AUTHORIZATION TO FILE APPLICATIONS FOR MEASURE A FUNDING.

Recommended Action:

Adopt Resolution No. 2024-35, approving the blanket authority to file applications for Measure A grant funds from the Los Angeles County Regional Park and Open Space District, and appointing the City Manager, or designee, to execute and submit all documents necessary to accept, administer, and expend funding.

Requested by: Parks & Recreation Department

5.8 PUBLIC WORKS AGREEMENT WITH SITEREP CONSTRUCTION SERVICES, INC. FOR THE MAPLE HILL PARK PLAYGROUND/RESTROOM REPLACEMENT AND ADA UPGRADES PROJECT (FP23506)

Recommended Action:

- A. Determine that the proposed project is exempt from the California Environmental Quality Act pursuant to Section 15302 of the CEQA Guidelines;
- B. Deny KASA Construction's protest and waive minor irregularities in Siterep's bid submittals;
- C. Appropriate \$1,439,800 for the Maple Hill Park Improvement CIP Project No. FP23506 to the FY2024/25 CIP Fund (301);
- D. Appropriate \$660,000 of revenue from the State Parks Grant for CIP Project No. FP23506 CIP Fund (301);
- E. Appropriate \$779,800 from the Park & Facility Development Fund (262); and
- F. Approve, and authorize the City Manager to sign, the Public Works

Agreement with Siterep Construction Services, Inc. in the amount of \$1,689,766.33, plus a contingency amount of \$300,000 for construction change orders, permit fees and utility services, for a total authorization amount of \$1,989,766.33.

Requested by: Public Works Department

6. **PUBLIC HEARINGS: NONE.**
7. **COUNCIL CONSIDERATION: NONE.**
8. **COUNCIL SUB-COMMITTEE REPORTS AND MEETING ATTENDANCE REPORTS/COUNCIL MEMBER COMMENTS:**
9. **ADJOURNMENT:**