

**CITY COUNCIL
TEMPLE CITY, CALIFORNIA**

**REGULAR MEETING
DECEMBER 15, 2009 – 7:30 P.M.
COUNCIL CHAMBERS – 5938 KAUFFMAN AVENUE**

AGENDA

PROCEDURE TO ADDRESS CITY COUNCIL:

If you wish to address the City Council, please complete a Speaker Request Form, indicating the agenda item number and submit it to the City Clerk. There will be a maximum 20-minute period for comments on any subject with a 5-minute time limit on each speaker, unless waived by Council. You have the opportunity to address the City Council at the following times:

AGENDA ITEM - at the time the Council considers the agenda item.

NON-AGENDA ITEM - at the time for PUBLIC COMMENTS. Please note that while the City Council values your comments, pursuant to the Brown Act, the Council cannot take action on any item not listed on the agenda.

PUBLIC HEARING - at the time for public hearings under NEW BUSINESS.

The listing of any item on the Agenda includes the authority of the Council to take action on such item and to approve, disapprove, or give direction on any item.

1. **CALL TO ORDER** – Mayor Vizcarra
2. **ROLL CALL** – Councilmember-Chavez, Sternquist, Wong, Yu, Vizcarra
3. **PLEDGE OF ALLEGIANCE**
4. **CEREMONIAL MATTERS – PRESENTATIONS** – None
5. **PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA**

The City Council will now hear public comments regarding items **not listed** on the agenda. The procedure to address the City Council is highlighted on the first page of this agenda.

6. **CONSENT CALENDAR** (Roll Call Vote)

All Consent Calendar items may be approved in a single motion as recommended unless removed for further discussion. If members of the City

Council or persons in the audience wish to discuss any matters listed on the Consent Calendar, please address them at this time.

Recommendation: approve Items **A through N** per recommendations

A. APPROVAL OF MINUTES

The City Council is requested to review and approve Minutes of the City Council Regular Meeting of December 1, 2009

Recommendation: approve

B. CONSIDERATION OF A REQUEST FOR PLACEMENT AND REMOVAL OF A BANNER BY ST. LUKE SCHOOL

The City Council is requested to consider a request by St. Luke School to place and remove a banner advertising their enrollment period.

Recommendation: approve the request subject to submission of proper insurance documentation

C. CONSIDERATION OF A REQUEST FOR PLACEMENT AND REMOVAL OF A BANNER BY TEMPLE CITY AMERICAN LITTLE LEAGUE

The City Council is requested to consider a request by Temple City American Little League to place and remove a banner advertising their enrollment period.

Recommendation: approve the request subject to submission of proper insurance documentation

D. ACCEPTANCE OF WORK AND APPROVE OF FINAL PAYMENT (PAYMENT NO. 9) TO CHAP INC. FOR WORK PERFORMED ON THE LIVE OAK PARK MULTI-PURPOSE FACILITY PROJECT

The City Council is requested to accept the work, approve final payment (payment No. 9) in the amount of \$30,039.70 to Chap Inc., authorize the City Clerk to file the Notice of Completion, and release the 10% retention in the amount of \$124,144.06 at the end of the 35-day lien period, for work performed on the Live Oak Park Multi-Purpose Facility Project (P08-01).

Recommendation:

- 1) Accept work performed by Chap Inc. on the Live Oak Park Multi-Purpose Facility Project (CIP No. P08-01);

- 2) Approve final payment (payment No. 9) in the amount of \$30,039.70;
- 3) Authorize the City Clerk to file the Notice of Completion; and
- 4) Authorize the City Manager to release the 10% retention after the 35-day lien period.

E. APPROVAL OF FIRST AMENDMENT TO THE AGREEMENT WITH JAN-PRO CLEANING SYSTEMS FOR JANITORIAL SERVICES AT LIVE OAK PARK

The City Council is requested to amend the Agreement with Jan-Pro Cleaning systems for janitorial services at the Live Oak Park Community Center to cover the costs of additional services required for the cleaning of the recently completed Community Center Annex.

Recommendation: approve the First Amendment to the Agreement with Jan-Pro Cleaning systems for janitorial cleaning services

F. RELEASE OF SEWER SECURITY FOR TRACT NO. 62946 AT 5328 A-E MCCULLOCH AVENUE

The developer submitted security, in the amount of \$43,500.00, to insure that sewer improvements on private property were completed at 5328 A-E McCulloch Avenue, Tract No. 62946. The City was notified by Los Angeles County Department of Public Works that the sewer improvements had been completed and inspected and were found to be in compliance with approved plans.

Recommendation: authorize release of security in the amount of \$43,500.00

G. FINAL MAP APPROVAL FOR PARCEL MAP NO. 61450 AT 10519 FREER STREET

On May 9, 2006, the Planning Commission approved the subdivision of an existing 21,284 square foot parcel into two (2) separate lots to accommodate one single family dwelling on each of the two lots. The Planning Commission conducted a noticed public hearing and approved the Tentative Parcel Map, which was set to expire on May 9, 2008. The applicant received a time extension for their Tentative Parcel Map on March 11, 2008 from the Planning Commission and Senate Bill No. 1185, effective July 15, 2008, automatically granted a one-year time extension to all Tentative Maps and Tentative Parcel Maps, therefore, the subject Tentative Parcel Map is still valid and is eligible to be recorded. At this

time, the Los Angeles County Department of Public Works has advised the City that the Final Subdivision Map is ready for City Council approval and subsequent recordation.

Recommendation:

- 1) Make findings as enumerated in the letter from the Los Angeles County Public Works Department:
 - a) That this project will not violate any of the provisions of Sections 66474, 66474.1, and 66474.6 of the Subdivision Map Act.
 - b) That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code or any specific plan adopted, pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code.
 - c) That the development of the property in the manner set forth on the subject division of land will not unreasonably interfere with the free and complete exercise of any public entity and/or public utility rights-of-way and/or easements within the subject division of land, pursuant to Sections 66436(a) 3A (i-viii) of the Subdivision Map Act.
- 2) Approve the Parcel Map.
- 3) Accept dedications as indicated on Parcel Map Number 61450.
- 4) Approve and accept the work agreements and improvement securities as enumerated in the letter from the County of Los Angeles Department of Public Works.
- 5) Instruct the City Clerk to endorse on the face of Parcel Map Number 61450 the certificate that embodies the approval of said Map.

H. FINAL MAP APPROVAL FOR PARCEL MAP NO. 69391 AT 5515 LOMA AVENUE

On May 13, 2008, the Planning Commission approved the subdivision of an existing 25,869 square foot parcel into two (2) separate lots to accommodate one single family dwelling on each of the two lots. The Planning Commission conducted a noticed public hearing and approved the Tentative Parcel Map, which expires on May 13, 2010. At this time, the Los Angeles County Department of Public Works has advised the City

that the Final Subdivision Map is ready for City Council approval and subsequent recordation.

Recommendation:

- 1) Make findings as enumerated in the letter from the Los Angeles County Public Works Department:
 - a) That this project will not violate any of the provisions of Sections 66474, 66474.1, and 66474.6 of the Subdivision Map Act.
 - b) That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code or any specific plan adopted, pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code.
 - c) That the development of the property in the manner set forth on the subject division of land will not unreasonably interfere with the free and complete exercise of any public entity and/or public utility rights-of-way and/or easements within the subject division of land, pursuant to Sections 66436(a) 3A (i-viii) of the Subdivision Map Act.
 - 2) Approve the Parcel Map.
 - 3) Accept dedications as indicated on Parcel Map Number 69391.
 - 4) Approve and accept the work agreements and improvement securities as enumerated in the letter from the County of Los Angeles Department of Public Works.
 - 5) Instruct the City Clerk to endorse on the face of Parcel Map Number 69391 the certificate that embodies the approval of said Map.
- I. AWARD CONSTRUCTION CONTRACT FOR THE NEW TRAFFIC SIGNALS ON TEMPLE CITY BOULEVARD AND ELLIS LANE PROJECT

The City Council is requested to award a construction contract, in the amount of \$112,012, to Freeway Electric and authorize a 10% contingency for the New Traffic Signals on Temple City Boulevard and Ellis Lane Project.

Recommendation:

- 1) Accept the bid proposal submitted by Freeway Electric in the amount of \$112,012 plus \$11,201.20 for a 10% contingency (\$123,213.20); and
- 2) Authorize the City Manager to sign the agreement.

J. CONSIDERATION OF PROCLAIMING MARCH 15, 2010 ARBOR DAY IN THE CITY OF TEMPLE CITY

The City Council is requested to consider proclaiming March 15, 2010 Arbor Day in the City of Temple City.

Recommendation:

- 1) Proclaim March 15, 2010 Arbor Day in the City of Temple City.
- 2) Present a proclamation to our Temple City Arborist at the February 16, 2010 Council meeting.

K. PETTY CASH AND VISA CARD REPORTS

The City Council will review the Petty Cash and Visa Card Reports with the current charges.

Recommendation: receive and file

L. REQUEST FOR APPROVAL OF A BUDGET TRANSFER AND APPROPRIATION FOR THE LEASE/PURCHASE AND OPERATION OF TWO MANAGED T-1 ROUTERS SERVING THE LIVE OAK PARK COMMUNITY CENTER AND ANNEX (TEEN CENTER)

The City Council is requested to approve a current Fiscal Year (FY) 2009-10 budget appropriation of \$9,730 from the General Fund for the lease/purchase of two (2) managed T-1 routers and for the monthly service fee of one additional T-1 circuit serving the Live Oak Park Community Center and Annex.

Recommendation:

- 1) Approve appropriation to the current Fiscal Year (FY) 2009-10 Budget of \$9,730 from the General Fund to pay for the lease/purchase of two managed T-1 routers and the operating expense of the additional T-1 circuit serving the Live Oak Park Community Center and Annex; and

- 2) Authorize the City Manager to sign and execute the lease/purchase agreement.

M. STATUS REPORT REGARDING THE COMPLETE COUNT COMMITTEE

On November 17, 2009, the City Council formed the "Complete Count Committee" which is an Ad-Hoc Committee of the City Council consisting of Mayor Vizcarra, Councilmember Wong, a Staff liaison, and members of the community. Staff has provided an update regarding the appointment of additional members to this committee.

Recommendation:

Direct Staff to forward the list of interested Ad-Hoc committee participants to Mayor Vizcarra and Councilmember Wong by January 4, 2010. Upon review of the list, Mayor Vizcarra and Councilmember Wong shall forward their committee participant preferences to the Community Development Manager for appointment to the Complete Count Committee. Once the appointments are made by Mayor Vizcarra and Councilmember Wong, Staff will schedule the first Ad-Hoc committee meeting as early as possible in January 2010.

N. ADOPTION OF RESOLUTION NO. 09-9648 – APPROVAL OF PAYMENT OF BILLS

The City Council is requested to adopt Resolution No. 09-9648 authorizing payment of bills.

Recommendation: adopt Resolution No. 09-9648

7. UNFINISHED BUSINESS

- A. CONTINUED PUBLIC HEARING: RESOLUTION NO. 09-4645 – APPEAL OF THE PLANNING COMMISSION'S DECISION TO APPROVE CONDITIONAL USE PERMIT 09-1747 TO ALLOW THE INSTALLATION OF A WIRELESS TELECOMMUNICATIONS FACILITY THAT WOULD BE CAMOUFLAGED AS A "MONOPINE" (PINE TREE) AT 5221 EL MONTE AVENUE. THE SUBJECT SITE IS ZONED SINGLE FAMILY (R-1) RESIDENTIAL AND IS DESIGNATED AS INSTITUTIONAL ON THE CITY'S GENERAL PLAN LAND USE MAP.

On November 17, 2009, the City Council conducted a public hearing to consider a conditional use permit appeal to construct a "monopine" wireless telecommunication facility at 5221 El Monte Avenue. At that time, the City Council continued the public hearing to December 15, 2009.

Presentation: City Manager

Recommendation: adopt Resolution No. 09-4645 approving the wireless telecommunications facility

B. SELECTION OF DESIGN FOR THE CITY'S 50TH ANNIVERSARY LOGO

The City Council is requested to select a design for the City's 50th anniversary logo.

Presentation: City Manager

Recommendation: select a logo design for the 50th anniversary

8. NEW BUSINESS

A. CITY COUNCIL CONSIDERATION OF OPTIONS TO PUBLISH CITY ARTICLES AND PRESS RELEASES IN LOCAL NEWSPAPERS

The City Council is being requested to review and consider three options to publish City articles and press releases in local newspapers, and provide staff with direction.

Presentation: City Manager

Recommendation: review, consider, and select one of the three options presented in the agenda report for publishing City articles and press releases, including ending agreements with local newspapers

9. COMMUNICATIONS – None

10. RECESS TO COMMUNITY REDEVELOPMENT AGENCY MEETING

RECONVENE AS CITY COUNCIL

11. ACTION ON REQUEST BY CRA

A. TEMPLE CITY COMMUNITY REDEVELOPMENT AGENCY ANNUAL REPORT FOR JULY 1, 2008 TO JUNE 30, 2009

The Temple City Community Redevelopment Agency is scheduled to approve and present the Annual Report for July 1, 2008 to June 30, 2009. In accordance with Community Redevelopment Law, the Annual Report

must be filed with the City Council, the California Department of Housing and Community Development and the Office of the State Controller.

The approved report with all pertinent attachments will be provided to the appropriate State agencies. The Annual Report and supporting documents are included as part of the Redevelopment Agency agenda packet.

Presentation: City Manager

Recommendation: receive and file the Temple City Community Redevelopment Agency Annual Report for July 1, 2008 to June 30, 2009

12. **UPDATE FROM CITY MANAGER** – None
13. **MATTERS FROM CITY OFFICIALS** – None
14. **COUNCIL REPORTS REGARDING AD HOC OR COMMISSION MEETINGS**
15. **COUNCIL ITEMS SEPARATE FROM THE CITY MANAGER’S REGULAR AGENDA**
 - A. COUNCILMEMBER CHAVEZ
 - B. COUNCILMEMBER STERNQUIST
 - C. COUNCILMEMBER WONG
 - D. MAYOR PRO TEM YU
 - E. MAYOR VIZCARRA
16. **REIMBURSEMENTS OF EXPENSES PAID TO OFFICIALS FOR CONDUCT OF CITY BUSINESS**
 - A. COUNCILMEMBER CHAVEZ - \$64.00 (Charge for Shuttle Service – California Joint Powers Insurance Authority (CJPIA) Risk Management Conference)
 - B. COUNCILMEMBER STERNQUIST – None
 - C. COUNCILMEMBER WONG – None
 - D. MAYOR PRO TEM YU – None

E. MAYOR VIZCARRA – None

17. ADDITIONAL PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA

The City Council will now hear additional public comments regarding items **not listed** on the agenda. The procedure to address the City Council is highlighted on the first page of this agenda.

18. CLOSED SESSION – None

19. ADJOURNMENT

Notice: Staff reports or other written documentation relating to each item of business of the City Council Agenda are on file in the Office of the City Clerk located at City Hall, 9701 Las Tunas Drive, Temple City, California, and available for review during regular office hours.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (626) 285-2171. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.