

**CITY COUNCIL
TEMPLE CITY, CALIFORNIA**

**REGULAR MEETING
APRIL 6, 2010 – 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-Blum, Sternquist, Yu, Chavez, Vizcarra
3. **PLEDGE OF ALLEGIANCE**
4. **CEREMONIAL MATTERS – PRESENTATIONS**
 - A. RECOGNITION OF THOSE WHO AIDED IN HOUSE FIRE RESCUE
 - B. NATIONAL LIBRARY WEEK PROCLAMATION
 - C. SAN GABRIEL VALLEY ECONOMIC PARTNERSHIP UPDATE
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 K** per recommendations

A. APPROVAL OF MINUTES

The City Council is requested to review and approve:

- 1) Minutes of the Regular Meeting of March 16, 2010;
- 2) Minutes of the Special Joint Meeting of March 23, 2010;
- 3) Minutes of the Special Meeting of March 23, 2010; and
- 4) Minutes of the Special Meeting of March 24, 2010.

Recommendation: approve

B. PARKS AND RECREATION COMMISSION ACTIONS – MEETING OF MARCH 17, 2010

The City Council is requested to review the Planning Commission actions of their meeting of March 17, 2010.

Recommendation: receive and file

C. APPROVAL OF PROGRESS PAYMENT NO. 1 TO ELITE BOBCAT SERVICE, INC. FOR WORK PERFORMED ON THE FREER STREET ASPHALT OVERLAY PROJECT (P09-09)

The City Council is requested to approve Progress Payment No. 1 in the amount of \$66,305.25 to Elite Bobcat Service (EBS) Inc. for construction services performed thus far on the Freer Street Overlay Project. Therefore, based on the City's Contract with EBS, a security deposit as a substitute for retention earnings required to be held can be deposited to Commerce West Bank by the City. The total security deposit is \$7,367.25.

Recommendation:

- 1) Approve Progress Payment No. 1, in the amount of \$66,305.25, to Elite Bobcat Service, Inc. for construction services performed on the Freer Street Asphalt Overlay Project thus far; and

- 2) Authorize a security deposit to Commerce West Bank in the amount of \$7,367.25 as a substitute for retention earnings required to be held by the Construction Contract.

D. APPROVAL OF PROGRESS PAYMENT NO. 1 TO HIRSCH & ASSOCIATES, INC. FOR WORK PERFORMED ON THE LIVE OAK PARK CIRCULAR PLANTER RENOVATION PROJECT

The City Council is requested to approve Progress Payment No. 1, in the amount of \$750.00 to Hirsch & Associates, Inc. for professional architectural services performed for the Live Oak Park Circular Planter Renovation Project (P10-03).

Recommendation: approve Progress Payment No. 1 in the amount of \$750.00

E. FINAL MAP APPROVAL FOR PARCEL MAP NO. 66880 AT 4851 HELEO AVENUE

On April 24, 2007, the Planning Commission approved the subdivision of an existing 20,164 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 April 24, 2009. 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 follows:

- a. That the proposed subdivision conforms to the applicable requirements and conditions imposed pursuant to the State Subdivision Map Act (Government code Section 66410, et seq.) and the County's Subdivision Ordinance (Title 21) and is in substantial compliance with the previously approved tentative map;
- b. That the division and development of the property, in the manner set forth on the approved tentative map for this subdivision, will not unreasonably interfere with the free and complete exercise of any rights of way or easements owned by any public entity and/or public

utility in accordance with Section 66436(a)3A (i-viii) of the State Subdivision Map Act;

- 2) Approve the Parcel Map;
- 3) Accept dedications as indicated on Parcel Map Number 66880;
- 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; and
- 5) Instruct the City Clerk to endorse on the face of Parcel Map Number 66880 the certificate that embodies the approval of said Map.

F. APPROVE ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL AID; PROGRAM SUPPLEMENT NO. 005-N (UPGRADE TRAFFIC SIGNALS ON TEMPLE CITY BOULEVARD & LAS TUNAS DRIVE AND BALDWIN AVENUE & OLIVE STREET)

Highway Safety Improvement Program (HSIP) funds have been secured and the State of California is administering the program. The State has authorized the City to proceed with the Upgrade of Traffic Signals on Temple City Boulevard & Las Tunas Drive and Baldwin Avenue & Olive Street Project. In order to request reimbursement from the State, the City Council is required to approve Program Supplement No. 005-N.

Recommendation: approve Program Supplement No. 005-N

G. APPROVAL TO USE TEMPLE CITY'S SHARE OF FISCAL YEAR (FY) 2009-10 APPROPRIATION OF PROPOSITION 1B TRANSPORTATION BOND TO FUND THE ROSEMEAD BOULEVARD IMPROVEMENT PROJECT

The City Council is requested to approve Fiscal Year (FY) 2009-10 allocation of Proposition 1B Transportation Bond Funds, in the amount of \$530,758.14, to be used for the Rosemead Boulevard Improvement Project.

Recommendation:

- 1) Approve the use of Temple City's share of Fiscal Year (FY) 2009-10 appropriation of Proposition 1B Transportation Bond Funds in the amount of \$530,758.14 toward the Rosemead Boulevard Improvement Project;

- 2) Authorize staff to submit to the Department of Finance the project expected to be funded with bond funds, to receive Fiscal Year (FY) 2009-10 allocation of Proposition 1B funds from the State Controller's Office; and
- 3) Approve the budget amendment in the amount of \$530,760 and amend the adopted budget accordingly.

H. ADOPTION OF RESOLUTION NO. 10-4662 DESIGNATING 2010 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) WEEK

The City Council is being requested to adopt Resolution No. 10-4662 designating April 4 through April 10, 2010 as Community Development Block Grant Week. This week has been designated as such by the National Community Development Association to celebrate and support the Community Development Block Grant Program.

Recommendation: adopt Resolution No. 10-4662 designating April 4 through April 10, 2010 as Community Development Block Grant Week

I. ADOPTION OF RESOLUTION NO. 10-4664 DENYING CONDITIONAL USE PERMIT 09-1747 WHICH WOULD HAVE ALLOWED THE INSTALLATION OF A WIRELESS TELECOMMUNICATIONS FACILITY AT 5221 EL MONTE AVENUE

On November 17 and December 15, 2009 and on March 16, 2010, the City Council conducted public hearings to consider a Conditional Use Permit appeal to construct a "monopine" wireless telecommunication facility at 5221 El Monte Avenue. On March 16, 2010, the City Council denied the Conditional Use Permit and directed staff to prepare a Resolution of denial. Draft Resolution No. 10-4664 to deny Conditional Use Permit 09-1747 has been prepared for City Council consideration.

Recommendation: adopt Resolution No. 10-4664 to deny Conditional Use Permit 09-1747

J. 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

K. ADOPTION OF RESOLUTION NO. 10-4663 – APPROVAL OF PAYMENT OF BILLS

The City Council is requested to adopt Resolution No. 10-4663 authorizing payment of bills.

Recommendation: adopt Resolution No. 10-4663

7. UNFINISHED BUSINESS

A. CONSIDERATION OF PLACEMENT OF BRONZE BUST OF WALTER P. TEMPLE IN TEMPLE CITY PARK

The City Council is requested to review and discuss options for placement of a bronze bust of Walter P. Temple within the Civic Center Complex and provide staff with direction on where to locate the bust.

Presentation: City Manager

Recommendation: consider the proposed locations and direct staff as deemed appropriate

8. NEW BUSINESS

A. PUBLIC HEARING: ADOPTION OF URGENCY ORDINANCE NO. 10-933U CONTINUING THE PROVISIONS OF ORDINANCE NOS. 09-925U AND 09-926U FOR A PERIOD OF TWELVE (12) MONTHS TO ESTABLISH A MORATORIUM ON MEDICAL MARIJUANA DISPENSARIES AND ON THE DISTRIBUTION OF MEDICAL MARIJUANA AT BUSINESSES IN THE CITY

On April 21, 2009, the City Council adopted Ordinance No. 09-925U establishing an interim urgency ordinance prohibiting Medical Marijuana Dispensary businesses for a period of forty-five days. On June 2, 2009, Ordinance No. 09-926U was adopted, extending the urgency moratorium on Medical Marijuana Dispensaries for an additional ten months and fifteen days. At this time, Staff recommends that the City Council adopt Interim Ordinance No. 10-933U to extend the moratorium an additional year, expiring on April 21, 2011.

Presentation: City Manager

Recommendation:

- 1) Request the City Clerk read the title of proposed Ordinance No. 10-933U;
- 2) Adopt a motion waiving further reading of proposed Ordinance No. 10-933U; and
- 3) Adopt a motion adopting proposed Ordinance No. 10-933U extending the urgency moratorium on Medical Marijuana Dispensaries for an additional twelve months.

B. PUBLIC HEARING: ZONE CHANGE 09-1751 AND GENERAL PLAN AMENDMENT 09-01 AT 4910 ENCINITA AVENUE

On February 9, 2010, the Planning Commission recommended denial of a General Plan Amendment and Zone Change to reclassify a property from the “residential” category to the “manufacturing” category. The subject property is currently designated as Medium Density Residential by the City’s General Plan and is zoned Medium Density Residential (R-2). The applicant is requesting to change the classification of his property from R-2 to Light Manufacturing (M-1).

Presentation: City Manager

Recommendation: adopt Resolution No. 10-4661 denying Zone Change 09-1751 and General Plan Amendment 09-01

9. COMMUNICATIONS – None

10. RECESS TO COMMUNITY REDEVELOPMENT AGENCY MEETING

RECONVENE AS CITY COUNCIL

11. ACTION ON REQUEST BY CRA – None

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 BLUM

B. COUNCILMEMBER STERNQUIST

C. COUNCILMEMBER YU

1) Formation of City Council Ad Hoc Committee for the Rosemead Boulevard Improvement Project (no attachment)

D. MAYOR PRO TEM CHAVEZ

E. MAYOR VIZCARRA

16. REIMBURSEMENTS OF EXPENSES PAID TO OFFICIALS FOR CONDUCT OF CITY BUSINESS

A. COUNCILMEMBER BLUM – None

B. COUNCILMEMBER STERNQUIST - \$425.00 – Registration for California Association of Public Information Officials (CAPIO) Conference

C. COUNCILMEMBER YU – None

D. MAYOR PRO TEM CHAVEZ - \$425.00 – Registration for California Association of Public Information Officials (CAPIO) Conference

E. MAYOR VIZCARRA - \$425.00 – Registration for California Association of Public Information Officials (CAPIO) Conference

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

NEXT MEETING OF:

CITY COUNCIL	7:30 P.M.	APRIL 20, 2010
PLANNING COMMISSION	7:30 P.M.	APRIL 13, 2010
PARKS & RECREATION COMMISSION	7:30 P.M.	APRIL 21, 2010

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.