

**CITY COUNCIL
TEMPLE CITY, CALIFORNIA**

**REGULAR MEETING MINUTES
DECEMBER 15, 2009**

1. CALL TO ORDER

Mayor Vizcarra called the City Council Regular Meeting to order at 7:30 p.m. in the Council Chambers located at 5938 Kauffman Avenue, Temple City.

2. ROLL CALL

PRESENT: Councilmember-Chavez, Sternquist, Wong, Yu, Vizcarra
ABSENT: Councilmember-None

ALSO PRESENT: City Manager Pulido, City Attorney Vail, Parks and Recreation Director Burroughs, City Clerk Flandrick, Community Development Manager Lambert, Financial Services Manager Molina, Public Services Manager Tidwell, Public Safety Officer Ariizumi

3. PLEDGE OF ALLEGIANCE

Temple City resident Matthew Wong led those present in the Pledge of Allegiance to the Flag.

4. CEREMONIAL MATTERS – PRESENTATIONS – None

5. PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA

Kathy Keelin, Temple City resident, relayed to Council what she felt was a safety issue for pedestrians and children walking to school at the intersection of Longden and Oak Avenues. She submitted a diagram and photos of the intersection and requested a meeting of herself, the crossing guard and City staff to view the location and asked that handicapped ramps be installed.

Joanna Ward, Temple City Children’s Librarian, invited everyone to participate in the Library’s “mock Caldecott” award contest. The public was asked to come by on January 9th and vote for their favorite illustrated children’s book of the year from some of the Library’s favorite picture books.

Mary Burke, Temple City resident, thanked the City Council and staff for a well- run city and wished everyone a Merry Christmas and most Happy New Year.

6. CONSENT CALENDAR

Councilmember Wong moved to approve the Consent Calendar, seconded by Councilmember Chavez and unanimously carried by the following roll call vote:

AYES: Councilmember-Chavez, Sternquist, Wong, Yu, Vizcarra
NOES: Councilmember-None
ABSENT: Councilmember-None
ABSTAIN: Councilmember-None

A. APPROVAL OF MINUTES

Approved the Minutes of the City Council Regular Meeting of December 1, 2009, as presented.

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

Approved the request by St. Luke School to place and remove a banner, 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

Approved a request by Temple City American Little League to place and remove a banner 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

- 1) Accepted work performed by Chap Inc. on the Live Oak Park Multi-Purpose Facility Project (CIP No. P08-01);
- 2) Approved final payment (payment No. 9) in the amount of \$30,039.70;
- 3) Authorized the City Clerk to file the Notice of Completion; and
- 4) Authorized the City Manager to release the 10% retention, in the amount of \$124,144.06, 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

Approved the First Amendment to 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.

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

Authorized release of security, in the amount of \$43,500.00, for sewer improvements completed on private property at 5328 A-E McCulloch Avenue, Tract No. 62946.

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

Approved Final Parcel Map No. 61450 at 10519 Freer Street by the following actions:

- 1) Made 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) Approved the Parcel Map;
- 3) Accepted dedications as indicated on Parcel Map Number 61450;
- 4) Approved and accepted the work agreements and improvement securities as enumerated in the letter from the County of Los Angeles Department of Public Works; and
- 5) Instructed 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

Approved Final Parcel Map No. 69391 at 5515 Loma Avenue by the following actions:

- 1) Made 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) Approved the Parcel Map;
- 3) Accepted dedications as indicated on Parcel Map Number 69391;
- 4) Approved and accepted the work agreements and improvement securities as enumerated in the letter from the County of Los Angeles Department of Public Works; and
- 5) Instructed 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

Accepted the bid proposal and awarded the contract for the New Traffic Signals on Temple City Boulevard and Ellis Lane Project to Freeway Electric in the amount of \$112,012.00 plus 10% contingency of \$11,201.20 (\$123,213.20); and authorized the City Manager to sign the agreement.

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

Proclaimed March 15, 2010 Arbor Day in the City of Temple City.

K. PETTY CASH AND VISA CARD REPORTS

Received and filed the Petty Cash and Visa Card Reports with the current charges.

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)

1) Approved an 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) Authorized the City Manager to sign and execute the lease/purchase agreement.

M. STATUS REPORT REGARDING THE COMPLETE COUNT COMMITTEE

Directed 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

Adopted Resolution No. 09-9648, a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE CITY ALLOWING CLAIMS AND DEMANDS IN THE SUM OF \$192,940.22 DEMAND NOS. 28318 THROUGH 28400.

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.

Councilmember Chavez recused himself due to a conflict of interest.

Community Development Manager Lambert stated, 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 this date to allow the applicant to provide additional design options. Council was requested to review the six different options.

Maryann Harwood, representing T-Mobile, stated on October 13, 2009, the Planning Commission approved a conditional use permit to construct a wireless telecommunication facility at 5221 El Monte Avenue. The decision was appealed by a resident and the request went before the City Council at a public hearing on November 17, 2009. The appeal's concerns were design options and location justification. With the aid of a power point presentation, she pointed out the areas of coverage where gaps occurred and provided detailed information on 13 sites that T-Mobile researched since January 2007. She stated the need for residential home coverage as well as a growing demand for service.

In response to Councilmember Wong, Ms. Harwood indicated T-Mobile dealt with a representative of the owner at Midway Plaza, one of the sites researched.

T-Mobile worked with the Planning Department on alternate designs for the El Monte Avenue site. Information and visuals of each were provided via the power point presentation. Besides the original "monopine" design, the alternate designs included: a monopalm, monument tower, flagpole, cross structure and three-legged bell tower.

Mayor Vizcarra opened the public hearing.

Peter Serdarusich, appellant, stated in addition to his previous objections, he added that T-Mobile says it lacks service in this area and he wished to prove it false and misleading. In T-Mobile's original application packet, it provides a coverage map which is inconsistent with a map he obtained on the internet from their customer relations department that shows this same area as having the best cell service in the area. In a comparison of providers, T-Mobile has the greatest number of cell towers in our area, and so he asked why there was a need for more coverage. Resident customers in this area claim they have no problem with T-Mobile service.

In response to Mayor Vizcarra, Mr. Serdarusich stated he also felt a cell tower was a detriment to the area, had concerns with the aesthetics and wished the issue to go back to the Planning Commission to start over with new ground rules. He asked Council why they would deal with a business that misled them. Fifty-one percent of members of this community support his view.

Gregg Alfuegren, Temple City resident, relayed a similar situation in Glendale in which through the support and encouragement of the people resistant to a cell tower, a moratorium was called on cell tower building so the City could create an ordinance regulating cell towers. He felt that was a responsible idea and was important for the city to have some control over cell towers.

Sandy Wee, Temple City resident, said after listening to T-Mobile's presentation, she wondered what was the distance between each cell tower and why coverage was needed with 4 cell towers within a mile of each other that cannot handle 73 calls a day.

Mayor Vizcarra clarified that 73 was the number of 911 calls.

Ms. Wee continued that her opposition was that she did not want cell towers in her residential neighborhood in an R-1 zone because they do not belong in a residential area

and are a detriment to health. They need to see the results of radiation tests and how these towers will affect their health.

Tony Serdarusich, Temple City resident, stated he did a lot of research on cell towers and felt them to be highly unsafe and have no regulations as to enforcement. They should not be within so many feet of a residential area. One day the dangers of cell towers will come out and cities should be taking precautions now. He felt the City was rushing it a bit and it was time to take a look at a moratorium on cell towers and think it out.

Hearing no further requests to speak, either for or against this item, the public hearing was closed.

Mayor Pro Tem Yu stated a couple of issues were brought up: one regarding a moratorium on cell towers as in the City of Glendale, approval of cell tower sites on the basis of possible health reasons. He asked the City Attorney for his opinion.

City Attorney Vail stated he did not believe a permanent moratorium would be enforceable because of the Telecommunications Act. Cities are allowed to have a telecommunications ordinance that imposes local and aesthetic guidelines, but not on the basis of radio frequencies, or the unsubstantiated basis that there might be health risks. The Federal Communications Commission regulates these issues, not localities. Those concerns need to be brought to the FCC. Council can discuss if the location and design are appropriate under the City's police powers.

In response to Councilmember Sternquist, City Attorney Vail confirmed that the appeal was based on location and aesthetics only. Health issues were not mentioned.

Mayor Vizcarra said he was torn as to where to go from here. He understood the conflict of T-Mobile's position and the position and perceptions of residents and was not sure how to bridge that. Council's charge is to represent the community and the City.

Councilmember Sternquist, referring to the appellant's comments when he said that T-Mobile misinformed the City, noted that the map in question shows our anticipated wireless coverage area outdoors and the concern from T-Mobile was that the indoor coverage was inadequate. She did not want people to feel that T-Mobile was intentionally providing misinformation with their maps, as there is clarification stated on the maps.

Alonzo Lugo, representing T-Mobile, responded to concerns regarding location and public safety, and stated per the FCC, any public utility can support any customer. Regarding the tower, it is important to note that in neighborhoods such as this, utility poles do stand out. He noted there is very little difference in the height of cell towers, utility poles and light standards. Regarding the distance between the cell towers, the maps on the slide show where the cell towers are located. It is indoor service that is lacking. The number of towers is dependent on the need for service and to ensure the fidelity of service as required by the FCC. T-Mobile did explore sharing poles or towers with other carriers, but they were at the edges of the area in consideration. T-Mobile spent a lot of time trying to avoid having a facility in a neighborhood, but could go no further north than the church, so they tried to design an aesthetically pleasing facility to the neighborhood and fitting in with the maturity of the neighborhood.

City Attorney Vail, in response to Mayor Vizcarra, stated Council should first consider if the proposed facility meets the requirements of a CUP, if the use is appropriate in this location and looks aesthetically correct. If Council is going to deny the request based on location or aesthetics, he would ask that the hearing be continued to have staff prepare a

resolution of denial and to look at the second part of the analysis if it would prohibit denial of service.

Councilmember Sternquist said she was not 100% convinced that this is the right location and aesthetics and would like some more information. She was not comfortable approving it this evening. She knew that it meets public safety requirements per federal regulations but was not sure that a better location may be found. She wished to have other options explored further.

Councilmember Wong agreed with Councilmember Sternquist. She also suggested contacting the owner of Midway Plaza who has recently returned from out of the country, as she felt that location may be best if this one does not work out.

Mayor Pro Tem Yu concurred with Councilmembers and felt their job was to represent their neighbors and fellow residents and no doubt there is a huge opposition to this location. He was not sure that all other locations had been explored and was not sure of the aesthetics with the tower so close to residences. He asked that this hearing be continued to another date.

Councilmember Sternquist moved to continue this item for 60 days to re-notice a new public hearing limited to new testimony to allow the applicant enough time to review and suggest additional site locations to the City Council, seconded by Councilmember Wong and unanimously carried by the following roll call vote:

AYES: Councilmember-Sternquist, Wong, Yu, Vizcarra
NOES: Councilmember-None
ABSENT: Councilmember-None
ABSTAIN: Councilmember-None

Councilmember Chavez returned to the meeting.

RECESS/RECONVENE

The City Council meeting was recessed at 8:58 p.m. and reconvened at 9:06 p.m. with all Councilmembers present.

SUBSEQUENT NEED ITEM

City Attorney Vail stated the need to add an item to the agenda, as there was a need to take immediate action and that need for action came to the attention of the City after the agendas for the meetings of December 15, 2009 were posted. The item is a joint closed session with the Community Redevelopment Agency regarding existing litigation: *TCD v. City of Temple City*. Councilmember Wong will recuse herself from this closed session.

Mayor Pro Tem Yu moved to add this item to the agenda, seconded by Councilmember Sternquist and carried by the following roll call vote:

AYES: Councilmember-Chavez, Sternquist, Yu, Vizcarra
NOES: Councilmember-None
ABSENT: Councilmember-None
ABSTAIN: Councilmember-None

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

Parks and Recreation Director Burroughs stated this item is a carryover from the last meeting at which Council considered and approved several recommendations from the

Parks and Recreation Commission for the City's 50th anniversary. As a consensus could not be reached for the anniversary logo, the consultant was asked to provide additional designs which were presented in the agenda packet and reviewed by Director Burroughs via power point. The City Council was asked to select a logo design.

In response to Mayor Pro Tem Yu, Parks and Recreation Director Burroughs responded that the logo would be used on a variety of different mediums, so the size and color would vary depending on the item.

Dan Arrighi, 50th Anniversary Committee Member, said the logo might be used on letterhead, shirts, bags, key chains, pens, stemware, etc., and either black and white or color depending on the location.

Jeffrey Briggs, Temple City resident, said he spent several years in an ad agency and offered his opinion on a logo choice, preferring either number 5 or number 6.

Council discussed their preferences of logo choices.

Councilmember Sternquist selected logo number 5 with some minor changes, seconded by Councilmember Wong and unanimously carried by the following roll call vote:

AYES: Councilmember-Chavez, Sternquist, Wong, Yu, Vizcarra
NOES: Councilmember-None
ABSENT: Councilmember-None
ABSTAIN: Councilmember-None

8. NEW BUSINESS

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

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

Assistant to the City Manager Flod reviewed his staff report, stating the last time this issue was considered by the City Council, a contract was approved with Beacon Media (*Temple City Tribune*) for a six month trial basis. Now we are at the end of that term and have proposals from the *Mid-Valley News* in addition to Beacon Media. There is also a third option outlined in the staff report to not contract with any newspaper. There are no funds budgeted for this item for the next six months, so a contract approval would require an appropriation to the budget.

Von Raees, representing the *Temple City Tribune*, said he has been before Council two times in the last year talking about a newspaper in the community. In the context of having the City's press releases and announcements distributed throughout the City, that type of news could still get out through various channels that existed before like the Chamber and City newsletter. In the context of providing the City with transparency and informing the citizenry of news that would not otherwise be covered, not having a paper committed to those things would be a huge loss. Over the last year the paper has printed numerous stories that did not appear anywhere else. Those stories were published in the paper and posted on their website and the readership is climbing. There is a huge demand from City residents for information. The paper's website also has a link to the City's website. When a cover story is published, there are specific links in that story to relevant places on the City's site to generate traffic to the City. The paper's staff actively pursues calling City staff for information and events well beyond publishing the Manager's Report. On a weekly basis, the paper runs several pages of just events and information that is not in the agreement. He felt the paper lends a certain level of

transparency to the City that did not exist before. One of the things he did before coming to Temple City was tracking Temple City coverage in surrounding papers and gauged that coverage with the huge increase of City news in other papers over the last year. He felt the existence of the *Temple City Tribune* is relevant to that competition. As an organization, the paper made a huge investment in becoming instituted in the community. This isn't conducive as a side project. It is important to have the level of focus and resources this paper provides.

Mr. Raees responded to questions of Councilmember Chavez, stating that he provided the City, in confidence, with a partial list of all of their drop sites and amount of papers dropped off at each site. The papers go very quickly and they are working to increase distribution in the City. Currently they deliver 3,500 papers per week within the City limits. A weekly report of how many papers are dropped at each site and how many are picked up is constantly monitored. Without a contract with the City, it would be difficult to maintain a newspaper here. The contract does not even cover the printing cost. If the agreement were discontinued, they would try to work it out. They do plan on becoming adjudicated in Temple City, but it is a very difficult process and there is no specific time frame. They will attempt it sometime this year when they feel they have met the criteria.

Connie Keenan, Editor and Publisher for *Mid Valley News*, stated her newspaper is adjudicated and has 15 sports writers to cover high school sports. They look specifically for good news and have two websites, one for sports and the other for news. In response to Mayor Vizcarra, Ms. Keenan stated that the paper does not post Manager's Reports for other cities.

Mr. Raees added that the actual printed edition of the paper is scanned online. An analysis by the paper showed that the City is paying approximately 25%-30% of the actual cost of printing the Temple City edition.

Mary Burke, Temple City resident, said she has been reading the El Monte newspaper for years and has followed Ms. Keenan's writings for a long time. She was at the first meeting when both newspapers presented their proposals and it boiled down to money, but that did not stop that newspaper from covering Temple City sports, etc.

Mary Kokayko, Temple City resident, said the *Mid Valley News* is for the whole valley but the *Tribune* is ours and identifies Temple City. It has improved since it first started and she looked forward to picking it up. She liked the crime report except that there is none for our City; you have to go to City Hall to pick it up. The *Mid Valley News* would print the Manager's Report for free, but it would have to be condensed. She felt we need our own paper.

Jerry Jambazian, Temple City businessman, said he remembered the newspaper presentations in the Fall of 2008 where Ms. Keenan said she would print the Manager's Report of 600 words or less for free. He wondered if Beacon Media would still go ahead and publish the paper if the City does not contract with them. Regarding the caliber of writers, he did feel one is kind of gruff and gives racial slurs at times and inappropriate writings. There is also a lot of news about other Cities in the *Tribune*. When asked at a Chamber meeting if he planned to adjudicate the paper, Mr. Raees said not at that time. He also wondered why 50% of the paper is devoted to DBAs and legal notices which do nothing for Temple City. The paper also reports nothing regarding sports in the City. He was shocked to learn that only 3,500 papers are distributed per week and felt the \$40,000 per year could be spent in better areas.

Jeffrey Briggs, Temple City resident, said in his newspaper experience, he never heard of paying to have a Manager's Report published or subsidize a newspaper, which could lead to an unhealthy relationship because you expect a certain tone of reporting. If news is worthy, it should be published on its own merits without having to subsidize a lot of

money. A contract should call for specific performance and a return of decent value for the expenditure.

Carl Blum, Temple City resident, said he felt the *Temple City Tribune* was starting to feel like Temple City although it has a way to go yet. He picked up both papers and the *Mid Valley News* doesn't seem to address his issues. He thought the City needs to wean off subsidizing newspapers at some point. Feeder money to get started was good, but at some point needs to stop.

Mayor Pro Tem Yu suggested, if the City does not contract with any paper, that the Manger's Report be made available at all City facilities including Live Oak Park. He agreed with a lot of the speakers regarding the availability of the *Tribune* and although the City helped initially to get a local paper, it has been quite some time and he is not sure he is seeing results yet, and so has reservations in continuing.

Councilmember Wong said she picks up both papers and agreed that she sees the *Tribune* as a Temple City paper. She likes to read the articles in the *Mid Valley News*, but it is not a Temple City paper. She felt having our own City newspaper with our name is beneficial.

Councilmember Sternquist stated the City has offered seed money and has given the paper an opportunity to expand and grow, but has not seen as much growth as we would like. She commended the *Mid Valley News* as a wonderful paper also. She would like to see the \$40,000 going elsewhere, maybe investing in our Youth Commission and training for those students to become good leaders. She was not 100% comfortable in using funds to publish the City Manager's Report. There are many ways to get those reports out and the City Manager now has the City Clerk do a short recap of meetings by the next morning. There is a lot of quick access to information if people want it. She would like to see the contract come to an end and choose not to contract with any paper at the moment and move forward and look at other things.

Councilmember Chavez said he read both papers and both cover articles and news of other cities. By calling yourself a Temple City newspaper does not mean that you are. He believed a contract creates a conflict of interest and puts both the City and the newspaper in unfortunate positions. He didn't believe either paper would stop covering City news without a contract. He remembers asking early on if there would be sports coverage and was promised it would be covered, but does not believe he ever saw any in the *Tribune*. Mr. Raees said his paper is responsible for increased interest in our City, but he thought the City itself is responsible for that and creates its own news in what it has done in the last few months. He shared Council's concern with the amount of money and would prefer to pay as we go. He didn't feel the City needs to contract with a paper, and can pay for public notices on an as needed basis.

Mayor Vizcarra stated he has had concerns from day one to pay to have news published. The reason it even started is historical and was inappropriate when initiated. He would like to see the paying go away and agreed with previous speakers about government subsidizing the press and also agreed Temple City needs its own identifiable newspaper. He thought the *Mid-Valley News* was an excellent publication and always supportive, but not all news is good news.

Councilmember Sternquist moved to allow the contract with Beacon Media to expire by its own terms on December 30, 2009, and not contract with any paper at this time and to make the Manager's Report available at all City facilities, seconded by Mayor Pro Tem Yu and unanimously carried by the following roll call vote:

AYES: Councilmember-Chavez, Sternquist, Yu, Vizcarra

NOES: Councilmember-None
ABSENT: Councilmember-None
ABSTAIN: Councilmember-Wong

9. COMMUNICATIONS – None

10. RECESS TO COMMUNITY REDEVELOPMENT AGENCY MEETING

At 10:21 p.m., the City Council recessed to the Community Redevelopment Agency Meeting. Minutes of the Agency Meeting are set forth in full in the Agency's records.

JOINT CLOSED SESSION – CITY COUNCIL AND COMMUNITY REDEVELOPMENT AGENCY

At 10:30 p.m., the City Council and the Community Redevelopment Agency recessed to a joint closed session for the purpose stated below.

Purpose: Existing Litigation
Cases: One (1) – *TCD v. City of Temple City*
Authority: Government Code Section 54956.9(a)
Representatives: City Manager/Executive Director, City Attorney/Agency Counsel

RECONVENE

The City Council and Community Redevelopment Agency reconvened at 11:13 p.m. with all members present.

CLOSED SESSION STATEMENT

City Attorney/Agency Counsel Vail stated the City Council and the Redevelopment Agency met with legal counsel regarding the *TCD v. City of Temple City* litigation and gave direction to counsel. There was no other reportable action.

RECESS TO COMMUNITY DEVELOPMENT AND HOUSING AUTHORITY

At 11:14 p.m., the City Council recessed to the Community Development and Housing Authority Meeting. Minutes of the Authority Meeting are set forth in full in the Agency's records.

RECONVENE AS CITY COUNCIL

The City Council Meeting was reconvened at 11:30 p.m. with all Councilmembers present.

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, at their meeting earlier this evening, approved 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.

Councilmember Wong moved to receive and file the Temple City Community Redevelopment Agency Annual Report for July 1, 2008 to June 30, 2009, seconded by Councilmember Sternquist and unanimously carried.

12. UPDATE FROM CITY MANAGER – None

13. MATTERS FROM CITY OFFICIALS – None

14. COUNCIL REPORTS REGARDING AD HOC OR COMMISSION MEETINGS – None

15. COUNCIL ITEMS SEPARATE FROM THE CITY MANAGER’S REGULAR AGENDA

A. COUNCILMEMBER CHAVEZ

Councilmember Chavez thanked everyone for all their help through this year of change with three new Councilmembers and six new Commissioners. Everyone within the community is pulling together and working very hard. He was grateful for the confidence of the residents and believed 2010 would be a very good year for the City, with a new City Manager and City Attorney to advise us. He wish everyone happy holidays and a happy New Year.

B. COUNCILMEMBER STERNQUIST

Councilmember Sternquist thanked those who came out and expressed their opinions and she will respect and listen to those opinions. She was thrilled to work with Habitat for Humanity and thanked Council for their support of this program and encouraged all to be involved.

C. COUNCILMEMBER WONG

Councilmember Wong thanked staff for the Christmas Parade. She knows that it has been a tough year, for her as well, and she also thanked staff for all they do all the year. She wished all a happy holiday and wished for everyone to have a nice, safe and peaceful holiday.

D. MAYOR PRO TEM YU

Mayor Pro Tem Yu echoed his fellow Councilmembers, saying it has been an eventful interesting year and felt that Council did a lot of groundwork for the future and a good year next year.

E. MAYOR VIZCARRA

Mayor Vizcarra also wished everyone happy holidays.

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

Mary Kokayko, Temple City resident, praised resident Matthew Wong as an outstanding person who started the *Temple City Voice* and continued running it even though he is in college now. He always comes to meetings when he is in town and suggested he be a representative on the Youth Commission.

18. CLOSED SESSION – A Joint Closed Session of the City Council and Community Redevelopment Agency was held earlier in the evening.

19. ADJOURNMENT

The City Council Regular Meeting was adjourned at 11:38 p.m.

Mayor

ATTEST:

City Clerk