

**CITY COUNCIL
TEMPLE CITY, CALIFORNIA
REGULAR MEETING MINUTES
OCTOBER 4, 2011**

1. CALL TO ORDER

Mayor Chavez called the City Council Regular Meeting to order at 7:31 p.m. in the Council Chambers located at 5938 Kauffman Avenue, Temple City.

2. ROLL CALL

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

ALSO PRESENT: City Manager Pulido, City Attorney Vail, Public Safety Officer Ariizumi, Parks & Recreation Director Burroughs, City Clerk Flandrick, Community Development Manager Lambert, Community Development Director Masura

3. INVOCATION

The Invocation was provided by Reverend Frank Wang, Pastor of Bethlehem Lutheran Church.

4. PLEDGE OF ALLEGIANCE

Temple City Boy Scout Troop 161 and Cub Scout Pack 156 presented colors and led those present in the Pledge of Allegiance to the Flag.

5. CEREMONIAL MATTERS – PRESENTATIONS

A. INTRODUCTION OF SISTER CITY EXCHANGE STUDENTS FROM HAWKESBURY, AUSTRALIA

The following exchange students from Temple City's Sister City of Hawkesbury, Australia were introduced and received a Certificate of Recognition and a gift bag from the City Council: Karrie Benz, Lachlan Connally, Maddison Edwards, Megan Ellis, Heath Jonker, and Victoria Rafalo. The students were accompanied by Anita Aemmer of the Sister City organization.

6. PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA

Vincent Wei, Senior Editor of *The Temple City Voice*, provided information on a School Board candidate forum sponsored by *The Temple City Voice* and the Temple City High School's Junior States of America (JSA) Club. The forum will be held on October 16, 2011 from 2:00 p.m. to 4:00 p.m. in Room 601 at the High School.

7. CONSENT CALENDAR

Councilmember Blum moved to approve the Consent Calendar, seconded by Mayor Pro Tem Yu and unanimously carried by the following roll call vote:

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

ABSTAIN: Councilmember-None

A. APPROVAL OF MINUTES

Approved as presented:

- 1) Minutes of the City Council Regular Meeting of September 20, 2011; and
- 2) Minutes of the City Council Special Meeting of September 28, 2011.

B. PLANNING COMMISSION ACTIONS – MEETING OF SEPTEMBER 13, 2011

Received and filed the Planning Commission actions of their meeting of September 13, 2011.

C. PARKS AND RECREATION COMMISSION ACTIONS – MEETING OF SEPTEMBER 21, 2011

Received and filed the Parks and Recreation Commission actions of their meeting of September 21, 2011.

D. PUBLIC SAFETY COMMISSION ACTIONS – MEETING OF SEPTEMBER 14, 2011

Received and filed the Public Safety Commission actions of their meeting of September 14, 2011.

E. APPROVAL OF PERMITS FOR USE OF LOS ANGELES COUNTY PARKING LOT FOR THE 2011 FALL FESTIVAL AND THE 2012 CAMELLIA FESTIVAL

Approved the permits for use of the Los Angeles County parking lot, adjacent to the Los Angeles County Public Library located at 5939 Golden West Avenue, for the 2011 Fall Festival and the 2012 Camellia Festival and authorized staff to execute.

F. APPROVAL OF PROGRESS PAYMENT NO. 9 TO HIRSCH & ASSOCIATES, Inc. FOR WORK PERFORMED ON THE LIVE OAK PARK CIRCULAR PLANTER RENOVATION PROJECT

Approved progress payment No. 9, in the amount of \$300.00, to Hirsch & Associates, Inc. for professional architectural services performed for the Live Oak Park Circular Planter Renovation Project (P10-03).

G. APPROVAL OF SECOND AMENDMENT TO AGREEMENT WITH THE SAUCE CREATIVE SERVICES FOR DESIGN AND PRINT SERVICES FOR THE CITY'S QUARTERLY NEWSLETTER

Approved the Second Amendment to the Agreement with The Sauce Creative Services for design and print services in connection with the City's quarterly newsletter to cover the cost of additional issues of the Spring, and possibly additional issues of the newsletter.

H. PETTY CASH REPORT

Received and filed the Petty Cash Report.

I. ADOPTION OF RESOLUTION NO. 11-4776 – APPROVAL OF PAYMENT OF BILLS

Adopted Resolution No. 11-4776, a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE CITY ALLOWING CLAIMS AND DEMANDS IN THE SUM OF \$653,765.39 DEMAND NOS. 32816 THROUGH 32911.

J. CONSULTANT SERVICES AGREEMENT WITH LECMGT TO CONTINUE WITH THE DEVELOPMENT OF THE EMERGENCY PREPAREDNESS PROGRAM, TRAINING AND COMMUNITY OUTREACH

- 1) Approved a \$50,000 Consultant Services Agreement with LECMgt to continue with the development of the emergency preparedness program, training for staff and City Council, and to establish an emergency preparedness outreach program; and
- 2) Authorized the City Manager to finalize and execute the Consultant Services Agreement with LECMgt.

K. APPROVAL OF A RELEASE OF PROMISSORY NOTE AND A RECONVEYANCE OF THE DEED OF TRUST FOR PROPERTY LOCATED AT 10913 DAINES DRIVE

- 1) Approved a Release of Promissory Note and a Reconveyance of the Deed of Trust for property located at 10913 Daines Drive; and
- 2) Authorized the City Manager to finalize and execute the release of Promissory Note and a Reconveyance of the Deed of Trust, after final review by the City Attorney.

8. UNFINISHED BUSINESS – None

9. NEW BUSINESS

A. APPROVAL OF CONSULTANT SERVICES AGREEMENT WITH RBF CONSULTING TO CONDUCT A COMPREHENSIVE DOWNTOWN PARKING STUDY AND DEVELOP A DOWNTOWN PARKING STRATEGIC PLAN

Public Safety Officer Ariizumi reviewed his staff report, stating on October 6, 2009, the City Council discussed concerns regarding parking in the downtown area and directed consultant Avant Garde to develop and conduct a parking survey. On December 1, 2009, Avant Garde presented minimal survey results and on January 5, 2010, Council reviewed staff recommendations for alternate parking solutions and directed the preparation of a comprehensive downtown parking study.

On April 27, 2011, Community Development staff circulated a Request for Proposals (RFP) inviting qualified consultants to submit proposals to conduct a comprehensive downtown parking study and development of a Downtown Parking Strategic Plan. On August 4, 2011, Community Development Director Masura, Community Development Manager Lambert and Public Safety Officer Ariizumi reviewed the seventeen RFPs received and selected five firms for interviews.

On August 10, 2011, the Public Safety Commission heard requests from Green Island Restaurant representatives to remove the all-day parking restrictions in the parking lot to a 2-hour time limit. At that time, residents on Primrose Avenue expressed their concerns about employee and customer vehicles parking on Primrose Avenue, occupying all

available street parking. The Commission proposed special residential parking restrictions in the 5800 block of Primrose which the City Council adopted the next month.

On August 26, 2011, Community Development staff and Planning Commissioner Horton interviewed five firms and selected RBF Consulting based on the interviews, cost analysis, and other criteria. RBF proposed a start date of October 5, 2011 and completion date of February 29, 2012.

As staff is recommending RBF Consulting for both the Comprehensive Downtown Parking Study and Strategic Plan and the City Wide Traffic Calming Study & Master Plan, RBF has voluntarily reduced their fee proposal for both projects, with the fee for this project reduced from \$98,890 to \$93,480. Since the Fiscal Year (FY) 2011 – 2012 budget was adopted before the proposals were received, funds were not allocated and an appropriation of \$100,000 Measure R funds was requested to complete the comprehensive downtown parking study and development of the Downtown Parking Strategic Plan.

Council discussed this item and Councilmember Blum commented that Council has discussed parking issues and the revitalization of the downtown area at many meetings and he was glad to move forward in addressing both of these situations.

Councilmember Blum moved to:

- 1) Approve a consultant services agreement, not to exceed \$93,480, with RBF Consulting to conduct a comprehensive downtown parking study and develop a Downtown Parking Strategic Plan;
- 2) Approve the budget amendment and allocate \$100,000 Measure R funds to the comprehensive downtown parking study and strategic plan; and
- 3) Authorize the City Manager to execute the consultant services agreement with RBF Consulting,

seconded by Mayor Pro Tem Yu and unanimously carried by the following roll call vote:

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

B. APPROVAL OF CONSULTANT SERVICES AGREEMENT WITH RBF CONSULTING TO CONDUCT A CITY WIDE TRAFFIC CALMING STUDY AND DEVELOP A CITY WIDE TRAFFIC CALMING MASTER PLAN

Public Safety Officer Ariizumi stated on May 19, 2009, the City Council directed staff to review traffic safety at three intersections along El Monte Avenue. Traffic collision statistics from the Los Angeles County Sheriff's Department were also reviewed at that time. On June 2, 2009, staff was directed to increase traffic enforcement on El Monte Avenue and a traffic engineering speed survey was authorized. During the period of June 3 to July 3, 2009, seventy-one citations were issued at the intersection of El Monte and Freer.

On November 3, 2009, proposed traffic calming measures for El Monte Avenue were provided to Council, and the City Manager requested that Council continue the item to allow staff time to prepare a proposal to proactively address traffic and safety concerns on a citywide basis, instead of an individual location. On December 1, 2009, the Council

confirmed the need for a traffic survey to be completed prior to the Citywide Traffic Calming Study and Master Plan.

On August 3, 2010, the Council adopted the Engineering and Traffic Survey prepared by Crown City Engineers. On April 27, 2011, Community Development staff circulated a Request for Proposals (RFP) inviting qualified consultants to submit proposals to conduct a citywide traffic calming study and development of a City Wide Traffic Calming Master Plan. On August 4, 2011, Community Development Director Masura, Community Development Manager Lambert and Public Safety Officer Ariizumi reviewed the nine RFPs received and selected four firms to interview. On August 26, 2011, Community Development staff and Public Safety Commissioner Nimri interviewed four firms and selected RBF Consulting based on the interviews, cost analysis and other criteria.

RBF proposed a six month project schedule with a start date of October 5, 2011 and completion date of April 17, 2012, and has voluntarily reduced their fee proposal for both projects. The fee for this project was reduced from \$99,415 to \$91,555. Since the Fiscal Year (FY) 2011 – 2012 budget was adopted before the proposals were received, funds were not allocated and an appropriation of \$100,000 Measure R funds was requested to complete the city wide traffic calming study and development of the City Wide Traffic Calming Master Plan.

City Manager Pulido noted a savings of approximately \$13,000 for both projects.

Councilmember Blum moved to:

- 1) Approve a consultant services agreement, not to exceed \$91,555, with RBF Consulting to conduct a city wide traffic calming study and develop a City Wide Traffic Calming Master Plan;
- 2) Approve the budget amendment and allocate \$100,000 Measure R funds to the city wide traffic calming study and master plan; and
- 3) Authorize the City Manager to execute the consultant services agreement with RBF Consulting,

seconded by Mayor Pro Tem Yu and unanimously carried by the following roll call vote:

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

C. APPROVAL OF AN ADVERTISING AND AMORTIZATION AGREEMENT FOR AN UPGRADED OUTDOOR ADVERTISING STRUCTURE FOR PROPERTY LOCATED AT 5302 ROSEMEAD BOULEVARD

Community Development Manager Lambert stated on January 11, 2011, the Planning Commission conducted a public hearing and adopted a resolution recommending the City Council adopt an ordinance to allow qualifying existing legal nonconforming outdoor advertising structures (billboards) to be modernized and upgraded. On February 15, 2011, the City Council adopted Ordinance No. 11-941 allowing qualified existing legal nonconforming billboards to be modernized and upgraded to digital billboards, subject to certain findings as contained in the ordinance and subject to approval of a conditional use permit (CUP). The ordinance also requires the property owner to enter into an amortization agreement for the upgraded billboard, which must be approved by the City Council.

On January 6, 2011 the applicant, Pierre DeLorenzo, applied for a CUP to upgrade the legal non-conforming billboard that currently exists on the subject property, 5402 Rosemead Boulevard. The CUP was approved by the Planning Commission on September 13, 2011 and one of the conditions of the CUP requires the property owner to enter into a written agreement with the City for the amortization of the billboard, including provisions for advertising. On September 12, 2011, the City Attorney finalized the draft Amortization Agreement for the City Council's consideration.

Over the past several months the City Manager and City Attorney have worked with the applicant on the parameters of the agreement. As proposed, the project will consist of improvements to the property, which now has an outdated car wash, as well as replacement of a deteriorated legal nonconforming billboard with two new Light Emitting Diodes (LED) 14 foot by 48 foot billboards. In addition, Mr. DeLorenzo has agreed to provide the City with access to one out of every eight advertisement slots on both LEDs for public service announcements and other civic notifications that is estimated at \$3.4 million over the life of the agreement. Temple City businesses will also be provided with a reduced advertising fee.

It was noted that the 40 year amortization period is necessary in order for Mr. DeLorenzo to recuperate his private \$1.5 million investment. After the 40 year period, the LED billboards would have to be removed from this property. Allowing the existing legal nonconforming billboard to be modernized and upgraded would enhance the aesthetics of the Rosemead Boulevard corridor and the City at-large. The draft Amortization Agreement would also allow the City to keep its residents and visitors better informed about City events, programs and activities.

Community Development Manager Lambert provided a short power point presentation of the property as it exists and the proposed improvements, as well as a timeline for the project.

Council discussed the item and staff responded to Council's questions. Mr. DeLorenzo provided details of the proposed LED billboards.

City Attorney Vail stated additional changes made to the agreement after the posting of the agenda as contained in the revised agreement provided to the City Council before the time of the meeting.

As a result of further discussion regarding full motion video, City Attorney Vail recommended the inclusion of the following sentence after Section 1.3: "Advertising shall be static only and no full motion video is permitted."

Mayor Pro Tem Yu moved to:

- 1) Approve an advertising and amortization agreement, as amended, between the City of Temple City and the DeLorenzo Family Trust for an upgraded outdoor advertising structure (digital billboard); and
- 2) Authorize the City Manager to execute the Advertising and Amortization Agreement (i.e., Amortization Agreement), as amended, with the DeLorenzo Family Trust,

seconded by Councilmember Vizcarra and unanimously carried by the following roll call vote:

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

10. COMMUNICATIONS – None

Councilmember Vizcarra left the meeting at 8:45 p.m.

11. RECESS TO COMMUNITY REDEVELOPMENT AGENCY MEETING

At 8:46 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.

RECONVENE AS CITY COUNCIL

The City Council meeting was reconvened at 8:48 p.m. with all Councilmembers present.

Councilmember Vizcarra returned to the meeting at 8:49 p.m.

12. ACTION ON REQUEST BY CRA – None

13. UPDATE FROM CITY MANAGER

City Manager Pulido reminded everyone of the second community meeting regarding the Rosemead Boulevard Improvement Project scheduled for Thursday, October 6, at Live Oak Park.

14. MATTERS FROM CITY OFFICIALS – None

15. COUNCIL REPORTS REGARDING AD HOC OR COMMISSION MEETINGS

Mayor Pro Tem Yu, as the Council's Voting Delegate, reported on the General Assembly's vote on proposed resolutions at the annual League of California Cities conference.

Mayor Chavez reported on the new Youth Committee's first meeting in which goals and projects for the year were discussed.

16. COUNCIL ITEMS SEPARATE FROM THE CITY MANAGER'S REGULAR AGENDA

A. COUNCILMEMBER BLUM

Councilmember Blum noted that the digital billboard item approved earlier in the agenda was in line with one of the Communications Task Force recommendations.

B. COUNCILMEMBER STERNQUIST

Councilmember Sternquist congratulated Mayor Chavez and City Attorney Vail for a wonderful presentation on protocols and ethics they gave at the League of California Cities Conference.

She also complimented staff on the City Connect service message received by residents informing them of this week's community meeting regarding the Rosemead Boulevard Improvement Project.

C. COUNCILMEMBER VIZCARRA

Councilmember Vizcarra also complimented Mayor Chavez and City Attorney Vail on their presentation at the League of California's Conference.

D. MAYOR PRO TEM YU

Mayor Pro Tem Yu said he learned a lot at the annual League Conference and brought back good ideas to use in coming years.

E. MAYOR CHAVEZ

Mayor Chavez reported the League Conference was very successful and reviewed the session topics. The protocols and ethics presentation was well received and he thanked Council for its joint effort in approving the Council and Commission protocols last year.

As requested by Mayor Chavez, Community Development Director Masura reported on his presentation of grant funding as related to the City's Bike Master Plan at the Los Angeles Bike Summit.

Mayor Chavez reported on recent meeting topics of residents who scheduled a meeting with the Mayor at City Hall.

He also met with representatives of the International Youth Fellowship who wished to get more involved in the City to generate interest in their program, following their successful forum held here in which the Mayor was a panelist.

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

A. COUNCILMEMBER BLUM – None

B. COUNCILMEMBER STERNQUIST - \$863.53 (Hotel charges for League of California Cities Conference)

C. COUNCILMEMBER VIZCARRA – \$863.53 (Hotel charges for League of California Cities Conference)

D. MAYOR PRO TEM YU - \$575.69 (Hotel charges for League of California Cities Conference)

E. MAYOR CHAVEZ - \$863.53 (Hotel charges for League of California Cities Conference)

18. ADDITIONAL PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA – None

19. CLOSED SESSION

At 9:13 p.m., the City Council recessed to a closed session for the purpose stated below.

Purpose:	Conference with Legal Counsel – Anticipated Litigation
Potential Case(s):	One (1)
Authority:	Government Code Section 54956(b)
Representatives:	City Manager, City Attorney

RECONVENE

The City Council meeting was reconvened at 10:19 p.m. with all Councilmembers present.

CLOSED SESSION STATEMENT

City Attorney Vail stated the Council met with its legal counsel regarding one item of potential litigation. Counsel briefed the Council on a set of facts and circumstances that could constitute causes of action in favor of the City. Those facts and circumstances were discussed and Council gave direction to the City Attorney. Otherwise there was no reportable action.

20. ADJOURNMENT

The City Council Regular Meeting was adjourned at 10:21 p.m.

Mayor

ATTEST:

City Clerk