

**CITY COUNCIL
TEMPLE CITY, CALIFORNIA
REGULAR MEETING MINUTES
JUNE 15, 2010**

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

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

3. INVOCATION

The Invocation was provided by Councilmember Yu.

4. PLEDGE OF ALLEGIANCE

Temple City resident Jim Clift led those present in the Pledge of Allegiance to the Flag.

5. CEREMONIAL MATTERS – PRESENTATIONS

A. ATHENS WASTE COLLECTION OPTION SURVEY RESULTS AND FREE TRASH SERVICE DRAWING

Assistant to the City Manager Flod presented the results of the Athens Waste Collection Option Survey. Approximately 8,000 surveys were mailed out to all Athens trash service customers in the City in late April. The survey asked residents to indicate their preference between four options of trash collection service. The city received 3,478 surveys back, with over 160 having been filed online. The tabulated results were as follows:

Option One: Two times per week manual collection program – 1,858

Option Two: One time per week manual collection program – 601

Option Three: One time per week three container automated collection program - 539;
and

Option Four: One time per week two container automated collection program – 480.

Camellia Festival King Brett Conger drew three survey winners of one year of free trash service: Richard Luevano, V. Cox, and George Moreno.

6. PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA

Linda Payne, Chamber of Commerce President, thanked the Public Works and Maintenance Departments for doing such a great job in maintaining the parkway landscaping.

Mary Kokayko, Temple City resident, referring to the recent expansion of Dial-A-Ride service to include some incorporated areas, requested that Home Depot be included as a destination for residents who use the service. She also suggested that surveys be provided to those who attend the Concerts in the Park asking what businesses they would like to see in the City, in particular the Piazza site, and also where they shop in and outside of Temple City.

7. CONSENT CALENDAR

Councilmember Yu removed Item H to hear the staff report for this item.

Councilmember Yu moved to approve the remainder of the Consent Calendar, seconded by Councilmember Sternquist and unanimously carried by the following roll call vote:

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

A. APPROVAL OF MINUTES

Approved as presented the Minutes of the Regular Meeting of June 1, 2010.

B. PLANNING COMMISSION ACTIONS – MEETING OF MAY 25, 2010

Received and filed the Planning Commission actions of their meeting of May 25, 2010.

C. APPROVAL OF DESIGN AND SPECIFICATIONS FOR NEW PLAYGROUND EQUIPMENT AT LIVE OAK PARK (P10-04) AND AUTHORIZATION TO BID

Approved the design and specifications submitted by Dave Bang Associates, Inc. and authorized staff to solicit bids for new playground equipment at Live Oak Park (P10-04).

D. APPROVAL OF AGREEMENTS FOR USE OF FACILITIES WITH THE TEMPLE CITY UNIFIED SCHOOL DISTRICT AND THE EL MONTE CITY SCHOOL DISTRICT

Approved renewal of the following agreements and authorized the City Manager to sign:

- 1) Agreement for Use of Facilities with Temple City Unified School District for general facility use; and
- 2) Agreement for Use of Facilities with El Monte City School District for general facility use.

E. ADOPTION OF RESOLUTION NO. 10-4672 – APPROVAL OF FISCAL YEAR (FY) 2010-11 STATEMENT OF INVESTMENT POLICY

Adopted Resolution No. 10-4672, a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE CITY ACKNOWLEDGING THE RECEIPT AND FILING OF THE STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2010-2011.

F. FINAL MAP APPROVAL FOR PARCEL MAP NO. 68247 AT 5013 – 5015 FARAGO AVENUE

Approved Final Parcel Map No. 68247 at 5013 – 5015 Farago 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; and
 - 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 Parcel Map No. 68247;
- 3) Accepted the dedications as indicated on Parcel Map No. 68247;
- 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 68247 the certificate that embodies the approval of said Map.

G. CONSIDERATION OF A REQUEST FROM FC GOLDEN STATE SOCCER CLUB TO HOLD A TEMPORARY EVENT ON JUNE 26, 2010 IN THE PARKING LOT IN FRONT OF MR. S LIQUOR MART LOCATED AT 6262 ROSEMEAD BOULEVARD

Approved the request from FC Golden State Soccer Club to hold a temporary event on June 26, 2010 from 7:30 a.m. to 2:30 p.m. in the parking lot in front of the Mr. S Liquor mart store which is located at 6262 Rosemead Boulevard.

I. ADOPTION OF RESOLUTION NO. 10-4674 DECLARING SUPPORT FOR AN ENERGY PARTNERSHIP BETWEEN THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS, SOUTHERN CALIFORNIA EDISON, AND THE CITY OF TEMPLE CITY

Adopted Resolution No. 10-4674, a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE CITY, CALIFORNIA, DECLARING THE CITY'S SUPPORT FOR AN ENERGY PARTNERSHIP BETWEEN SOUTHERN CALIFORNIA EDISON AND THE CITY OF TEMPLE CITY.

J. FOURTH QUARTER BUDGET AMENDMENTS

Approved the fourth quarter budget amendments and amended the adopted budget accordingly.

K. PETTY CASH AND VISA CARD REPORTS

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

L. CONSIDERATION OF A REQUEST FOR PLACEMENT AND REMOVAL OF A STREET BANNER BY KIWANIS CLUB OF TEMPLE CITY

Approved a request by Kiwanis Club of Temple City for City staff to place and remove a street banner advertising the Club's Annual BBQ, subject to submission of proper insurance documentation.

M. RESOLUTION NO. 10-4676 AUTHORIZING THE CITY MANAGER TO SUBMIT GRANT APPLICATIONS TO THE STATE OF CALIFORNIA DEPARTMENT OF RESOURCES AND RECYCLING (CALRECYCLE)

Adopted Resolution No. 10-4676, a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE CITY AUTHORIZING THE CITY MANAGER TO SUBMIT GRANT APPLICATIONS TO THE STATE OF CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE) FOR ALL AVAILABLE GRANTS.

N. ADOPTION OF RESOLUTION NO. 10-4675 – APPROVAL OF PAYMENT OF BILLS

Adopted Resolution No. 10-4675, a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE CITY ALLOWING CLAIMS AND DEMANDS IN THE SUM OF \$269,212.79 DEMAND NOS. 29500 THROUGH 29587.

H. ADOPTION OF RESOLUTION NO. 10-4673 AUTHORIZING PARTICIPATION IN THE LOS ANGELES COUNTY ENERGY PROGRAM (LACEP)

The City Council was requested to consider adopting a Resolution authorizing participation of the City of Temple City in the Los Angeles County Energy Program (LACEP).

Community Development Manager Lambert reviewed his staff report, stating adoption of the proposed Resolution would authorize the City's participation in the County's energy program. This is a culmination of AB 811 approved in 2008 by the State Legislature to encourage all Cities in California to reduce the green house gas footprint by twenty percent. Through the Council of Governments, the County has taken the lead in creating this partnership and will run the program. If approved, Temple City would partner along with most other cities in the county to allow residents to apply directly through the County to provide financing for the installation of energy and water efficiency improvements for their homes. The loan would be repaid through their property taxes. Exact details have not yet been discussed and rates are yet to be determined.

Councilmember Yu felt this program would be of interest for all residents. It is anticipated to begin September 1 and residents may apply for all energy improvements to their homes, including insulation and solar energy, etc. It is a wonderful program and another tool to improve the City.

Mayor Pro Tem Chavez agreed the public should be aware of this great program, and congratulated staff for bringing this to Council. Another item already approved also relates to this – Item I – which approves the City's partnership with the San Gabriel Valley Council of Governments and Southern California Edison. This program provides residents and businesses with energy efficiency information and workshops and combined with the other program is a great advantage for all residents.

In response to Councilmember Sternquist, Community Development Manager Lambert stated that the CDBG-R grant program is wrapping up, with approximately \$50,000 in funds having been spent this year, helping ten households.

Councilmember Yu moved to adopt Resolution No. 10-4673, a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE CITY, STATE OF CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE INCORPORATED AREA OF THE CITY IN THE LOS ANGELES COUNTY ENERGY PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES AND ENERGY AND WATER EFFICIENCY IMPROVEMENTS, APPROVING THE REPORT SETTING FORTH THE PARAMETERS OF THE REFERENCED PROGRAM AND CERTAIN MATTERS IN CONNECTION THEREWITH, seconded by Mayor Pro Tem Chavez and unanimously carried by the following roll call vote:

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

8. UNFINISHED BUSINESS

A. SECOND READING AND ADOPTION OF ORDINANCE NO. 10-935 AMENDING SECTIONS 3320 – 3329 OF THE TEMPLE CITY MUNICIPAL CODE RELATING TO OVERNIGHT PARKING ON CITY STREETS

Public Safety Officer Ariizumi stated the City Council, at their meeting of June 1, introduced Ordinance No. 10-935 amending the Municipal Code relating to overnight parking on City streets and the parking permit process. If adopted, the ordinance will be in effect thirty days from today. A public hearing will be held on June 29 to adopt by resolution a temporary fee structure for the remaining 2010 permit period.

At the request of Council, City Clerk Flandrick read the title of Ordinance No. 10-935.

Councilmember Blum moved to waive further reading and adopt Ordinance No. 10-935, an ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE CITY, CALIFORNIA, REVISING THE OVERNIGHT PARKING PERMIT PROCESS AND FEE PROVISIONS OF PART 3 OF ARTICLE A OF CHAPTER 3 OF TITLE 3 OF THE TEMPLE CITY MUNICIPAL CODE, seconded by Councilmember Sternquist and unanimously carried by the following roll call vote:

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

B. SECOND READING AND ADOPTION OF ORDINANCE NO. 10-934 AMENDING SECTIONS 2683 AND 2687 (A-B) OF THE TEMPLE CITY MUNICIPAL CODE

Public Safety Officer Ariizumi stated, at the June 1 meeting, the City Council agreed to discuss the reinstatement of the Public Safety Commission on or after the June 29 Special Council meeting and introduced Ordinance No. 10-934 amending the Municipal Code to revise the duties of the Commission. If adopted, the ordinance will be in effect thirty days from today.

Bob Pitts, Temple City resident and former member of the Public Safety Commission, provided background information on the duties and dissolution of the Commission. He recommended reinstating the Commission as it provides good service to the City in reviewing and analyzing traffic and safety issues for recommendation to the Council.

At the request of Council, City Clerk Flandrick read the title of Ordinance No. 10-934.

Councilmember Blum moved to waive further reading and adopt Ordinance No. 10-934, an ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE CITY, CALIFORNIA, REVISING THE PUBLIC SAFETY COMMISSION DUTIES OF ARTICLE E OF CHAPTER 6 OF TITLE 2 OF THE TEMPLE CITY MUNICIPAL CODE, seconded by Councilmember Yu and unanimously carried by the following roll call vote:

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

9. NEW BUSINESS

A. ADOPTION OF RESOLUTION NOS. 10-4677 AND 10-4678 – CITY COMMISSION APPOINTMENTS

City Clerk Flandrick reviewed her staff report, stating the City Council is requested to consider adoption of a resolution confirming two appointments to the Parks and Recreation Commission and two appointments to the Planning Commission for terms expiring June 30, 2010. Both commissions are comprised of five members appointed by the Council to serve two year terms. All four of the commissioners have confirmed their desire to continue serving on their respective commission. There have been no new applications for either commission received within the past year.

It was recommended that Council:

- 1) Re-appoint the current Commissioners by adoption of a resolution;
- 2) Appoint new Commissioners by adoption of a resolution; or
- 3) Provide direction for other actions.

Das Sheenh, Temple City resident, stated there were a lot of people who wished to serve but were unaware that they could apply for these positions and asked Council to give them a chance to apply.

Mayor Vizcarra noted that the appointment notice is posted year round and people can apply anytime.

In response to Councilmember Sternquist, City Clerk Flandrick confirmed that the appointment list is posted, but the positions are not advertised unless directed by Council.

Mayor Vizcarra recommended in the future that the City announce that it is accepting applications two months ahead of appointment time.

Councilmember Sternquist suggested also announcing at Council meetings that these appointments are coming up.

Mayor Pro Tem Chavez stated appointments are made at this time every year. There are either two openings or three openings.

Councilmember Yu stated since a lot of people did not know about these openings, he would move to continue this item to open up the positions for applications.

City Attorney Vail stated the commissions will be two members short unless Council makes temporary appointments.

Mayor Pro Tem Chavez stated there is no compelling reason to change the rules now. The positions have always been posted, and appointments are always made at this same time each year.

Councilmember Blum suggested proceeding with the reappointments now and weave in a new process so there will be an opportunity 10 months from now for new applications.

Councilmember Yu restated his motion to continue this item temporarily to accept applications for these positions, and if needed, appoint temporarily, seconded by Councilmember Sternquist and failed by the following roll call vote:

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

Councilmember Blum moved to adopt Resolution No. 10-4677 reappointing Chris Goad and Peggy Miller to the Parks and Recreation Commission, and adopt Resolution No. 10-4678 reappointing Jerry Seibert and Tom O'Leary to the Planning Commission, seconded by Mayor Pro Tem Chavez and carried by the following roll call vote:

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

10. COMMUNICATIONS

A. CHAMBER REQUEST FOR USE OF PARKING LOT

The Temple City Chamber of Commerce submitted a written request for use of the City's parking lot at 9050 Las Tunas Drive for a Summer Mixer/Barbecue on July 19, 2010.

Linda Payne, Chamber President, explained that the Chamber has experienced great attendance at mixers, but did not have a business to host a mixer in July. So the Chamber would like to hold the mixer in the parking lot at the Chamber office, as they did last year. This would be a regular mixer and barbecue to be held on July 19 from 4:00 p.m. to 8:30 p.m.

Councilmember Blum moved to approve the request for use of the City's parking lot, seconded by Councilmember Yu and unanimously carried by the following roll call vote:

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

11. RECESS TO COMMUNITY REDEVELOPMENT AGENCY MEETING

At 8:20 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.

RECESS TO FINANCING AUTHORITY MEETING

At 8:21 p.m., the City Council recessed to the Financing Authority Meeting. Minutes of the Authority Meeting are set forth in full in the Authority's records.

RECONVENE AS CITY COUNCIL

The City Council Meeting was reconvened at 8:22 p.m. with all Councilmembers present.

12. ACTION ON REQUEST BY CRA – None

13. UPDATE FROM CITY MANAGER – None

14. MATTERS FROM CITY OFFICIALS – None

15. COUNCIL REPORTS REGARDING AD HOC OR COMMISSION MEETINGS

Councilmember Blum reported on the Ad Hoc Rosemead Boulevard Improvement Project Committee meeting that he and Councilmember Yu attended on June 15. In the past six weeks, the City has solicited a Request for Qualifications (RFQ) for a Project Manager. Six responses were received by the deadline of June 4. Along with City Manager Pulido, they have been evaluating each of the firms and will meet on June 18 to interview and select a project management firm. They will then negotiate a fee and prepare a contract for Council's approval by mid-July or early August. They are still evaluating a proposal for the design of the Project, and when that is complete, will have a better idea of overall cost and schedule. Construction should begin early next year.

Mayor Pro Tem Chavez reported that he and Councilmember Blum and City Attorney Vail met to get started on the City Council and Commission protocols. They made great progress with the draft blueprint that City Attorney Vail provided and they will be working with that to bring back a recommendation to Council. The objective is to have a set of rules and guidelines as to how it is desired for Council, commissions, and citizens to act in a number of different areas regarding ethics, and relationships with the public and each other.

Councilmember Blum added the protocols will be policy guidelines regarding how we relate to the public and each other and in the decision making process.

In response to Mayor Vizcarra, Mayor Pro Tem Chavez stated there will be a section for censure and enforcement if someone gets out of line. The committee will develop procedures for enforcement of rules.

As the Council Delegate to Foothill Transit, Councilmember Sternquist reported on her meeting with the CEO and the Chairman of the Governing Board. Information was presented about the history of Foothill Transit and the duties and role as a member of the governing board was discussed. The first emission-less bus will be inaugurated in September and its routes were reviewed.

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

A. COUNCILMEMBER BLUM

Councilmember Blum suggested, as there seems to be an increasing number of ad hoc committees, that the following ones be closed out if there was no further need of them: Census, 50th Anniversary, and Athens Waste Disposal.

City Manager Pulido stated he would follow up on this with the committee members.

B. COUNCILMEMBER STERNQUIST – None

C. COUNCILMEMBER YU

Councilmember Yu reminded everyone of the Relay for Life event on June 26-27 at the high school track. The purpose of the event is to promote awareness of cancer and it is the first in Temple City. He met with the event's organizers last week and at this point there is still a need for volunteers and more teams to participate. Anyone interested could contact City Hall or his email on the city's website.

D. MAYOR PRO TEM CHAVEZ – None

E. MAYOR VIZCARRA

Mayor Vizcarra spoke of his concerns regarding density and its effect on the City's infrastructure, and asked if there were a survey or study done that would indicate at what capacity the City will be able to serve in the future.

Community Development Manager Lambert responded that there is a sewer capacity master plan, but no comprehensive document that would cover all utilities.

Mayor Vizcarra said he felt there was a need to consider a building moratorium until a determination was made that our infrastructure could support the number of units we are putting in this town.

City Manager Pulido suggested there are other ways to achieve that objective without necessarily imposing a moratorium.

Mayor Vizcarra stated in the past Council had discussed the possibility of having each Councilmember make an appointment on each commission and he wished to bring this item back on the agenda next meeting for discussion and vote.

Mayor Vizcarra stated there seemed to be some misunderstandings and some articles regarding city benefits for former City Councilmember Wong and he asked if that had been publicly addressed.

City Manager Pulido stated this kind of subject is not normally addressed at public meetings, but the City Attorney and Assistant City Attorney have been working on this and reporting back to the appropriate agencies. There was some confusion because a public records request was received three months ago regarding benefits and at that time Ms. Wong was not receiving any, but changes were made three months later. So the information given at the time was correct, but in the 3 month lag time, things changed.

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

- A. COUNCILMEMBER BLUM - \$120.93 (reimbursement to City for advances – California Contract Cities Association Annual Conference)
- B. COUNCILMEMBER STERNQUIST - \$155.24 (reimbursement to City for advances – California Contract Cities Association Annual Conference)
- C. COUNCILMEMBER YU – None
- D. MAYOR PRO TEM CHAVEZ - \$120.93 (reimbursement to City for advances – California Contract Cities Association Annual Conference)
- E. MAYOR VIZCARRA – None

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

Bob Pitts, Temple City resident, regarding the protocol ad hoc committee report, asked if there will be a presiding officer that will address censures and a defense established and indemnification costs attached to the City of attacking a person on hearsay.

Mayor Pro Tem Chavez stated that whatever procedure the Council decides on, it will always include due process rights for all parties involved and the last thing we would want to do would be to censure or reprimand any Council or Commission member. The document is not yet complete, but it will ultimately be up to Council to determine what if anything does happen.

Das Sheenh, Temple City resident, suggested it would be better for residents if the City Manager's report tells residents about those things that are happening here. Not everyone has the time or knowledge to come to City Hall to find out about things.

19. CLOSED SESSION – None

20. ADJOURNMENT

At the request of Councilmember Sternquist, the City Council Regular Meeting was adjourned at 8:50 p.m. in honor and in memory of La Rosa School Principal Tiffany Haeberlein and Mountain View High School student Gabriel Lopez.

Mayor

ATTEST:

City Clerk