

**CITY COUNCIL
TEMPLE CITY, CALIFORNIA**

**REGULAR MEETING
DECEMBER 20, 2011 – 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 Chavez
2. **ROLL CALL** – Councilmember Blum, Sternquist, Vizcarra, Yu, Chavez
3. **INVOCATION**
4. **PLEDGE OF ALLEGIANCE**
5. **CEREMONIAL MATTERS – PRESENTATIONS**
 - A. STATE OF THE STATE UPDATE BY SENATOR CAROL LIU
6. **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.

7. 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 H** per recommendations

A. APPROVAL OF MINUTES

The City Council is requested to review and approve:

- 1) Minutes of the City Council Regular Meeting of December 6, 2011; and
- 2) Minutes of the City Council Emergency Meetings of:
 - a) December 1, 2011;
 - b) December 2, 2011;
 - c) December 3, 2011;
 - d) December 5, 2011; and
 - e) December 8, 2011.

Recommendation: approve

B. APPROVAL OF PROGRESS PAYMENT NO. 10 (FINAL PAYMENT) 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. 10 (final payment) in the amount of \$300 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. 10 (final payment) in the amount of \$300

C. APPROVAL OF THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (MTA) LETTER OF AGREEMENT (LOA) FOR THE ROSEMEAD BOULEVARD BEAUTIFICATION PROJECT

The City Council's approval and authorization to execute the Letter of Agreement will ensure that the City is able to move forward and obligate funds for the project.

Recommendation:

- 1) Approve the Letter of Agreement with the Los Angeles County Metropolitan Transportation Authority (MTA) for the Rosemead Boulevard Beautification Project; and
- 2) Authorize the City Manager to finalize and execute the Letter of Agreement.

D. ADOPTION OF RESOLUTION NO. 11-4784 APPROVING AND ADOPTING THE CITY'S EMERGENCY OPERATIONS PLAN

In order to adequately and efficiently respond to disasters, an Emergency Operations Plan (EOP) is necessary to delineate how City resources would respond to these situations. An EOP also spells out the various roles and duties of personnel assigned to the City's Emergency Operations Center (EOC) in the event of an emergency. An approved and adopted EOP must be on file with the State of California Emergency Management Agency (CalEMA) to secure the possible reimbursement of costs incurred in the event of a declared emergency. Council action on the resolution allows staff to complete the filing process.

Recommendation: adopt Resolution No. 11-4784 approving and adopting the City's Emergency Operations Plan (EOP).

E. CONSULTANT SERVICES AGREEMENT WITH GRUEN ASSOCIATES – AMENDMENT NO. 6

It is recommended that the City Council review and approve the sixth amendment to the consultant services agreement with Gruen Associates, totaling \$23,935, to provide the City the support services for the Rosemead Boulevard Safety Enhancements and Beautification Project for additional design and survey services.

Recommendation:

- 1) Review and approve the Sixth Amendment to the consultant services agreement with Gruen Associates, in the amount of \$23,935, to provide the City with additional design and survey services associated with the Rosemead Boulevard Project; and
- 2) Authorize the City Manager to execute Amendment No. 6 to the consultant services agreement with Gruen Associates.

F. **RESOLUTION NO. 11-4781 AND RESOLUTION NO. 11-4782
SUPERCEDING EMPLOYER PAID MEMBER CONTRIBUTIONS
ADOPTED ON JULY 16, 2002 BY RESOLUTION NO. 02-4102**

On June 29, 2010, the City Council adopted Fiscal Year (FY) 2010-11 Budget which included a reduction in member contributions to the California Public Employees Retirement System (CalPERS) paid by the City by one percent (1%) effective July 1, 2010. On August 15, 2011, the City Council voted to eliminate the Employer Paid Member Contribution (EPMC) to CalPERS for all newly hired employees effective January 1, 2012. The City Council is requested to adopt resolutions memorializing these actions.

Recommendation:

- 1) Adopt Resolution No. 11-4781 memorializing the implementation of a reduction in the EPMC to CalPERS by one percent (1%) effective July 1, 2010; and
- 2) Adopt Resolution No. 11-4782 eliminating payment of the EPMC to CalPERS for employees hired on or after January 1, 2012, which is currently eight percent (8%).

G. **VISA CARD REPORT**

The City Council is requested to review, receive and file the Visa Card Report.

Recommendation: receive and file

H. **ADOPTION OF RESOLUTION NO. 11-4786 – APPROVAL OF PAYMENT
OF BILLS**

The City Council is requested to adopt Resolution No. 11-4786 authorizing payment of bills.

Recommendation: adopt Resolution No. 11-4786

8. UNFINISHED BUSINESS – None

9. NEW BUSINESS

- A. PUBLIC HEARING: APPEAL OF A PLANNING COMMISSION DECISION APPROVING CONDITIONAL USE PERMIT 11-1795 – A REQUEST TO ESTABLISH A PRESCHOOL/KINDERGARTEN AT 5537 TEMPLE CITY BOULEVARD (Applicant binder available in the City Clerk's Office)

Applicant Binder Packet

On October 25, 2011, the Planning Commission conducted a public hearing and adopted Resolution No. 11-2334 PC approving Conditional Use Permit 11-1795 to allow the establishment of a preschool-kindergarten at 5537 Temple City Boulevard. On November 7, 2011 the decision was asked to be reviewed by the City Council. The City Council is requested to review the Planning Commission's decision and the resolution approving the Conditional Use Permit, and to make a final determination based on any information or public testimony provided.

Presentation: City Manager

Recommendation:

- 1) Uphold the Planning Commission's decision and adopt a resolution approving Conditional Use Permit 11-1795;
 - 2) Uphold the Planning Commission's decision and adopt a resolution approving the Conditional Use Permit 11-1795 with any new or modified conditions that the Council deems necessary; or
 3. Reverse the Planning Commission's decision and adopt a Resolution denying the Conditional Use Permit.
- B. PUBLIC HEARING: INTRODUCTION OF ORDINANCE NO. 11-951 – DOWNTOWN SPECIFIC PLAN AMENDMENT CONDITIONALLY PERMITTING DANCE AND EXERCISE SCHOOLS/STUDIOS IN THE EAST COMMERCIAL (EC) DISTRICT OF THE DOWNTOWN SPECIFIC PLAN

Given the fact that Dance and Exercise Schools/Studios are currently a conditionally permitted in the four other commercial districts of the Downtown Specific Plan, staff does not have any objections to amending the East Commercial (EC) District to conditionally permit Dance and Exercise Schools/Studios.

Presentation: City Manager

Recommendation:

- 1) Request the City Clerk to read the title of proposed Ordinance No. 11-951;
- 2) Adopt a motion waiving further reading of proposed Ordinance No. 11-951; and
- 3) Adopt a motion introducing on first reading, by title only, proposed Ordinance No. 11-951, an amendment to the Downtown Land Use Matrix to conditionally permit Dance and Exercise Schools/Studios in the East Commercial (EC) District and approve the Negative Declaration.

10. COMMUNICATIONS

A. **CHAMBER OF COMMERCE MONTHLY REPORT**

11. RECESS TO COMMUNITY REDEVELOPMENT AGENCY MEETING

RECONVENE AS CITY COUNCIL

12. ACTION ON REQUEST BY CRA – None

13. UPDATE FROM CITY MANAGER

14. MATTERS FROM CITY OFFICIALS – None

15. COUNCIL REPORTS REGARDING AD HOC OR COMMISSION MEETINGS

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

- A. COUNCILMEMBER BLUM
- B. COUNCILMEMBER STERNQUIST
- C. COUNCILMEMBER VIZCARRA
- D. MAYOR PRO TEM YU
- E. MAYOR CHAVEZ

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

- A. COUNCILMEMBER BLUM - None
- B. COUNCILMEMBER STERNQUIST - \$438.02 (hotel accommodations) and \$63.00 (reimbursement of expenses) – Joint Powers Insurance Authority Conference
- C. COUNCILMEMBER VIZCARRA - \$468.02 (Hotel accommodations) and \$190.42 (reimbursement of expenses) – Joint Powers Insurance Authority Conference
- D. MAYOR PRO TEM YU - \$458.02 (hotel accommodations) and \$190.42 (reimbursement of expenses) – Joint Powers Insurance Authority Conference
- E. MAYOR CHAVEZ - \$458.02 (hotel accommodations) and \$190.42 (reimbursement of expenses) – Joint Powers Insurance Authority Conference

18. 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.

19. CLOSED SESSION – None

20. ADJOURNMENT

NEXT REGULAR MEETING OF:

CITY COUNCIL	7:30 P.M.	JANUARY 3, 2012
PARKS & RECREATION COMMISSION	7:30 P.M.	DECEMBER 21, 2011
PLANNING COMMISSION	7:30 P.M.	JANUARY 10, 2012
PUBLIC SAFETY COMMISSION	7:30 P.M.	JANUARY 11, 2012

Notice: Staff reports or other written documentation relating to each item of business of this Agenda are available for viewing on the City's website at www.templecity.us and 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.