

**CITY COUNCIL
TEMPLE CITY, CALIFORNIA
REGULAR MEETING MINUTES
FEBRUARY 2, 2010**

1. CALL TO ORDER

Mayor Vizcarra called the City Council Regular Meeting to order at 7:37 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, Assistant to the City Manager Flod, Community Development Manager Lambert, Financial Services Manager Molina, Public Services Manager Tidwell, Public Safety Officer Ariizumi

3. PLEDGE OF ALLEGIANCE

Linda Payne, Chamber of Commerce President, led those present in the Pledge of Allegiance to the Flag.

4. CEREMONIAL MATTERS – PRESENTATIONS

A. DEPUTY OF THE YEAR – 2009

The Mayor presented a plaque to Deputy Rick Adams, Deputy of the Year for 2009.

B. FIRE FIGHTER OF THE YEAR – 2009

The Mayor presented a plaque to Firefighter Curtis Stohr, Firefighter of the Year for 2009.

C. RECOGNITION OF THOSE PERSONS WHO AIDED TEMPLE CITY RESIDENT JEFFREY BRIGGS DURING A MEDICAL CRISIS

The Mayor presented Certificates of Recognition acknowledging the swift action of the following persons in providing emergency assistance to Temple City resident Jeffrey Briggs:

Parks and Recreation Commissioner Dan Arrighi;
Temple City Businessman Jeff Lynn;
Sergeant Tony Osterman, Temple Station; and
Public Safety Officer Bryan Ariizumi.

Jeffrey Briggs, Temple City resident, expressed gratitude to those who assisted and prayed for him. He also thanked Captain Fennell, Temple Station, the Los Angeles County Fire Department Paramedics, his doctor and family, friends and community members.

5. PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA

Gino Brunengo, Temple City property owner, said he found *The Voice* newsletter to be well written and informative and referred to a recent article regarding the City's partnership with Habitat. The article mentioned that the City has been mandated by Southern California Association of Governments (SCAG) to provide 900+ affordable housing units and questioned the authority of SCAG to do so. He wished to have an update on the actions of the group of cities in opposition to some of the mandates of this group and for each Councilmember to publicly state if they were for or against density in this City.

City Attorney Vail stated SCAG is creating a regional housing needs analysis for all of California and the mandate for affordable housing comes from the state, not SCAG. Every eight years, cities have to update their housing element and the state gives each region a number of housing units it has to produce. SCAG decides what that allocation should be through a review process.

Mayor Vizcarra noted that SCAG is an interest group working on behalf of cities.

Jeffrey Briggs, Temple City resident, spoke of constitutional rights and that the presumption of innocence in the courtroom does not apply to all aspects of life. Ms. Wong was held to answer by a judge acting by indictment of a Grand Jury. If deprived of liberty, she would be in jail, so she had a good measure of due process. She has rights in court, but does not have the right to further harm the City. She should not be appointed as a youth advisor or to be a contact for the census. There is a crisis of confidence affecting the Council and a broad range of talent is ready to move the City forward. He asked Council to hold a vote of no confidence to signify to citizens that we reject these practices.

6. **CONSENT CALENDAR**

Councilmember Sternquist removed Item D and Mayor Vizcarra removed Item J from the Consent Calendar.

D. SECOND QUARTER TREASURER'S REPORT, REVENUE AND EXPENDITURE SUMMARY REPORTS, AND CAPITAL IMPROVEMENT FINANCIAL REPORT

The City Council was asked to review the December 2009 Treasurer's Report, Second Quarter Revenue and Expenditure Summary Reports, and Capital Improvement Financial Report and to receive and file them.

Councilmember Sternquist noted that recreation fees have decreased by a significant amount and suggested that now may be the time to look at fee schedules.

Financial Services Manager Molina confirmed that the last fee study was conducted in 1991 and there will be an agenda item to come before Council to authorize a fee analysis at the next Council meeting.

J. PROFESSIONAL SERVICES AGREEMENT WITH FREEDMAN TUNG + SASAKI – URBAN DESIGN

The City Council was requested to review the Professional Services Agreement with Freedman Tung + Sasaki Urban Design to provide the City and Community Redevelopment Agency (CRA) with an assessment to restructure the City's commercial corridors in preparation of a Community-Based Planning Transportation grant application which is due to be submitted to the California Department of Transportation by April 1, 2010.

Mayor Vizcarra asked for clarification of this item.

City Manager Pulido stated this came about as part of discussions with Council and staff and a review of redevelopment efforts past and present. His assessment was to have someone come in to give a comprehensive scope of work for upcoming grant applications with the California Department of Transportation.

It was recommended to accept the proposal from Freedman Tung + Sasaki to provide a general presentation to the Council and Planning Commission regarding commercial corridor restructuring and (Option Two) to provide a one-day assessment of the commercial corridors with a customized presentation that assesses the City's commercial corridors as well as opportunities to restructure them in the future. This would provide the base information necessary for City staff to prepare the Scope of Services for the community-based transportation planning grant application. The cost would be \$4,100 and would require an amendment to the FY 2009-10 adopted budget.

In response to Mayor Vizcarra, City Manager Pulido stated the short timeline for submitting applications did not allow for a Request for Proposals (RFP) process.

Councilmember Sternquist moved to approve all items on the Consent Calendar as recommended, 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 as presented:

- 1) Minutes of the City Council Regular Meeting of January 19, 2010; and
- 2) Minutes of the City Council Special Meeting of January 27, 2010.

B. PLANNING COMMISSION ACTIONS – MEETING OF JANUARY 12, 2010

Received and filed the Planning Commission actions of their meeting of January 12, 2010.

C. PARKS AND RECREATION COMMISSION ACTIONS – MEETING OF JANUARY 20, 2010

Received and filed the Parks and Recreation Commission actions of their meeting of January 20, 2010.

E. SECOND QUARTER BUDGET AMENDMENTS

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

F. CONSIDERATION OF A REQUEST FROM SUPER A FOODS TO MAKE A DETERMINATION OF PUBLIC CONVENIENCE AND NECESSITY FOR THEIR PROPOSED GROCERY STORE LOCATION AT 5595 ROSEMEAD BOULEVARD

Made a determination of Public Convenience and Necessity for the proposed Super A Foods grocery store located at 5595 Rosemead Boulevard to allow the incidental sale of alcoholic beverages at the site.

G. RELEASE OF GRADING SECURITY FOR PARCEL MAP NO. 70014 AT 6147 A-D TEMPLE CITY BOULEVARD

Authorized release of a grading security bond, in the amount of \$3,400.00, at the completion of grading improvements on the private property at 6147 A-D Temple City Boulevard, Parcel Map No. 70014.

H. PROFESSIONAL SERVICES AGREEMENT FOR LEGAL SERVICES WITH BURKE, WILLIAMS & SORENSEN, LLP

- 1) Approved the Professional Services Agreement with Burke, Williams & Sorensen, LLP for legal services in the capacity of City Attorney; and
- 2) Approved a budget amendment to the city's Fiscal Year (FY) 2009-10 budget in the amount of \$75,000.

I. AT-WILL EMPLOYMENT AGREEMENT WITH LAURA VALDIVIA TO SERVE AS THE PART-TIME EXECUTIVE ASSISTANT TO THE CITY MANAGER

Approved the At-Will Employment Agreement with Laura Valdivia to serve as the part-time Executive Assistant to the City Manager effective February 8, 2010.

K. PETTY CASH REPORT AND VISA CARD REPORTS

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

L. ADOPTION OF RESOLUTION NO. 10-4652 – APPROVAL OF PAYMENT OF BILLS

Adopted Resolution No. 10-4652, a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE CITY ALLOWING CLAIMS AND DEMANDS IN THE SUM OF \$230,460.84 DEMAND NOS. 28595 THROUGH 28655.

7. UNFINISHED BUSINESS

A. SECOND READING AND ADOPTION OF ORDINANCE NO. 10-930 – AN ORDINANCE ADOPTING SEVERAL AMENDMENTS TO THE DOWNTOWN SPECIFIC PLAN

Community Development Manager Lambert stated, on January 19, 2010, the City Council conducted a public hearing to consider an ordinance to formally codify four separate Downtown Specific Plan Amendments that were previously adopted by City Council resolution. Staff recommended that the City Council adopt a "blanket" ordinance formally codifying all four Downtown Specific Plan amendments:

- 1) To allow massage as an incidental use in the Downtown Specific Plan area;
- 2) To allow permanent make-up services as an incidental use in the Downtown Specific Plan area;
- 3) To prohibit massage signage in the Downtown Specific Plan area; and
- 4) To adopt and set forth an "In Lieu Parking Fee" for any new use or development in the Downtown Specific Plan area which does not provide adequate parking pursuant to Section 9291 (Off Street Parking Regulations) of the City Code.

At the request of Council, City Clerk Flandrick read the title of Ordinance No. 10-930.

Mayor Pro Tem Yu moved to waive further reading and adopt Ordinance No. 10-930, an ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE CITY TO SET FORTH THE FOLLOWING AMENDMENTS TO THE DOWNTOWN SPECIFIC PLAN: 1. TO ALLOW MASSAGE AS AN INCIDENTAL USE IN THE DOWNTOWN SPECIFIC PLAN AREA; 2. TO ALLOW PERMANENT MAKE-UP SERVICES AS IN INCIDENTAL USE IN THE DOWNTOWN SPECIFIC PLAN AREA; 3. TO PROHIBIT MASSAGE SIGNAGE IN THE DOWNTOWN SPECIFIC PLAN AREA; 4. TO ADOPT AND SET FORTH AN "IN LIEU PARKING FEE" FOR ANY NEW USE OR DEVELOPMENT IN THE DOWNTOWN SPECIFIC PLAN AREA WHICH DOES NOT PROVIDE ADEQUATE PARKING PURSUANT TO SECTION 9291 (OFF STREET PARKING REGULATIONS) OF THE CITY CODE, 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 REVIEW, APPROVAL, AND PRIORITIZATION OF FEDERAL APPROPRIATION REQUESTS TO CONGRESSMAN ADAM SCHIFF

City Manager Pulido requested that Council review, approve, and prioritize a list of possible federal appropriation requests to Congressman Adam Schiff. A correction was made to the staff report to indicate that Councilmember Chavez and Mayor Pro Tem Yu met with Congressman Schiff to discuss the City's draft list of proposed appropriation requests for Fiscal Year (FY) 2011, as developed by the City Manager and staff. Staff prepared a project description for each of the twelve proposed projects with estimated costs for Council review. The City Council was requested to prioritize the projects and add or delete projects.

The list of the proposed projects is as follows:

- 1) New Gymnasium at Oak Avenue Intermediate School;
- 2) Public Compressed Natural Gas (CNG) Infrastructure and Trolleys;
- 3) Way Finding Signage and Commercial District Improvements;
- 4) Commercial & Industrial Corridors Revitalization Strategy Plan;
- 5) New Emergency Operations Center (EOC);
- 6) Regional Sewer Upgrades in Commercial, Industrial, and Residential Areas;
- 7) Green Technology Renovations to Live Oak Park;
- 8) Bicycle and Pedestrian Master Plan;
- 9) New Lighting for Live Oak Park;
- 10) Citywide High Reflectivity Street Signage;
- 11) Safe Routes to School Street and Sidewalk Improvements; and
- 12) Eaton Wash Bicycle and Pedestrian Improvements.

Councilmember Wong requested a swimming pool at Temple City High School be added.

Mayor Pro Tem Yu added design of a new library

Councilmember Chavez added historical preservation policy.

Peggy Miller, Temple City resident, stated there have been some limitations regarding community use of the high school pool and asked that Council consider a pool for the City's Park and Recreation Center.

Carl Blum, Temple City resident, suggested this framework for priorities: infrastructure, then safety issues, then quality of life issues, and then new technology. All projects would fit into these categories.

Jeffrey Briggs, Temple City resident, suggested three things he felt held the most important priorities: library with tech center, performance or meeting space at Rosemead/Las Tunas, and a pocket park with fountain at the former Alpha Beta site.

Mary Burke, Temple City resident, suggested it would have been nice to have a list of these suggestions for citizens to pick up.

Carl Blum, Temple City resident, encouraged submission of different categories and programs with everything Council might want as different funding sources come and go and you might hit on one.

Mayor Vizcarra recommended Council prioritize those projects it felt very strongly about and leave the rest for the City Manager to prioritize.

Mayor Pro Tem Yu added technology and equipment for the Youth Center.

Council discussed the proposed projects with staff responding to questions as needed.

The City Council concurred on the following projects in order of priority:

- 1) New Emergency Operations Center (EOC);
- 2) Design for a New Library;
- 3) New Gymnasium at Oak Avenue Intermediate School;
- 4) Regional Sewer Upgrades in Commercial, Industrial, and Residential Areas; and
- 5) Safe Routes to School Street and Sidewalk Improvements.

Mayor Vizcarra stated City Manager Pulido will prioritize the remaining projects.

9. COMMUNICATIONS – None

10. RECESS TO COMMUNITY REDEVELOPMENT AGENCY MEETING

At 9:00 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 9:01 p.m. with all Councilmembers present.

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

Councilmember Chavez stated he and Mayor Pro Tem Yu attended another ad hoc meeting with Athens representatives to review a draft survey they prepared at their own cost. With some revisions, the survey will go out in the next couple of weeks to residents and businesses in the City presenting several trash options that have been discussed in the past months and allowing people to voice their opinion. The purpose of the survey is to aid Council in making a decision based on what the citizens want to do. Also a type of incentive program to return the survey was discussed. Residents can return the survey card by mail or go online to voice their opinion. It is hopeful there will be a good response for review by the end of March.

Mayor Pro Tem Yu added that the survey will be in three languages.

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

A. COUNCILMEMBER CHAVEZ

Councilmember Chavez thanked staff and the organizations that assisted with the Lunar New Year event. The acts were great and everyone had a good time.

Councilmember Chavez said it was nice to see Mr. Briggs healthy and thanked those who saved his life.

B. COUNCILMEMBER STERNQUIST

Councilmember Sternquist welcomed Mr. Briggs back after the experience we all shared with him and said it was good to see him healthy.

Councilmember Sternquist said she had the pleasure of attending a neighborhood watch meeting in her neighborhood and encouraged all neighbors to get together and meet to find out what they can do to support one another.

A couple of years ago, the Sheriffs' Department and the School District hosted a State of the City forum at the High School. She felt it would be good to be proactive in relation to crime and perhaps it would be a good time to have another forum.

Sergeant Tony Osterman, Temple Station, stated the Sheriff's Department could move forward on setting that up.

Councilmember Sternquist encouraged everyone to purchase a book through the "50 Books for 50 Years" program to support the library.

C. COUNCILMEMBER WONG

Councilmember Wong addressed Mr. Briggs, stating although he may have a different opinion of her, she wished him to know that she was happy to see him well and recovered and that he had been in her prayers.

Councilmember Wong gave special thanks to all of the people who contributed to the Lunar New Year event and the Chinese American Association who started this event with the City, and named the organizations, businesses, restaurants and performers who contributed to making this a special event.

Councilmember Wong stated her attorney advised her to make no statements, as both she and her attorney have been misquoted in the press.

D. MAYOR PRO TEM YU

Mayor Pro Tem Yu welcomed Mr. Briggs back and thanked him for his good comments.

Mayor Pro Tem Yu, referring to the comments regarding housing, stated the City does not like having the State tell us how many units we need. We have been working to get the Housing Element approved for some time and he advised everyone to note all public hearings that may take place regarding state mandated housing and to contact our state legislators regarding this.

Mayor Pro Tem Yu stated, regarding appropriations for projects, that it is also our right and duty as citizens to write our local representatives to help fund projects. Most recently the City of La Crescenta opened a new library for which Supervisor Antonovich provided \$13M from his discretionary fund. If the public is interested in the County helping us with funding for our library, they should contact our representatives' offices and let them know how important our libraries are to us.

E. MAYOR VIZCARRA

Mayor Vizcarra echoed everyone's good wishes for Mr. Briggs.

Mayor Vizcarra said the Lunar New Year event went very well and congratulated everyone involved.

He stated he has been supportive of "The Voice", a student newsletter founded by local high school student Matthew Wong. Matthew has since graduated high school and is now attending college, but still directs "The Voice" staff. However, as the students graduate and are replaced by new students, they will continue to need help.

Mayor Vizcarra said he has been looking at historical aspects of the City and would like to install a bust or plaque in the park to recognize Walter Temple. He would like to see something in place for the 50th anniversary.

16. REIMBURSEMENTS OF EXPENSES PAID TO OFFICIALS FOR CONDUCT OF CITY BUSINESS – None

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

Peggy Miller, Temple City resident, asked about the term of the contract with Athens Services and suggested their survey include a recycle type device. As part of the 30 year contract negotiation, she would like consideration of a price break for the recycle device as we contribute highly to that which brings a huge amount of revenue to Athens.

Mary Kokayko, Temple City resident, said she attended the neighborhood watch meeting mentioned by Councilmember Sternquist and felt so much safer after Deputy Soto listed all of the things the Sheriff's Department does for the residents. Referring to a newspaper article, she said she hated that the City is accused of hoarding money as this Council and City Manager are doing things now, but are watching what they do. Also, the City can't be blamed for empty stores as the store owners are asking for so much rent, it drives people out and the City cannot subsidize these people because of high rents.

Jeffrey Briggs, Temple City resident, said he would like to see the name of Code Enforcement changed to Code Assistance or Code Compliance Assistance. The tidiness of the City and its school system are its two biggest attractions. The Code Enforcement department is understaffed and he would like to see much more proactive contact with the public and more Mandarin speakers for outreach of our Chinese residents. Regarding parking issues, it falls into two

groups: consumer based issues and public parking. The consumer has the responsibility of getting what it needs. The City should look at parking limitations to see if they are still reasonable as when the guidelines were adopted. Also a fee structure is needed so residents don't pay the same for parking permits whether for one month or twelve months. Regarding public parking issues, the overriding issue of all public lands is the principal of the highest and best use.

18. CLOSED SESSION – None

19. ADJOURNMENT

The City Council Regular Meeting was adjourned at 9:38 p.m.

Mayor

ATTEST:

City Clerk