

**CITY COUNCIL
TEMPLE CITY, CALIFORNIA
REGULAR MEETING MINUTES
MAY 4, 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 Safety Officer Ariizumi

3. PLEDGE OF ALLEGIANCE

Al Juarez led those present in the Pledge of Allegiance to the Flag.

4. CEREMONIAL MATTERS – PRESENTATIONS

A. OLDER AMERICANS MONTH PROCLAMATION

Mary McCune, Community Services Specialist, introduced Dan Snell, Temple City's Outstanding Older American for 2009, who accepted a proclamation from Mayor Vizcarra proclaiming the month of May 2010 as Older Americans Month, asking everyone to honor our older adults.

B. POPPY WEEK PROCLAMATION

Peggy McIntosh, Secretary of American Legion Auxiliary San Gabriel Unit 442, accepted a proclamation from Mayor Vizcarra proclaiming the week of May 9-15, 2010 as Poppy Week, and asking all citizens to pay tribute to those who made the ultimate sacrifice in the name of freedom by wearing the memorial poppy during this week. Ms. McIntosh presented all of the Councilmembers with a poppy.

C. "50 BOOKS FOR 50 YEARS" DONATION TO LIBRARY

Parks and Recreation Director Burroughs presented a second collection of books for donation to the Temple City Library as part of the City's 50th Anniversary's "50 Books for 50 Years". This brings the total number of books to 150 and the goal is to reach a donation total of 500 books throughout the anniversary year.

Susan Schlaeger, Library Manager, accepted the books and thanked those who have participated. She also informed everyone of upcoming Library programs.

D. LOS ANGELES COUNTY BICYCLE COALITION PRESENTATION

Efren Moreno Jr., with the assistance of Dorothy Le and Alexis Lantz, of the Los Angeles County Bicycle Coalition, presented information on their organization and the basic

concepts and benefits of bicycle planning. It was suggested that Temple City was ideal for a bicycle plan as its distances are easily covered by bicycle. They presented examples of "complete streets" which incorporated pleasant and safe environments for vehicle, pedestrian and bicycle users, and urged Council to consider a bike plan in redeveloping the downtown area.

5. PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA

Mary Kokayko, Temple City resident, stated her concerns with the recent survey mailed to residents, stating she felt it was confusing and did not explain what each option would cost.

6. CONSENT CALENDAR

Councilmember Blum removed Item H; Councilmember Sternquist removed Item B; and Mayor Pro Tem Chavez removed Item G from the Consent Calendar.

Councilmember Blum moved to approve the remainder of the Consent Calendar, 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

A. APPROVAL OF MINUTES

Approved as presented:

- 1) Minutes of the Regular Meeting of April 20, 2010; and
- 2) Minutes of the Special Meeting of April 28, 2010.

C. ACCEPTANCE OF AGREEMENT WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (LACMTA) TO SELL BUS PASSES, BUS STAMPS, AND TRANSIT ACCESS PASS (TAP) CARDS TO TEMPLE CITY RESIDENTS

Approved the Agreement with the Los Angeles County Metropolitan Transportation Authority (LACMTA) to sell bus passes, bus stamps, and Transit Access Pass (TAP) Cards to Temple City residents and authorized the City Manager to execute this agreement and future agreements with the LACMTA.

D. RELEASE OF SEWER SECURITY FOR PARCEL MAP NO. 070014 – PRIVATE CONTRACT NO. 07-9

Authorized release of a surety bond, in the amount of \$46,300, on the completion of sewer improvements at Parcel Map No. 070014 – Private Contract No. 07-9.

E. APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORIZE STAFF TO SOLICIT BIDS FOR TRAFFIC SIGNAL UPGRADES ON TEMPLE CITY BOULEVARD AT LAS TUNAS DRIVE AND BALDWIN AVENUE AT OLIVE STREET – CIP P09-01 AND P09-02

- 1) Approved the plans and specifications for the Highway Safety Improvement Program (HSIP) Upgrades of Traffic Signals Project on Temple City Boulevard at Las Tunas Drive and Baldwin Avenue at Olive Street; and

2) Authorized staff to solicit bids for the project.

F. PETTY CASH AND VISA CARD REPORTS

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

I. ADOPTION OF RESOLUTION NO. 10-4666 – APPROVAL OF PAYMENT OF BILLS

Adopted Resolution No. 10-4666, a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE CITY ALLOWING CLAIMS AND DEMANDS IN THE SUM OF \$751,245.66 DEMAND NOS. 29193 THROUGH 29297.

B. PARKS AND RECREATION COMMISSION ACTIONS – MEETING OF APRIL 21, 2010

The City Council was requested to review the Parks and Recreation Commission actions of their meeting of April 21, 2010.

Councilmember Sternquist asked for clarification of the Commission action of denying the request she brought forward of expanding the Dial-a-Ride service eligibility area.

Parks and Recreation Director Burroughs stated the Commission was asked to consider expanding the eligibility area to include unincorporated county areas. The Commission ultimately decided to recommend no changes to the Dial-a-Ride program. In making their decision, the Commission considered the following information. Staff conducted a survey of other Cities that all provided the service for their residents only with one exception. Also the unincorporated areas are serviced by the County Dial-a-Ride and so there was no need to duplicate services. Each City surveyed offered slightly different levels of service and the Commission felt if allowed to expand eligibility outside of the City, it could open the door to a lot of other issues and it was best to leave the program as it is.

Councilmember Sternquist noted that the County's Dial-a-Ride service does not cover Temple City. She recalled when there were similar requests to for the service to take residents to the Santa Anita Mall and it took numerous meetings before that went through. She felt the City should look at increasing the program.

Council concurred to direct staff to prepare a staff report with cost benefit information to present to Council at a future meeting.

Councilmember Blum moved to receive and file the Parks and Recreation Commission actions of their meeting of April 21, 2010, 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

G. CONSIDERATION OF A REQUEST FROM THE AMERICAN CANCER SOCIETY FOR TEMPLE CITY TO CO-SPONSOR THE SOUTHERN CALIFORNIA CHINESE RELAY FOR LIFE EVENT AT TEMPLE CITY HIGH SCHOOL ON JUNE 26-27, 2010

The City Council was requested to consider co-sponsoring the American Cancer Society's Southern California Chinese Relay for Life on June 26-27, 2010, at Temple City High School.

Mayor Pro Tem Chavez said his only concern was sheriff and fire department involvement in the event and who would provide it.

Anita Dominguez, Area Director, stated the organization would work with the sheriff and fire departments to ensure they would be involved in various capacities so that security and medical aid would be provided.

Mayor Pro Tem Chavez moved to approve Temple City's co-sponsorship of the American Cancer Society's Southern California Chinese Relay for Life on June 26-27, 2010, at Temple City High School, 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

H. CONSIDERATION OF RESOLUTION NO. 10-4667 REGARDING A CITY MEETING INVOCATION POLICY

The City Council was requested to consider adopting Resolution No. 10-4667 – a resolution approving a City meeting invocation policy.

Councilmember Blum stated he asked that Council consider reinstating invocations at City meetings and the City Attorney indicated the Council can do so with some restrictions. City Attorney Vail drafted policy guidelines to proceed.

In response to Mayor Pro Tem Chavez, City Attorney Vail stated the policy will not guarantee an attack by the ACLU or any group or individual. In drafting the policy, the most current court case was taken into consideration and a policy was crafted that would allow the City to proceed within the current scope of law.

Councilmember Blum said he would be meeting with most of the local church leaders and would give copies of the policy to them. It is not limited to clergy and he knew of citizens who were anxious to present an invocation also.

Al Juarez said he could not think of a more controversial topic than the division of Church and State and raised the question if the City would be using the taxpayers' dollars to pay a City staff person in a religious or quasi-religious capacity to find clergy to present an invocation. He only raised this issue as a cautionary point as he felt it may raise some constitutional issues.

Councilmember Blum moved to adopt Resolution No. 10-4667, a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE CITY APPROVING A CITY MEETING INVOCATION POLICY, 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

7. **UNFINISHED BUSINESS** – None

8. **NEW BUSINESS** – None

9. COMMUNICATIONS

A. CHAMBER OF COMMERCE UPDATE

Linda Payne, Chamber President/CEO, passed out a calendar of annual Chamber events and programs through the current fiscal year and provided information on activities in which the Chamber is currently involved. She described changes to the Chamber website to make it more interactive for businesses, and noted the annual Business Expo is coming up soon.

10. RECESS TO COMMUNITY REDEVELOPMENT AGENCY MEETING

At 8:45 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 8:53 p.m. with all Councilmembers present.

11. ACTION ON REQUEST BY CRA – None

12. UPDATE FROM CITY MANAGER – None

13. MATTERS FROM CITY OFFICIALS

A. 50th ANNIVERSARY CELEBRATION UPDATE

Parks and Recreation Director Burroughs provided an update of the City's 50th anniversary planned events and activities.

14. COUNCIL REPORTS REGARDING AD HOC OR COMMISSION MEETINGS

Councilmember Yu reported on the Budget Ad Hoc Committee meetings of April 23 and April 29 that he and Mayor Vizcarra attended. A number of issues were covered, including projected employee benefits. Staff was directed to get an estimate on an actuarial report and for an expert in the area of employee compensation to make a recommendation. A city's reserve policy is generally 10%-50% of the General Funds. The Committee is currently looking at the City of Hayward's reserve policy as a model. A five-year budget projection has been reviewed in light of decreasing revenues. In the next 2-3 weeks, staff will present to the Council a proposed budget for next fiscal year.

Councilmember Yu also reported on the Council Chambers Remodel Ad Hoc Committee meeting that he and Mayor Vizcarra attended, in which they talked to one vendor and received an estimate on audio-visual enhancements.

Mayor Vizcarra stated the Committee looked at the audio/visual proposal, but felt a consultant/architect is first needed to take a more complete overall look at the Chambers.

Mayor Pro Tem Chavez attended a recent Youth Committee meeting, as Council Liaison, which was devoted to procedures. They also discussed promoting the Teen Zone and coming up with new ideas to present to Council. He said he would relay to the Youth Committee that the Cancer Society would like their participation in the upcoming relay.

Councilmember Blum reported he and Councilmember Yu attended the Rosemead Boulevard Improvement Project Ad Hoc Committee meeting. A Request for Qualifications (RFQ) was prepared and will be sent out this week with a response due in 3 weeks. The design plan

proposal is due late this week detailing needs to be addressed. Key issues being considered include: energy and water conservation, energy efficient street lighting, and native plant landscaping. The phasing of the project is dependent on clearance from the federal government to use the funds and then to enter into a contract within 120 days. A Project Manager will be selected who will work with the consultant to finish the plans and get the contract going. A decision on the phasing of the project will be made in the summer taking into consideration the County's schedule of work on the Boulevard and the overall effect on businesses and residences.

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

A. COUNCILMEMBER BLUM – None

B. COUNCILMEMBER STERNQUIST

Councilmember Sternquist said she read in the Manager's Report about a recent situation at Carl's Jr. Restaurant and asked if the restaurant was open 24 hours.

Community Development Manager Lambert responded that, although the restaurant probably has a Conditional Use Permit (CUP) on file, it was doubtful that a CUP of that age would have addressed hours of operation. However, the Planning Commission does have procedures to reexamine a CUP, if warranted.

Councilmember Sternquist asked if the Sheriff's Department was working with the restaurant to prevent any further incidents.

Sergeant Osterman, Temple Station, stated the most current incident happened at 1:30 p.m. in the afternoon and that the Manager of the restaurant is working with the Sheriff's Department and will place cameras in the back parking lot.

C. COUNCILMEMBER YU

Councilmember Yu extended an invitation to all residents to attend the Open House tomorrow evening at the City Hall and Civic Center complex.

D. MAYOR PRO TEM CHAVEZ

1) Appointment of Council Liaison to Sister City Organization

Mayor Pro Tem Chavez stated at the last Council meeting, Council concurred to place this item on tonight's agenda to consider filling the open position as Council Liaison on the Sister City Organization.

Council discussed this issue and Councilmember Sternquist agreed to be the Liaison and Mayor Pro Tem Chavez agreed to be the alternate.

Mayor Pro Tem Chavez, in addressing earlier comments about the trash survey, agreed that at first it may seem a little daunting, partly stemming from the fact that it is in three different languages. The Ad Hoc Committee had a lot of discussion about this and met with Athens a number of times trying to put the survey together. The purpose of the survey was to gauge residents' interest in each of the different options presented. The City is not in the position at this time to change vendors or to get a better deal, so that is why there was no specific discussion regarding price. What was done was to give a range of slightly less or more than what is charged at present. The City wishes to determine what the residents want as to type of pickup service and then get into further talks and negotiations at that time. Options are described in simple terms on the survey and there is a place to put comments. The

surveys are coming back directly to the City for results to be compiled. He urged everyone to participate so Council can make a decision based on what the residents want.

Councilmember Yu stated by mailing in your survey, residents will be eligible to be chosen as one of three households that will receive free trash pickup for one year. Questions may be answered by reading the advantages and disadvantages printed on the survey regarding each of the options. The service we have now is one price fits all. The new system may have multiple prices.

E. MAYOR VIZCARRA

Mayor Vizcarra asked Council to check their calendars to assure that the Council is represented at all of the month's events and meetings.

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

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

Kenneth Knollenberg, Temple City resident, compared his trash statement costs with his friend who lives in El Monte and compared the two services. Referring to the trash survey, he felt he could not make a decision without knowing the cost of each option. Citizens should have the same privilege as Council and every time Council makes a decision, the first thing they ask is for a cost analysis.

Peggy Miller, Temple City resident, felt that Athens was controlling the survey and trying to pull the wool over peoples' eyes. She didn't understand why Council was staying with this contract for eternity and putting up with this.

City Manager Pulido stated the issue of cost cannot be taken into consideration right now as the City is in a 30 year contract with Athens. There were too many variables in cost to include in the survey and we did not know if the residents were ready to change. Once we know the residents' preference, we can do the number crunching and come back with costs. The survey was a way of reaching out to the community and soliciting input.

City Manager Pulido announced that a special meeting would be held on Saturday for the Council's Goal Session from 10:00 a.m. to 6:00 p.m. at City Hall. This will be a noticed meeting and open to the public.

18. CLOSED SESSION – None

19. ADJOURNMENT

The City Council Regular Meeting was adjourned at 9:45 p.m.

Mayor

ATTEST:

City Clerk