

**AGENDA
NORWALK CITY COUNCIL
NOVEMBER 5, 2013**

**STUDY SESSION MEETING
CITY HALL – U.S. CONSTITUTION ROOM #4
5:00 P.M.**

**REGULAR MEETING
CITY HALL COUNCIL CHAMBERS
6:00 P.M.**



**Luigi Vernola, Mayor
Marcel Rodarte, Vice Mayor
Cheri Kelley, Councilmember
Michael Mendez, Councilmember
Leonard Shryock, Councilmember**

Public Comment: *The public is encouraged to address City Council on any matter listed on the agenda or on any other matter within its jurisdiction subject to the rules of decorum described in Section 2.08.020 of the Norwalk Municipal Code. If you wish to address City Council, please complete the card that is provided at the rear entrance to Council Chambers and hand the card to the City Clerk. City Council will hear public comment on items listed on the agenda during discussion of the matter and prior to a vote. City Council will hear public comment on matters not listed on the agenda during the Oral Communications period.*

*Pursuant to provisions of the **Brown Act**, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future City Council meeting.*

Please adhere to the following procedures when addressing the Council:

- ◆ *Comments should be limited to 5 minutes or less.*
- ◆ *Comments should be directed to the Council as a whole and not directed to individual Councilmembers.*

Americans with Disabilities Act: *In compliance with the ADA, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's office, (562) 929-5720. Assisted listening devices are available at this meeting. Ask the City Clerk if you desire to use this device. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with a disability. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.*

Note: Any writings and/or documents provided to a majority of the City Council regarding any item on this agenda after it has been posted will also be made available for public inspection.

Writings and/or documents are available for inspection in the City Clerk's Department, City Hall, 12700 Norwalk Boulevard during regular business hours, 8:00 a.m. to 6:00 p.m., Monday – Thursday and 8:00 a.m. to 5:00 p.m., every other Friday; telephone (562) 929-5720. You may also contact the City Clerk via e-mail at clerk@norwalkca.gov.

STUDY SESSION MEETING – 5:00 p.m.

ORAL COMMUNICATIONS FOR CLOSED SESSION MATTERS

CLOSED SESSION

- I. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GC §54956.8** regarding real property located at 10555 East Firestone Boulevard identified as Parcel Numbers 8020-021-800 and 8020-021-804. Negotiating parties: Daniel Garcia, City Engineer and Kirsten R. Bowman, Esq. on behalf of the City and Jorge Rosa and David A. Ford on behalf of Southern California Edison. Under Negotiation: price and terms.
- II. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GC §54956.8** regarding real property identified as Parcel Number 8021-004-805. Negotiating parties: Daniel Garcia, City Engineer and Kirsten R. Bowman, Esq. on behalf of the City and Jorge Rosa and David A. Ford on behalf of Southern California Edison. Under Negotiation: price and terms.
- III. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GC §54956.8** regarding real property located at 10524 Firestone Boulevard and identified as Parcel Numbers 8021-004-800 and 8021-004-801. Negotiating parties: Daniel Garcia, City Engineer and Kirsten R. Bowman, Esq. on behalf of the City and Jorge Rosa and David A. Ford on behalf of Southern California Edison. Under Negotiation: price and terms.

RECESS

REGULAR MEETING - 6:00 p.m.

CALL TO ORDER	Mayor Vernola
INVOCATION	Pastor Arthur McKibben Norwalk Nazarene Church
FLAG SALUTE	Councilmember Shryock
ROLL CALL	City Clerk

CITY COUNCIL COMMENTS

- a. Report of City Council Travel

SPECIAL PRESENTATIONS

2013 Recreation & Park Services Department's Halloween Phone Home Program

CITY MANAGER COMMENTS

CLOSED SESSION REPORT

CONSENT CALENDAR

Consent calendar items are considered routine matters which may be enacted by one motion and roll call vote. Any item may be removed from the consent calendar and considered separately by City Council.

1. **MEETING MINUTES** – Staff recommends City Council approve the minutes of the regular meeting of October 15, 2013. 825-04
2. **PAYROLL** – Staff recommends City Council approve the payroll for the period September 29, 2013 – October 12, 2013, in the total amount of \$749,643.19 and October 13, 2013 – October 26, 2013, in the total amount of \$772,121.35. 630
3. **COMMERCIAL DEMANDS** – Staff recommends City Council approve the warrant register dated October 22, 2013, in the total amount of \$1,058,381.01. 640
4. **CLAIMS AGAINST THE CITY** – Staff recommends City Council deny the claims filed by Sandip S. Thiaray and Cathy Wylie. 830-20/23
5. **PLANNING COMMISSION SYNOPSIS – OCTOBER 23, 2013** - No action is required unless the City Council elects to review the decision of the Planning Commission. 320
6. **AGREEMENT WITH SOUTHERN CALIFORNIA GAS COMPANY - ENERGY EFFICIENCY PARTNERSHIP PROGRAM** - Staff recommends City Council approve the agreement with Southern California Gas Company for an Energy Efficiency Partnership Program through December 31, 2014; and authorize the City Manager to execute the agreement on behalf of the City, in a form approved by the City Attorney. 920
7. **RESOLUTION NO. 13-76 – BUDGET AMENDMENT - ART IN PUBLIC PLACES – NEWSBOY SCULPTURE REPLACEMENT** - Staff recommends City Council:
 - a. approve the replacement of the newsboy sculpture for the Rosecrans Triangle at the corner of Rosecrans, Orange and Funston with added security measures and lighting;
 - b. adopt Resolution No. 13-76 to authorize an amendment of the FY 2012/13 adopted budget to appropriate \$40,800 from the Art in Public Places fund to cover costs for replacement of the Newsboy art piece; and
 - c. authorize the City Manager to execute an agreement in an amount not to exceed \$60,800 with Mr. Eric Thorsen for the re-fabrication of the Newsboy artwork on behalf of the City, in a form approved by the City Attorney. 405-01
8. **RESOLUTION NO. 13-77 – BUDGET AMENDMENT - GERDES PARK A-FRAME DEMOLITION** – Staff recommends City Council adopt **Resolution No. 13-77, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORWALK AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR 2013/14 ADOPTED BUDGET TO APPROPRIATE FUNDS FOR THE DEMOLITION OF GERDES PARK A-FRAME**, in the amount of \$28,000.

9. **PROJECT NO. 7147 – AMENDMENT NO. 3 - MEMORANDUM OF UNDERSTANDING – EXTEND FUNDING FOR PROJECT NO. 7147 – FIRESTONE BRIDGE OVER THE SAN GABRIEL RIVER** - Staff recommends City Council approve Amendment No. 3 to the Memorandum of Understanding with the Los Angeles County Metropolitan Transportation Authority for the Rehabilitation of Firestone Boulevard Bridge over the San Gabriel River and authorize the Mayor to execute the amendment on behalf of the City, in a form approved by the City Attorney. 1005-04-7147
10. **PROJECT NO. 7191 – ACCEPTANCE OF WORK – CROSSWALK IMPROVEMENTS – ROSECRANS AVENUE AND CROSSDALE AVENUE** – Staff recommends City Council accept the work of PTM General Engineering Services of Riverside in the amount of \$40,548 for the construction of crosswalk safety improvements on Rosecrans Avenue at Crossdale Avenue. 1005-04-7191
11. **PROJECT NO. 7193 – AWARD OF CONTRACT – LOCAL STREETS REHABILITATION** - Staff recommends City Council award a contract to Shawnan of Downey in the amount of \$771,635 for the Local Streets Rehabilitation in CDBG eligible neighborhoods within the central areas of the City. 1005-04-7193
12. **PROJECT NO. 7193 – AWARD OF CONTRACT – LOCAL STREETS REHABILITATION – CONSTRUCTION MANAGEMENT, INSPECTION, AND CDBG COMPLIANCE SERVICES** – Staff recommends City Council award a contract to CivilSource, Inc. for construction management, inspection, and CDBG compliance services, in the amount of \$48,564; and authorize the City Manager to execute the agreement on behalf of the City, in a form approved by the City Attorney. 1005-04-7193
13. **PROJECT NO. 7431 – WATER SYSTEM INTERCONNECTION ACROSS THE I-5 FREEWAY AT THE UNION PACIFIC RAILROAD RIGHT-OF-WAY – PURCHASE AND SALE AGREEMENTS** – Staff recommends City Council approve purchase and sale agreements for Real Property DE 79994-01-02, in an amount of \$2,900 and Real Property DE 80247-01-02, in an amount of \$3,200; and authorize the City Manager to execute the agreements on behalf of the City, in a form approved by the City Attorney. 1005-04-7431
14. **PROJECT NO. 7769 – ACCEPTANCE OF WORK – REFOOFING OF CULTURAL ARTS CENTER MULTI-PURPOSE ROOM** – Staff recommends City Council accept the work of Vance & Associates of Anaheim in the amount of \$50,328, for the reroofing of the Cultural Arts Center Multi-Purpose Room. 1005-04-7769
15. **AGREEMENT AMENDMENT NO. 3 WITH FIESTA TAXI FOR THE PARATRANSIT USER SIDE SUBSIDY TRANSPORTATION PROGRAM** – Staff recommends City Council approve Amendment No. 3 with Fiesta Taxi Cooperative, Inc. and authorize the City Manager to execute the amendment on behalf of the City, in a form approved by the City Attorney. 1120-07

APPOINTMENTS

16. **ADVISORY BODIES** – Staff recommends City Council make appointments to fill the vacancies on the various City advisory bodies. 200

PUBLIC HEARING

17. CONTINUED PUBLIC HEARING PURSUANT TO CODE OF CIVIL PROCEDURE SECTION 1245.235 REGARDING ADOPTION OF A RESOLUTION OF NECESSITY DECLARING CERTAIN REAL PROPERTY INTERESTS IDENTIFIED AS LOS ANGELES COUNTY ASSESSOR'S PARCEL NUMBERS 8020-021-800, 8020-021-804, 8021-004-805, 8021-004-800, AND 8021-004-801 NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION OF A PORTION THEREOF, IN CONNECTION WITH THE FIRESTONE BOULEVARD BRIDGE REPLACEMENT PROJECT IN THE CITIES OF NORWALK AND DOWNEY - RESOLUTION NOS. 13-73, 13-74, AND 13-75 - Staff recommends City Council:

- a. consider adoption of:
 - a.1 **Resolution No. 13-73, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORWALK DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF IN CONNECTION WITH THE FIRESTONE BOULEVARD BRIDGE PROJECT (APN 8020-021-800, -804);**
 - a.2 **Resolution No. 13-74, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORWALK DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF IN CONNECTION WITH THE FIRESTONE BOULEVARD BRIDGE PROJECT (APN 8021-004-805);**
 - a.3 **Resolution No. 13-75, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORWALK DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF IN CONNECTION WITH THE FIRESTONE BOULEVARD BRIDGE PROJECT (APNS 8021-004-800, -801);**
- b. if the resolutions are adopted, authorize Richards, Watson & Gershon to commence eminent domain proceedings to acquire the identified property interests;
- c. if the resolutions are adopted, authorize the City and City staff to direct commencement of eminent domain proceedings and to take all necessary steps to deposit with the Court the amount of probable compensation required by law for issuance of Orders for Prejudgment Possession; and
- d. authorize the City Manager to execute all necessary documents.

ORDINANCE

18. ORDINANCE NO. 13-1649 – ADOPTING BY REFERENCE THE 2013 CALIFORNIA BUILDING, RESIDENTIAL, FIRE, PLUMBING, ELECTRICAL, MECHANICAL, GREEN BUILDING STANDARDS, EXISTING BUILDING, AND RELATED MODEL CODES, WITH APPENDICES AND AMENDMENTS THERETO; AND AMENDING THE NORWALK MUNICIPAL CODE – Staff recommends City Council introduce by title only Ordinance No. 13-1649, AN ORDINANCE OF THE CITY OF NORWALK ADOPTING BY REFERENCE THE 2013 EDITIONS OF THE CALIFORNIA BUILDING, RESIDENTIAL, FIRE, PLUMBING, ELECTRICAL, MECHANICAL, EXISTING BUILDING, AND GREEN BUILDING STANDARDS CODES AND RELATED MODEL CODES, WITH APPENDICES AND AMENDMENTS THERETO; AND AMENDING THE NORWALK MUNICIPAL CODE, waive further reading, and set a public hearing date for November 19, 2013 to consider its adoption.

REPORTS

19. PURCHASE AGREEMENT WITH IPS GROUP, INC. FOR PAY AND DISPLAY PARKING PERMIT TERMINALS – TRANSPORTATION CENTER - Staff recommends City Council approve an agreement with IPS Group, Inc. in an amount not to exceed \$15,696 for purchase and installation of two (2) Pay and Display Parking Permit Terminals; and authorize the City Manager to execute the agreement on behalf of the City, in a form approved by the City Attorney.

ORAL COMMUNICATIONS

ADJOURNMENT

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting. Dated this 31st day of October 2013.

Theresa Devoy
City Clerk