MINUTES
LA PUENTE CITY COUNCIL
REGULAR MEETING OF
March 28, 2006

A Regular Meeting of the City Council of the City of La Puente was held in the Council Chambers of City Hall, 15900 East Main Street, La Puente, California, on March 28, 2006, at 7:00pm.

ROLL CALL

Council Members present: Solis, Storing, Lujan, Perez, Chavez

Staff Members present: City Manager Ledford, City Attorney Casso, City Clerk Cowley, Deputy City Clerk Giron, Community Development Director Yamachika, Community Services Director Adanto, Finance Director Kim. City Planner Arreola, Assistant to the City Manager Lasher

PLEDGE OF ALLEGIANCE

Council Member Storing led the pledge of allegiance.

Mayor Chavez introduced and welcomed Janette Freel, Acting Community Librarian Manager and Gema Perez the La Puente Children's Librarian.

PRESENTATIONS

PRESENTATION OF A UNITED STATES FLAG TO THE LOPEZ FAMILY

Council presented a United States Flag to the Lopez family in memory of Marcelino R. Corniel.

PRESENTATION OF A UNITED STATES FLAG TO THE LABOUFF FAMILY

Council presented a United States Flag to the LaBouff Family in Memory of Major Douglas LaBouff.

PRESENTATION OF PROCLAMATION HONORING APRIL AS NATIONAL DONATE LIFE MONTH

The Proclamation will be mailed.

PRESENTATION OF PROCLAMATION HONORING APRIL AS VOTER EDUCATION MONTH

The Proclamation will be mailed.

ORAL COMMUNICATIONS

Leonard W. Rose Sr. addressed Council regarding the trash that was dumped in the alley behind his house at 4:00 a.m. on a Saturday.

Leonard W. Rose Jr. addressed Council about job opportunities in this area. He discussed honoring the United States Flag and those that served in the military. Mr. Rose then spoke about encouraging elementary students to maintain a healthy diet and to exercise.

Clayton Boutin provided Council with the progress of the code violations on his property and his effort to obtain permits. He indicated that he was waiting for Staff to contact him.

Luis A. Preciado addressed Council regarding his concerns with ongoing illegal drug activities in his neighborhood that he has reported to the Sheriff's Department on several occasions, but has not had a response. He expressed his feelings that the Sheriff's Department was ignoring the situation.

Mayor Chavez asked the City Manager to respond to Mr. Preciado's concerns.

City Manager Ledford stated that he was unaware of this situation. Mr. Ledford indicated that he would schedule a meeting with Captain Smith, Lieutenant Murakami and Mr. Preciado.

Nancy Medeiros asked Council to look into the cost effectiveness of installing a yellow flashing light for a crosswalk and a crossing guard at Temple Avenue and Duff Avenue. Mrs. Medeiros also expressed her concerns regarding graffiti and it being unsafe to go out after dark.

City Manager Ledford responded to Mayor Chavez's request to look into the crosswalk issue, indicating that he had requested a pedestrian traffic study report from the City Engineer to determine if a traffic signal was warranted. He said that he would obtain a timeline for the study and report back to Council. Mr. Ledford explained that if a traffic light fell in a joint jurisdiction it would require the approval from both bodies. Staff would forward the traffic studies to the other body and hopefully they would cooperate with 50% of the cost. At this point Staff was waiting for the results before making a determination.

Mr. Ledford addressed Leonard Rose Sr.'s concerns indicating that if any residents encountered any dangerous situation they should call the Sheriff's Department; they are available 24 hours a day, 7 days a week. The Sheriff's Department had the City's emergency contact telephone numbers. He also indicated that the City had Staff on standby to respond to after hour emergencies.

MINUTES OF PREVIOUS MEETINGS

A-1. READ AND APPROVE THE MINUTES OF THE REGULAR MEETING OF MARCH 14, 2006 AND SPECIAL MEETING OF MARCH 14, 2006

Council Member Lujan moved to waive the reading and approve the Minutes of the Regular Meeting of March 14, 2006 and the Special Meeting of March 14, 2006; seconded by Mayor Pro Tem Perez.

The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Lujan, Chavez, and Perez. NOES: None.

PUBLIC HEARINGS

B-1 PUBLIC HEARING TO CONSIDER APPROPRIATION OF EDWARD BYRNE JUSTICE ASSISTANCE GRANT FUNDS (JAG)

City Manager Ledford gave a brief report explaining that the federal government awarded grants to local governments to enhance and increase public safety efforts. The grant was originally for $100,000 per year, however, this year the federal government has reduced that amount to $15,739. Mr. Ledford explained that the City would use those funds to defray part of the cost for the motorcycle officer position.

Mayor Chavez opened the public hearing at 7:30 p.m.

There being no one to speak, Mayor Chavez closed the public hearing at 7:30 p.m.

Mayor Pro Tem Perez moved to authorize the expenditure of the FY 2006 Edward Byrne Justice Assistance Grant in support of a motorcycle officer position; seconded by Council Member Solis.

The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Lujan, Chavez, and Perez. NOES: None.

B-2 PUBLIC HEARING - TO CONSIDER MUNICIPAL CODE AMENDMENT NO. 121 - A PROPOSED AMENDMENT ESTABLISHING NEW REQUIREMENTS FOR PERIMETER WALLS AND FENCES WITHIN RESIDENTIAL ZONES

City Planner Arreola presented the report explaining that the Planning Commission held a work shop in 2004 to discuss residential development and design standards for walls and fences. Mr. Arreola explained Staff's recommendation and changes to the height of the fences and walls, which would allow for more privacy. He also discussed the requirements and design for retaining walls that fell along property lines. He advised that the purpose of this ordinance was to balance the interest of the community and to beautify the City.

Thereafter a lengthy discussion ensued regarding how the fencing would affect current homeowners who had fences for 50 years and if they could be grandfathered in. City Attorney Casso indicated that he would research the code for non-conforming uses and address that issue in a memorandum to Council.

Mayor Chavez opened the publish hearing at 7:55 p.m.

Nancy Medeiros expressed her concerns regarding obtaining permits for one project. She felt that residents should pay one fee for permits instead of having to pay for individual permits.

Leonard Rose Sr. indicated that when he had a pool at his home he was required to install an eight foot wall.

City Attorney Casso indicated that the state law required pool enclosures or fencing around the perimeter of a property that had a pool, to be five feet in height. However, a city could impose stricter standards.

Clayton Boutin wanted to know what the City classified as a "set back."

Leonard Rose Jr. said that people had eight feet walls because it was safer and there was more privacy.

After a lengthy Council discussion Staff was directed to bring back the Ordinance addressing the non-conforming issue, permit simplification process, fence height between residential and commercial zones, and fences located on a hillside. There was Council consensus to continue the public hearing to the second City Council meeting on April 25, 2006.

UNFINISHED BUSINESS

None.

CONSENT CALENDAR

Council Member Storing pulled Agenda Items No. D-3 and D-10.

Council Member Lujan moved to approve Agenda Items D-1 through D-10 excluding Agenda Items D-3 and D-10 ; seconded by Council Member Solis.

The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Lujan, Chavez, and Perez. NOES: None.

D-1. RESOLUTION APPROVING WARRANT REGISTER NO. 1175 FOR FISCAL YEAR 2005-06

Staff Recommendation: It is recommended that the City Council adopt the resolution.

D-2. FINANCIAL REPORT FOR THE MONTH ENDING FEBRUARY 28, 2006

Staff Recommendation: It is recommended that the City Council approve and file the Financial Report for the month ending February 28, 2006.

D-4 NEW PARTICIPANT(S) FOR CALHOME HOUSING REHABILITATION PROGRAM FOR ROUND TWO FUNDING

Staff Recommendation: It is recommended that the City Council authorize the Community Development Director to execute the necessary documents to implement the Housing Rehabilitation Program in the amount of $10,000.

D-5 NEW PARTICIPANT(S) FOR CDBG HOUSING REHABILITATION PROGRAM (D97301-06)-FISCAL YEAR 2005-06

Staff Recommendation: It is recommended that the City Council approve the allocations and authorize the Community Development Director to execute the necessary documents to implement the Housing Rehabilitation Program in the amount of $28,000.

D-6 APPROVAL OF PROPOSED DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM - ANNUAL OVERALL GOAL INFORMATION - FEDERAL FISCAL YEAR 2005-2006

Staff Recommendation: It is recommended that the City Council approve the proposed DBE Program Annual Goal Information for the City of La Puente.

D-7 CONSIDERATION OF AWARD OF CONTRACT FOR "ZONE 5" SLURRY SEAL PROJECT

Staff Recommendation: It is recommended that the City Council award a contract in the amount of $119,883.25 to American Asphalt South, Inc. for the Slurry Seal Project "Zone 5".

D-8 ADOPTION OF A RESOLUTION CONFIRMING THE CONTINUED NEED TO MAKE EMERGENCY REPAIRS OF AN IMMINENT HAZARD ON THE HILLSIDE BEHIND 133 AND 139 ROUNDABOUT DRIVE AND 140 AND 148 HILLCREST DRIVE

Staff Recommendation: It is recommended that the City Council adopt the Resolution confirming the necessity to make emergency hillside repairs behind 133 and 139 Roundabout Drive and 140 and 148 Hillcrest Drive.

D-9 APPROVAL OF AGREEMENT WITH SOUTH COAST MEDIA SERVICES

Staff Recommendation: It is recommended that the City Council approve and authorize the Mayor to execute the agreement with South Coast Media Services.

D-3 REJECTION OF CLAIM OF CARLOS FLORES

Staff Recommendation: It is recommended that the City Council reject the claim of Carlos Flores and direct the City Clerk to send a rejection letter to claimant.

Council Member Storing felt the City should pay for the damages as a result of a pothole. The City should take responsibility for this claim because the pothole was located within the city limits.

City Attorney Casso explained that Carl Warren was the City's claims administrator and they recommended that the City deny the claim. The claimant still had an opportunity to recover for damages from the City or Suburban Water. He indicated that the pothole appeared to be the result of work done by Suburban Water. Mr. Casso also explained that the City had to reject the claim within a six month period. He would contact Carl Warren if Council did not want to act on this item tonight and find out further information on what type of investigation was conducted.

A brief discussion was held.

Council Member Lujan moved to reject the claim of Carlos Flores and direct the City Clerk to send a rejection letter to claimant; seconded by Council Member Solis.

The motion carried by the following roll call vote: AYES: Solis, Lujan, Chavez, and Perez. NOES: Storing.

D-10 CONTRACT AWARD FOR THE CONSTRUCTION OF THE FIRST STREET IMPROVEMENT PROJECT

Staff Recommendation: It is recommended that the City Council (1) adopt the attached resolution adjusting the budget for the First Street Improvement Project appropriating an additional $100,900 for the project, (2) authorize the Mayor to execute the contract on its behalf contingent upon CDC approval of the budget amendment and (3) award the contract to Nobest Incorporated as recommended by staff.

City Manager Ledford was asked to make a presentation. Mr. Ledford indicated that this project would utilize Community Development Block Grant funding. The City received funds to construct streetscape improvements on First Street in the downtown area. He described what the project consisted of indicating that it was scheduled to be completed by June. Staff was proposing to receive authorization to negotiate with the contractor to include crosswalks at all four crossings at the intersection of Workman Street and First Street, because there may not be enough money.

Council Member Storing said this was a great project and complemented Staff.

Further discussion ensued.

Council Member Lujan moved to adopt the resolution adjusting the budget for the First Street Improvement Project appropriating an additional $100,900 for the project; authorize the Mayor to execute the contract on its behalf contingent upon CDC approval of the budget amendment; and award the contract to Nobest Incorporated as recommended by Staff; seconded by Council Member Solis.

The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Lujan, Chavez, and Perez. NOES: None.

NEW BUSINESS

E-1 CONSIDERATION OF CONCESSION STAND FOR COMMUNITY-WIDE AND SPECIAL EVENTS

Community Services Director Adanto gave a brief report indicating that the concession stands would give some La Puente based non-profit organizations the ability to sell hot and cold concession foods and non-alcoholic beverages at some community-wide events. The number of booths at each event would be based on the attendance. All booths would be required to follow the County Health Department regulations and provide the City with 501c3 status. Staff was proposing to hold a meeting with organizations to go over the requirements and the lottery system. This program would have no fiscal impact to the city.

Community Services Director Adanto responded to Council questions regarding noticing the non-profit organizations, the types of booths the City would provide and other amenities to be provided by the City in compliance with the Health Department standards.

Council Member Solis moved to approve the implementation of the guidelines for concession booths for all city-wide events; seconded by Council Member Lujan.

The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Lujan, Chavez, and Perez. NOES: None.

E-2 CONSIDERATION TO AMEND POLICY FOR COUNCILMEMBER ATTENDANCE AT CONFERENCES AND MEETINGS

Council Member Solis moved to approve the list of organizations whose conferences and meetings were pre-approved for Councilmember participation; seconded by Council Member Storing.

The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Lujan, Chavez, and Perez. NOES: None.

COUNCIL REPORTS

None.

ORAL COMMENTS FROM COUNCIL

None.

ORAL COMMENTS FROM STAFF

None.

ADJOURN CITY COUNCIL AND CONVENE REDEVELOPMENT AGENCY

There being no further business to come before the City Council the meeting was adjourned at 8:27 p.m.

Carol Cowley

Carol Cowley, City Clerk

Renee Chavez

Renee Chavez, Mayor