MINUTES
LA PUENTE CITY COUNCIL
REGULAR MEETING OF
March 25, 2008

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 25, 2008, at 7:00 p.m.

CALL TO ORDER

Mayor Lujan called the Regular Meeting of the City Council to order at 7:04 p.m.

ROLL CALL

Council Members present: Mendoza, Solis, Holloway, Lujan
Council Members absent: Storing

Staff Member present: City Manager Cowley, Assistant City Manager Yamachika, City Attorney Casso, Finance Director Kim, Recreation Director Bistarkey, Public Works Director Salas, City Planner Arreola, Acting City Clerk Giron

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Council Member Solis.

PRESENTATIONS

CERTIFICATE OF RECOGNITION TO VOLUNTEER ON PATROL JOSIE MARTINEZ

Mayor Lujan recognized all the Volunteers on Patrol for their valuable community service. He further recognized Josie Martinez for her outstanding service of over 5,000 hours.

PRESENTATION BY DANA BARTON WITH U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) REGARDING WATER TREATMENT FACILITY

Dana Barton provided an update presentation regarding the San Gabriel Valley Superfund Site.

Mayor Pro Tem Holloway expressed concerns regarding the impacts of the projects on Nelson Street and the Alameda Corridor. The presenters responded as to the mitigation and education efforts underway to lessen the impact of the project on the community.

In response to an inquiry from Mayor Lujan, Ms. Barton noted local contact information for project questions.

In response to an inquiry from Mayor Pro Tem Lujan, Mr. Yamachika noted that staff on both projects are in communication related to the impacts on the Wilderness Park (Nature Center) project.

ORAL COMMUNICATIONS

Pat McIntosh appeared to thank the City for their support of the Historical Society and to present a proposal for Rowland Home tours during the summer months.

Susan Reyes appeared to update the Council on Assemblymember Hernandez' current legislative activities, specifically AB 1903, and to request a letter of Council support for the legislation.

In response to an inquiry from Mayor Pro Tem Holloway, City Attorney Casso noted that this information came to the legislative body post the noticing of the agenda. The Brown Act allows the adding of agenda items under this circumstance, however it would require a unanimous (4 - 0) vote in absence of Council Member Storing.

Mayor Lujan suspended oral communications in order to entertain a motion to add an item to tonight's agenda.

Mayor Pro Tem Holloway moved to add an item to tonight's agenda (consideration of Council support of AB 1903), as the Council was only made aware of the item subsequent to the posting of the agenda; seconded by Mendoza. The motion carried by the following roll call vote: AYES: Solis, Lujan, Holloway, and Mendoza. ABSENT: Storing. NOES: None.

Mayor Lujan reopened Oral Communications

Dan Ayala appeared to request that the City Council table Consent Calendar Item No. E-3 related to the La Puente Park User Guide.

Marty Paz appeared to question the Stop Sign placement on Las Vecinas, why street address numbers on Stimson have not been replaced, and whether there is a code prohibition related to home colors in La Puente.

City Manager Cowley noted that the recent traffic study did not warrant a stop sign at Workman and Stimson, however it did warrant a stop sign at Las Vecinas and Stimson. She further noted that the City itself does not paint street numbers on curbside, but rather contracted with a non-profit organization which accepted donations for painting the numbers. Lastly, she noted the Public Works Director will look into the issue of paint used to cover up graffiti at the Senior Center.

Public Works Director Salas noted that there is no established color palette for the City, exclusive of the Downtown area, which does have a color palette.

Leonard Wayne Rose, Jr. appeared to speak regarding his youth coaching, work, and educational accomplishments.

MINUTES OF PREVIOUS CITY COUNCIL MEETINGS

A-1. READ AND APPROVE THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 26, 2008

Mayor Pro Tem Holloway moved to waive the reading and approve the Minutes of the Regular Meeting of February 26, 2008; seconded by Council Member Solis. The motion carried by the following roll call vote: AYES: Solis, Lujan, Holloway, and Mendoza. ABSENT: Storing. NOES: None.

PUBLIC HEARINGS BEFORE THE CITY COUNCIL

B-1 ZONE CHANGE NO. 328 - PUBLIC HEARING TO CONSIDER A REQUEST TO CHANGE THE ZONE DESIGNATION FROM R-1 TO R-3 FOR THE PROPERTY LOCATED AT 15721 HAYLAND STREET

City Planner Arreola provided a brief report related to the zone change designation request by the applicant.

In response to an inquiry from Mayor Pro Tem Holloway, City Planner Arreola briefly updated the Council on the impact of the upcoming update to the City's Housing Element and Zoning Code.

Mayor Lujan opened the public hearing at 7:02 p.m.

Noting no one appearing to present public testimony, Mayor Lujan closed the public hearing at 7:02 p.m.

Mayor Pro Tem Holloway moved to read the ordinance by title only and waive further reading; seconded by Council Member Solis. The motion carried by the following roll call vote: AYES: Solis, Lujan, Holloway, and Mendoza. ABSENT: Storing. NOES: None.

City Manager Cowley read the ordinance title for the record.

> AN ORDINANCE OF THE CITY OF LA PUENTE, CALIFORNIA AMENDING CHAPTER 10.12, TITLE 10 OF THE LA PUENTE MUNICIPAL CODE TO CHANGE THE ZONE DESIGNATION OF PROPERTY LOCATED AT 15721 HAYLAND STREET FROM R-1 (ONE FAMILY RESIDENTIAL) TO R-3 (MULTIPLE-FAMILY RESIDENTIAL) - ZONE CHANGE NO. 328

Mayor Pro Tem Holloway moved to introduce the Ordinance approving Zone Change 328 for subsequent adoption; seconded by Council Member Solis. The motion carried by the following roll call vote: AYES: Solis, Lujan, Holloway, and Mendoza. ABSENT: Storing. NOES: None.

B-2 PUBLIC HEARING TO CONSIDER AN APPEAL OF PLANNING COMMISSION AND DEVELOPMENT REVIEW BOARD DECISIONS TO APPROVE UNCLASSIFIED USE PERMIT NO. 239 AND DEVELOPMENT PLAN APPLICATION NO. 1048, APPLICATIONS RELATED TO A PROPOSAL TO CONSTRUCT A NEW CONVENIENCE STORE, AN ADDITIONAL GASOLINE PUMP ISLAND, AND AUTOMATED CAR WASH FACILITY AT AN EXISTING SHELL GASOLINE STATION LOCATED AT 1009 HACIENDA BOULEVARD

City Planner Arreola noted that only the construction of an automated car wash facility is proposed at this time. He further noted that the City Clerk received a fax correspondence from the appellant's attorney. Mr. Arreola acknowledged that the staff report addresses the four (4) items listed in the original appeal, not any new issues that are addressed in the fax correspondence that was received at 4:29 p.m. today.

Mr. Arreola provided a historical overview of the proposed project.

Mayor Lujan opened the public hearing at 8:20 p.m.

Ahmad Ghaderi, A & S Engineering, representing the applicant, requested the City Council's support for the proposed project.

Vartan Gharpetian, the appellant, appeared to speak on this matter in opposition of the proposed project.

Marty Paz inquired as to the restrictions related to delivery trucks on the project site and the number of workers allowed at the gas station in relation to servicing handicapped patrons.

City Planner Arreola noted the prohibited hours for tanker trucks on the proposed site. Mr. Ghaderi confirmed that disabled access is provided at the site, and the facility itself is fully compliant with Americans with Disabilities Act (ADA) requirements.

Mr. Gharpetian requested continuation of the item in order for the staff to research his concerns regarding the proposed project.

Noting no further public testimony, Mayor Lujan closed the public hearing at 8:45 p.m.

In response to an inquiry from Council Member Mendoza, City Planner Arreola noted the specific location of the proposed project. He noted that codes have been updated in the interim since the appellant's property was developed.

Mr. Ghaderi responded to Council Member Mendoza's questions related to the permit date expirations.

In response to an inquiry from Mayor Lujan, City Planner Arreola noted that this project includes a new construction, but its primary use is as a gasoline station. Staff did not feel the project warranted reconfiguration of the project site.

In response to an inquiry from Council Member Solis, City Planner Arreola noted that the applicant is well above the minimum level of required landscaping for the project site. He further clarified the total number of parking spaces required for the project.

In response to an inquiry from Mayor Pro Tem Holloway, City Planner Arreola noted that the gas station itself was a conforming use, therefore the car wash would be conforming as well. The addition of driveways would be a non-conforming use.

Mayor Pro Tem Holloway expressed his desire to apply standardized requirements to all applicants.

In response to an inquiry from Mayor Lujan, City Planner Arreola noted that the site plan's path of travel was found to be acceptable by the Assistant City Engineer.

In response to an inquiry from Mayor Pro Tem Holloway, City Attorney Casso noted the time frame regarding filing of appeals.

Council Member Mendoza suggested that the City Council defer decision making on this item to further research issues brought up by the appellant and the applicant.

Mayor Lujan expressed his desire to have staff review the new issues, however he requested that the appellant and applicant be cognizant of the new review process as well.

City Attorney Casso advised that the City Council could direct staff to review the new issues, and suggested that the Mayor re-open the public hearing and continue the matter for further consideration.

Mayor Pro Tem Holloway requested that the applicant and appellant not submit issues for consideration at the last minute.

Noting no objections from the City Council, Mayor Lujan re-opening the public hearing and continued this item to the City Council meeting on April 8, 2008.

UNFINISHED BUSINESS OF THE CITY COUNCIL

C-1 CONSIDERATION OF ADOPTING AN ORDINANCE ADDING CHAPTER 5.56 OF TITLE 5 (BUSINESS REGULATION AND LICENSES) OF THE LA PUENTE MUNICIPAL CODE, RELATING TO REGULATIONS FOR THE PROVISION OF VIDEO SERVICE BY STATE FRANCHISE HOLDERS (Introduced and Title Read at Meeting of March 11, 2008)

City Manager Cowley provided a brief staff report. Ms. Cowley noted that tonight's action is the formal adoption of a previously introduced Ordinance.

Mayor Lujan moved to adopt the Ordinance adding Chapter 5.56 to Title 5 of the La Puente Municipal Code; seconded by Council Member Mendoza. The motion carried by the following roll call vote: AYES: Solis, Lujan, Holloway, and Mendoza. ABSENT: Storing. NOES: None.

CITY COUNCIL CONSENT CALENDAR

Council Member Solis moved to approve Consent Calendar Item Nos. D-1 through D-5; seconded by Council Member Mendoza. The motion carried by the following roll call vote: AYES: Solis, Lujan, Holloway, and Mendoza. ABSENT: Storing. NOES: None.

D-1 APPROVAL OF RESOLUTION APPROVING WARRANT REGISTER NO. 1223 FOR FISCAL YEAR 2007-08

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

D-2 APPROVAL OF PROGRAM SUMMARY MONTHLY REPORT FOR CDBG HOUSING REHABILITATION PROGRAM FY 2007-08

Staff Recommendation: It is recommended that the City Council approve the agenda report of the City Manager and authorize that it be filed for audit.

D-3 APPROVAL OF PROGRAM SUMMARY MONTHLY REPORT FOR CALHOME HOUSING REHABILITATION PROGRAM REUSE ACCOUNT AND ROUND 2

Staff Recommendation: It is recommended that the City Council approve the agenda report of the City Manager and authorize that it be filed for audit.

D-4 TREASURER'S/FINANCIAL REPORT FOR MONTH ENDED JANUARY 31, 2008

Staff Recommendation: It is recommended that the City Council receives and files the Monthly Treasure's/Financial Report for the month ended January 31, 2008.

D-5 APPROVAL TO SOLICIT BIDS FOR ROOF REPLACEMENT FOR THE SENIOR CENTER IMPROVEMENTS PROJECT

Staff Recommendation: It is recommended that the City Council authorize staff to issue the Notice Inviting Bids for the roof replacement for the Senior Center Improvements Project.

NEW BUSINESS TO BE CONSIDERED BY THE CITY COUNCIL

E-1 CONSIDERATION OF SUPPORT OF AMENDMENT ONE TO THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS' (SGVCOG) JOINT EXERCISE OF POWERS AGREEMENT (JPIA)

City Manager Cowley provided a brief staff report noting Council consideration of an amendment to the existing Joint Powers Agreement.

Mayor Pro Tem Holloway moved to adopt the resolution approving Amendment One to the SGVCOG's JPA that would allow for the admission of the San Gabriel Valley's three water agencies (Three Valleys Municipal Water District, San Gabriel Valley Municipal Water District, and the Upper San Gabriel Valley Municipal Water District) to join the SGVCOG under a single membership; seconded by Council Member Solis. The motion carried by the following roll call vote: AYES: Solis, Lujan, Holloway, and Mendoza. ABSENT: Storing. NOES: None.

E-2 BID AWARD OF CONTRACT FOR THE CONSTRUCTION OF THE SEWER SYSTEM IN GLENDORA AVENUE BETWEEN HACIENDA BOULEVARD AND NELSON AVENUE

City Engineer Sid Mousavi provided a brief staff report related to the noticing, bid, and award process for the project.

Council Member Solis moved to: 1) authorize Garcia Juarez Construction, Inc.'s bid to be withdrawn and to award the construction of the project to the second lowest bidder Miramontes Construction Company, Inc. in the amount of $692,000.00, and 2) authorize the City Manager to execute any necessary change orders in an amount not to exceed Fifteen (15%) percent of the original contract amount; seconded by Council Member Mendoza.

In response to an inquiry from Mayor Pro Tem Holloway, City Engineer Mousavi identified the methodology by which the second lowest bidder was determined to be a responsible bidder.

The motion carried by the following roll call vote: AYES: Solis, Lujan, Holloway, and Mendoza. ABSENT: Storing. NOES: None.

E-3 LA PUENTE PARK USER GUIDE

City Manager Cowley suggested that this matter be pulled until staff meets with user groups in April. After that, the item will be placed on the agenda for Council consideration.

In response to an inquiry from Council Member Solis, Recreation Director Bistarkey noted the proposed changes from the original contract.

E-4 REQUEST TO CONSIDER ADOPTING A POLICY FOR TOURS OF CITY HALL (Requested by Mayor Lujan)

Mayor Lujan pulled this item in order to get input from Council Member Storing as well as to review comments made earlier this evening by Pat McIntosh during oral communications.

COUNCIL CONSIDERATION OF SUPPORT OF AB 1903, INTRODUCED BY ASSEMBLYMEMBER ED HERNANDEZ

Mayor Pro Tem Holloway moved to approve the requested items from Assemblymember Hernandez' office related to AB 1903, including listing the City of La Puente as "in support" of the bill; seconded by Council Member Solis. The motion carried by the following roll call vote: AYES: Solis, Lujan, Holloway, and Mendoza. ABSENT: Storing. NOES: None.

RECESS CITY COUNCIL AND CONVENE THE COMMUNITY DEVELOPMENT COMMISSION

The City Council meeting recessed to the Community Development Commission meeting at 9:24 p.m.

The City Council meeting reconvened at 9:45 p.m.

AD HOC COMMITTEE REPORTS

City Manager Cowley provided brief update report on the activities of the Professional Contracts ad hoc committee.

COUNCIL AB1234 REPORTS

None.

ORAL COMMENTS FROM COUNCIL

Mayor Pro Tem Holloway commented on communication from staff related to upcoming budget challenges, and in response suggested that the City Council defer their attendance at upcoming conferences including ICSC. City Manager Cowley noted that staff will not be attending this conference.

ORAL COMMENTS FROM STAFF

None.

RECESS TO CLOSED SESSION

Mayor Lujan noted this item will be pulled from tonight's meeting and will be discussed at the next meeting.

F-1 THE CITY COUNCIL WILL RECESS TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

CITY MANAGER

ADJOURNMENT

There being no further business to come before the City Council, Mayor Lujan adjourned the meeting at 9:55 p.m. in memory of Helen Burguan and Esperanza Rojas.

Diana Giron, Acting City Clerk

Louie A. Lujan, Mayor