MINUTES
LA PUENTE CITY COUNCIL
REGULAR MEETING OF
April 22, 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 April 22, 2008, at 7:00 p.m.

CALL TO ORDER

Mayor Lujan called the meeting to order at 7:05 p.m.

ROLL CALL

Council Members present:	Mendoza, Storing, Holloway, Lujan
Council Members absent:	Solis (arrived at 7:18 p.m.)
Staff Members present:	City Manager Cowley, Assistant City Manager Yamachika, City Attorney Casso, City Clerk Turner, Deputy City Clerk Giron, Finance Director Kim, Public Works Director Salas, City Planner Arreola, Recreation Director Bistarkey

Mayor Lujan acknowledged the presence of Mayor Harry Baldwin of the City of San Gabriel.

Major Lujan noted that the Sewer Rate Presentation will be moved to Item C - Unfinished Business.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem Holloway.

PRESENTATION OF COMMENDATION TO CHIEF NIETO FOR HIS RETIREMENT

Mayor Lujan presented Chief Nieto with a Commendation upon his retirement.

PRESENTATION OF PROCLAMATION FOR MUNICIPAL CLERKS WEEK - MAY 4 - MAY 10, 2008

Mayor Lujan presented the proclamation to City Clerk Turner.

ORAL COMMUNICATIONS

Leonard Wayne Rose, Jr. appeared to speak about his weight loss, the importance of physical fitness, and the recent Victory Outreach Program.

Robert Berdin, Chairman of the American Cancer Society Relay for Life, appeared to seek Council support of their project.

Mayor Lujan announced that New Business items will be moved forward on the agenda to be considered first.

Ahmad Ghaderi appeared to state that he is the applicant for the Public Hearing matter. He declined to speak under oral communications.

Irma Velasco, on behalf of the Relay for Life event, appeared to ask Council to support their request for assistance.

Rudy Alameda appeared to announce that according the Tribune, a Hacienda Heights teenager was arraigned for making criminal threats against students at Wilson High School.

MINUTES OF PREVIOUS CITY COUNCIL MEETINGS

A-1. READ AND APPROVE THE MINUTES OF THE REGULAR MEETING OF MARCH 11, 2008 AND THE REGULAR MEETING OF APRIL 8, 2008.

Mayor Lujan moved to waive the reading and approve the Minutes of the Regular Meetings of March 11, 2008 and April 8, 2008 as presented; seconded by Mayor Pro Tem Holloway. The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Lujan, Holloway, and Mendoza. NOES: None.

NEW BUSINESS TO BE CONSIDERED BY THE CITY COUNCIL

E-2 REQUEST TO CONSIDER PROVIDING ASSISTANCE TO THE AMERICAN CANCER SOCIETY FOR THEIR FOURTH ANNUAL LA PUENTE "RELAY FOR LIFE" (Requested by Mayor Pro Tem Holloway)

It was determined that the items the Relay for Life Committee wished to borrow include 12 canopies, 1 stage, 1 large BBQ, 2 ice chests, 10 tables, and chairs.

City Manager Cowley stated that the City has helped the Relay for Life Committee in various ways such as raising funds, providing an ad in the Spotlight, and decorating City Hall. She reiterated that it is not the City's policy to lend out equipment to non-City sponsored events. The equipment was loaned last year because a Council Member promised it without staff knowledge or the concurrence of City Council.

A discussion raised the following points: If equipment is loaned it will be stored in a secure area until staff can pick it up after the event; staff will not need to deliver equipment because the Relay for Life committee can pick it up during normal business hours; if the City provides assistance this year, Relay for Life needs to work towards being more self-sustaining in the future; the value of the equipment is several thousand dollars; the local church should be approached to see if they will allow use of their tables and chairs; a policy should be adopted to address future budget constraints.

Mayor Lujan moved to support the Relay for Life Event by loaning equipment at the same level as last year on the contingency that they seek assistance from the local church first;

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

E-3 REQUEST TO CONSIDER JOINING SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) (Requested by Mayor Lujan)

Mayor Lujan invited Mayor Harry Baldwin from the City of San Gabriel forward to speak on behalf of SCAG. Mr. Baldwin stated that SCAG is a metropolitan planning organization that covers the geographical area from Ventura in the north down to the border of San Diego in the south and includes 88 cities and six counties. Their purpose is to plan and meet requirements of the State and Federal Government and to lobby for needed changes.

A discussion raised the following points: La Puente is one of two cities that is not currently a member of SCAG; the difference between COG and SCAG is that COG is a sub region of Los Angeles County and does planning for SCAG; La Puente left SCAG because they felt they could receive the same representation without paying money; there have been recent staff changes within the SCAG organization and issues are now more regional in nature; the prorated fees through June 30, 2008 are $634.13.

Mayor Lujan moved to: 1) join SCAG for the remainder of Fiscal Year 2007-2008 at prorated rate of $634.13, 2) appoint Mayor Lujan as the voting delegate, and 3) memorialize actions with a Resolution; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Lujan, Holloway, and Mendoza. NOES: None.

Staff was directed to contact Nick Conway of SCAG to determine what date the election will be held.

E-1 CONSIDERATION OF ADOPTING A RESOLUTION AUTHORIZING SUPPORT FOR THE SINGLE-USE BAG REDUCTION AND RECYCLING PROGRAM

City Manager Cowley stated that this item is being pulled from the agenda because the County will not be pursuing this issue due to lack of State support.

PUBLIC HEARINGS BEFORE THE CITY COUNCIL

B-1 APPEAL OF PLANNING COMMISSION AND DEVELOPMENT REVIEW BOARD DECISIONS TO APPROVE APPLICATIONS UUP-239 AND DPA-1048, FOR PROPERTY LOCATED AT 1009 HACIENDA BOULEVARD (Continued from April 8, 2008.)

City Planner Arreola gave a thorough overview of all actions taken and issues addressed to date as outlined in the staff report.

Mayor Lujan opened the public hearing at 8:57 p.m.

Roman Hovhanesyan, appellant and Manager of La Puente Carwash, stated that he was not aware of time and date of public hearing and that his attorney has not had proper time to review all of the documents. He stated that Shell only uses the second driveway for deliveries and that parked cars protrude into the driveway. He asked for this item to be continued to allow sufficient time for his architect and attorney to review all documents.

City Planner Arreola noted that the appellant was notified of the original public hearing and that each time the hearing was continued there were no requirements for further notification.

Larry S. Turner, Project Manager, speaking on behalf of the applicant, noted that the issue is whether or not a carwash should be permitted on this site under the unclassified use permit. The benefits of a carwash are the savings of up to 140 gallons of water for each car washed verses when a private citizen washes an automobile at home; commercial carwashes are able to reclaim and recycle the water; non-commercial carwashes allow detergent, waxes, oils and grease to go into waterways but commercial car wash use a clarifier to trap contaminants; service stations are a one-stop shop where a consumer can purchase gas, coffee and a carwash all in one stop; enhanced services will generate higher sales taxes. He further stated that when a governmental body makes a determination on whether or not something makes an impact on environment it is based on substantial evidence of a factual or scientific nature. He stated that the appellant has the burden to demonstrate by a factual demonstration that the Planning Commission decision was in error, but he feels that the appellant has not. He also stated that he opposes another continuation of this public hearing.

Seeing no one else wishing to speak on this matter, the Public Hearing was closed at 9:10 p.m.

A discussion raised the following points: both parties were notified of the continuance during the City Council meeting; trucks are not delivering gas according to the diagram; the goal should be to reduce congestion; if the project is denied, findings would need to be made in the form of a resolution; it was determined that handicap parking slope restrictions and the restroom are compliant; the carwash was not an issue raised by the citizens during the last election; the City does not need another carwash.

Mayor Pro Tem Holloway stated that because he was on the Planning Commission at the time this issue was heard, he does not feel it is appropriate to participate in the discussion.

Mayor Lujan moved to deny the project and direct staff to craft a resolution overturning the Planning Commission decision and to adopt findings; seconded by Council Member Solis. The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Lujan, and Mendoza. NOES: None. ABSTAIN: Holloway

UNFINISHED BUSINESS OF THE CITY COUNCIL

C-1 PRESENTATION OF UPDATE ON SEWER SERVICE CHARGES (Presented by Hilton, Farnkopf & Hobson)

Mr. Farnkopf reviewed the Power Point Presentation.

A discussion raised the following points: Council should be polled to ensure that a quorum will exist for the proposed public hearing scheduled for July 22, 2008; it was determined that before the last sewer increase all property owners were notified and two public forums were conducted; the reason there was an increase in the last bond was because a capital improvement plan was not in place when the estimates for the bond were made; the estimated bond amounts were not included in the public notice given to the community; when the sewer master plan was first developed it was based on the assumption of many factors, once the capital improvement plan was completed, more precise figures were given, which explains the increase.

CITY COUNCIL CONSENT CALENDAR

Mayor Lujan asked to pull Item Number D-2.

Mayor Lujan moved to approve Consent Calendar Items D-1, and D-3 through D-8; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Lujan, Holloway, and Mendoza. NOES: None.

D-1. CONSIDERATION OF RESOLUTION APPROVING WARRANT REGISTER NO. 1225 FOR FISCAL YEAR 2007-08

Staff Recommendation: It is recommended that the City Council adopt **Resolution No. 08-4706** approving warrant register number 1225.

D-3 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 CDBG Housing Rehabilitation Program Summary monthly report and authorize that it be filed for audit.

D-4 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 CalHome Housing Rehabilitation Program report and authorize that it be filed for audit.

D-5 AUTHORIZATION TO SOLICIT DESIGN/BUILD REQUEST FOR QUALIFICATIONS FOR A NEW HVAC SYSTEM AT CITY HALL

Staff Recommendation: It is recommended that the City Council authorize staff to solicit Request for Qualification for design/build of a new HVAC system to be installed at City Hall.

D-6 AUTHORIZATION TO SOLICIT BIDS FOR THE HANDICAPPED RAMPS AND SIDEWALKS - GROUP 2 (CDBG # 601096-07)

Staff Recommendation: It is recommended that the City Council: (1) approve the current plans and specifications for the Handicapped Ramps and Sidewalks Project-Group 2; and (2) authorize staff to solicit bids.

D-7 AUTHORIZATION TO SOLICIT BIDS FOR INSTALLATION OF A TRAFFIC SIGNAL ON TEMPLE AVE AT SUNKIST AVENUE PROJECT

Staff recommendation: It is recommended that the City Council: (1) approve the plans and specifications; and (2) authorize staff to solicit bids for the installation of a traffic signal on Temple Avenue at Sunkist Avenue project.

D-8 CONSIDERATION OF ACCEPTANCE FOR SENIOR CENTER IMPROVEMENTS PROJECT-AIR-CONDITIONING UNIT REPLACEMENT

Staff Recommendation: It is recommended that the City Council accept the Senior Center Improvements Project-air-conditioning portion as complete and authorize the filing of a Notice of Completion and release of payment to Air Flow Mechanical

D-2 AWARD OF CONTRACT FOR PROFESSIONAL AUDITING SERVICES

Staff Recommendation: It is recommended that the City Council award the contract for auditing services to Teaman Ramirez & Smith Inc. CPAs as the lowest responsible bidder.

Mayor Lujan stated that the contract for financial auditing services is currently under review and felt that Council should wait for the results of the study before negotiating a new agreement.

City Manager Cowley noted that the audit for the current Fiscal Year begins in June and is typically completed by October. The review of all contracts will not be completed until June, making it too late to go out for auditing bids at that time. She suggested that the current Financial Auditing contract with Teaman Ramirez be extended to include the current Fiscal Year.

Mayor Lujan moved to extend the current contract with Teaman Ramirez & Smith Inc. for financial auditing services for Fiscal Year 2007-2008; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Lujan, Holloway, and Mendoza. NOES: None.

AD HOC COMMITTEE REPORTS

None.

COUNCIL AB1234 REPORTS

Mayor Lujan reported his attendance at the Legislative Action Days sponsored by League of California Cities.

ORAL COMMENTS FROM COUNCIL

Mayor Pro Tem Holloway suggested that like bids be grouped together for potential cost savings.

ORAL COMMENTS FROM STAFF

City Manager Cowley announced that the annual Cinco de Mayo Festival will be held on Saturday, May 3, 2008.

RECESS TO CLOSED SESSION

F-4 THE CITY COUNCIL WILL RECESS TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

CITY MANAGER

Item F-4 was pulled from the agenda.

ADJOURNMENT

There being no other business to come before the City Council, the meeting was adjourned at 10:15 p.m.

Amy M. Turner, City Clerk

Louie A. Lujan, Mayor