MINUTES
LA PUENTE CITY COUNCIL
REGULAR MEETING OF
OCTOBER 28, 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 October 28, 2008, at 7:00 p.m.

CALL TO ORDER

Mayor Lujan called the meeting to order at 7:08 p.m.

ROLL CALL

Members present: Mendoza, Solis, Storing, Holloway, and Lujan.

Staff Members present: Transition Manager Tripepi, Assistant City Manager Yamachika, City Attorney Casso, City Clerk Turner, Finance Director Kim, Public Works Director Salas, City Planner Arreola, Recreation Director Bistarkey, Deputy City Clerk Giron, and Community Preservation Supervisor Joslyn Blakely.

PLEDGE OF ALLEGIANCE

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

PRESENTATIONS

CERTIFICATES OF RECOGNITION TO FORMER MEMBERS OF THE BUSINESS DEVELOPMENT COMMISSION

Certificates of Recognition were presented to Vince House and Luis Farjeat. The certificate for Dean Pegorari will be mailed.

CERTIFICATE OF RECOGNITION TO NOGALES HIGH SCHOOL REGIMENT BAND FOR THEIR PERFORMANCE AT THE 82ND ANNUAL MACY'S THANKSGIVING DAY PARADE

Dr. Christine Ericson, Dr. George Gullet and two band parents accepted the Certificate of Recognition on behalf of the Nogales High School Regiment Band for their upcoming performance at the 82nd Annual Macy's Thanksgiving Day Parade.

CERTIFICATE OF RECOGNITION TO NORMA RAMIREZ CITY OF LA PUENTE EMPLOYEE OF THE MONTH

A Certificate of Recognition was presented to Norma Ramirez.
ORAL COMMUNICATIONS

Leonard W. Rose Jr. spoke regarding a CPR and First Aid class he recently attended, the end times, and a letter he wrote.

Mayor Lujan welcomed Transition Manager, Frank Tripepi.

Charlie Al-Bedawi of Bob's Tow spoke regarding towing services and announced that the offer he made last year for the towing franchise still stands.

Rudy Almeida spoke regarding towing services, the transfer of Captain Smith, Haddick's Tow, and Captain Klaus.

Mayor Lujan recognized Captain Klaus of the Los Angeles County Sheriff's Department.

Manuel Maldonado spoke regarding Council Member response times, expressed frustration over road closures, reported on new citizens in La Puente, and suggested the City hold Town Hall meetings.

Public Works Director Salas addressed the recent road closure in the City of Industry that affected La Puente.

Laura Santos of Royal Coaches Towing announced that they are willing to submit a bid and explained services they provide.

Ken Medeiros spoke regarding towing services, notices for a second-story addition, the difference between a right-of-way and an easement, and parking of cars on City streets.

Due to the many comments on towing, Mayor Lujan asked for clarification of the towing service item. Transition Manager Tripepi stated that New Business Item E-7 is a discussion of creating a towing service franchise. He clarified that the current towing contract is not with the City but with the Sheriff's Department. The item on the agenda is to consider a towing franchise for the City and noted that if Council chooses to pursue that option, they will direct staff to work with the City Attorney to bring back an item for Council consideration.

Wayne Blake of Bob's Tow spoke about services they could provide.

Bonnie Welch of Haddick's Towing provided Council with a packet of information and the Sheriff's Department Investigation.

City Attorney Casso noted that if the Council was going to continue to talk about Item E-7 regarding vehicle towing service, the item should be moved forward in the agenda.

There being no objection from Council, Item E-7 was moved forward for consideration.

NEW BUSINESS

E-7 DISCUSSION OF CONSIDERATION OF VEHICLE TOWING SERVICES (Requested by Council Member Solis)

City Attorney Casso noted that comments should not be made about the investigation but should remain general in nature about towing services.

Captain Klaus gave an overview of the Sheriff's Department policies regarding towing services and provided the City with the Sheriff's Department minimum towing contractual obligations.

It was clarified that if the City obtains an exclusive towing franchise, the Sheriff Department is not obligated to use the same provider.

It was noted that at the August 14, 2007 meeting, questions were raised that have not yet been answered such as "If the City has an exclusive franchise for towing, would that affect who an individual can choose to tow their vehicle?" City Attorney Casso responded that the answer would be contingent on how the franchise agreement is drafted but he perceives that a private citizen would be allowed to use a company of their choosing for towing services, but the City would be obligated to use the franchisee.

Council Member Solis moved to direct the City Manager and City Attorney to work with the Sheriff's Department in developing an exclusive franchise agreement for towing and bring back for City Council consideration; seconded by Council Member Storing. The motion failed by the following roll call vote: AYES: Solis, and Storing. NOES: Holloway, Lujan, and Mendoza.

A question was raised that if a member of the City Council receives a certain amount of money from a vendor being considered is the Council Member allowed to vote. City Attorney Casso clarified that political contributions do not affect an elected member of a body to participate in a vote.

Mayor Pro Tem Holloway moved to take no action on this item and continue services as currently handled; seconded by Mayor Lujan. The motion carried by the following roll call vote: AYES: Holloway, Lujan, and Mendoza. NOES: Solis, and Storing.

MINUTES OF PREVIOUS CITY COUNCIL MEETINGS

A-1 READ AND APPROVE THE MINUTES OF THE SPECIAL MEETING OF OCTOBER 6, 2008 AND REGULAR MEETING OF OCTOBER 14, 2008

Mayor Lujan moved to waive the reading and approve the Minutes of the Special Meeting of October 6, 2008 and Regular Meeting of October 14, 2008; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Holloway, Lujan, and Mendoza. NOES: None.

PUBLIC HEARINGS BEFORE THE CITY COUNCIL

B-1 PUBLIC HEARING TO CONSIDER A PROPOSED AMENDMENT TO THE CITY COUNCIL RESOLUTION NO. 07-4603 ESTABLISHING AND ADOPTING SCHEDULE OF RATES, FEES, AND OTHER CHARGES FOR RECREATION PROGRAMS AND USE OF CITY FACILITIES

Council Member Storing left the Chamber at 8:14 p.m. and returned at 8:18 p.m.

Recreation Services Director Bistarkey provided an overview of the staff report.

Mayor Lujan opened the public hearing at 8:16 p.m.

Ken Medeiros spoke regarding serving alcohol at a public facility. City Attorney Casso noted that the speaker was not talking about a matter within the purview of the public hearing. Mayor Lujan clarified that Item C-2 deals with serving alcohol and that the public hearing is about setting fees. Mr. Medeiros continued to speak about allowing the use of alcohol at public facilities and the use of security cameras.

Manuel Maldonado stated he was opposed to charging residents fees to use public facilities. Recreation Services Director Bistarkey noted that the current policy allows for the request of a fee waiver.

There being no one else who wished to speak, Mayor Lujan closed the Public Hearing at 8:22 p.m.

Mayor Lujan moved to adopt Resolution No. 08-4757 and approve the fee schedule; seconded by Council Member Mendoza. The motion carried by the following roll call vote: AYES: Solis, Holloway, Lujan, and Mendoza. NOES: Storing.

UNFINISHED BUSINESS OF THE CITY COUNCIL

C-1 ADOPT ORDINANCE AMENDING CHAPTER 10.12, TITLE 10 OF THE LA PUENTE MUNICIPAL CODE CHANGING THE ZONE DESIGNATION OF THE PROPERTY LOCATED AT 14426 BECKNER STREET FROM R-1 (ONE-FAMILY RESIDENTIAL) TO R-3 (MULTIPLE FAMILY RESIDENTIAL) ZONE CHANGE 329 (Introduced and title read at the meeting of October 14, 2008)

Mayor Lujan moved to adopt Ordinance No. 08-877 amending chapter 10.12, Title 10, of the La Puente Municipal Code; seconded by Mayor Pro Tem Holloway. The motion carried by the following roll call vote: AYES: Solis, Holloway, Lujan, and Mendoza. NOES: Storing.

C-2 CONSIDERATION OF ALLOWING THE SERVING AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT THE COMMUNITY CENTER AND THE YOUTH LEARNING ACTIVITY CENTER

Upon Council consensus, the item was continued to the next City Council meeting.

CITY COUNCIL CONSENT CALENDAR

Council Member Solis moved to approve Consent Calendar Items D-1 through D-12; seconded by Council Member Storing. The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Holloway, Lujan, and Mendoza. NOES: None.

D-1 CONSIDERATION OF RESOLUTION APPROVING WARRANT REGISTER NO. 1237 FOR FISCAL YEAR 2007-08

Staff Recommendation: It is recommended that the City Council adopt Resolution No. 08-4758.

D-2 TREASURER'S/FINANCIAL REPORT FOR THE MONTH ENDED AUGUST 31, 2008

Staff Recommendation: It is recommended that the City Council receive and file the Monthly Treasurer's/Financial Report for the month ending on August 31, 2008.

D-3 TREASURER'S/FINANCIAL REPORT FOR THE MONTH ENDED SEPTEMBER 30, 2008

Staff Recommendation: It is recommended that the City Council receive and file the Monthly Treasurer's/Financial Report for the month ending on September 30, 2008.

D-4 APPROVAL OF PROGRAM SUMMARY MONTHLY REPORT FOR CDBG HOUSING REHABILITATION PROGRAM FY 2008-09

Staff Recommendation: It is recommended that the City Council approve the CDBG Housing Program Summary report and authorize that it be filed for audit.

D-5 APPROVAL OF PROGRAM SUMMARY MONTHLY REPORT FOR CALHOME HOUSING REHABILITATION PROGRAM ROUND 4 FUNDS

Staff Recommendation: It is recommended that the City Council approve the CalHome Housing Program Summary report and authorize that it be filed for audit.

D-6 APPROVAL OF NEW PARTICIPANT(S) FOR CDBG HOUSING REHABILITATION PROGRAM (D97301-08) - FISCAL YEAR 2008-09

Staff Recommendation: The Screening Committee recommends that the City Council approve the allocations and authorize the Assistant City Manager to execute the necessary documents to implement the Housing Rehabilitation Program in the amount of $12,000.

D-7 FINAL APPROVAL OF PARCEL MAP NO. 26641 - 174 Pleasanthome Drive

Staff Recommendation: It is recommended that the City Council: 1) find that the Final Map complies with all of the conditions of approval set forth within Tentative Parcel Map No. 26641; 2) approve the subdivision agreement and authorize the Assistant City Manager to execute the agreement on behalf of the City; and 3) approve the Final Map and instruct the City Clerk to endorse the face of the Final Map, the certificate which embodies the approval of said Map.

D-8 AUTHORIZATION TO SOLICIT PROPOSALS FOR BEVERAGE AND SNACK VENDING MACHINE SERVICE AT VARIOUS CITY FACILITIES

Staff Recommendation: It is recommended that City Council authorize staff to solicit proposals for beverage and snack vending machine service and designate Wednesday, November 26, 2008 at 4:00 p.m. as the deadline for submitting proposals.

D-9 APPROVAL OF TRUST AGREEMENT WITH CALPERS TO PROVIDE RETIREE BENEFIT TRUST SERVICES AND APPROVAL OF ALL RELATED DOCUMENTS TO FACILITATE THE FUNDING, INVESTMENT MANAGEMENT AND ADMINISTRATION OF OTHER POST EMPLOYMENT BENEFITS

Staff Recommendation: It is recommended that the City Council: 1) adopt Resolution No. 08-4759 approving a trust agreement with CalPERS to provide retiree benefit trust services; 2) approve all related documents to facilitate the funding, investment management, and administration of Other Post Employment Benefits; and 3) authorize the Mayor to execute the agreement on its behalf.

D-10 APPROVAL TO AWARD BID FOR RECREATION REGISTRATION PROGRAM

Staff Recommendation: It is recommended that the City Council: 1) award the bid to Active Network and 2) authorize the City Manager to sign the contract on behalf of the City.

D-11 BID AWARD FOR LEFT TURN SIGNAL INSTALLATION ON TEMPLE AVENUE AT CALIFORNIA AVENUE

Staff Recommendation: It is recommend that the City Council: 1) award the contract to Christopher R. Morales, Inc., in the amount of $60,995; and 2) authorize the City Manager to approve change orders up to 15% of the bid amount.

D-12 ACCEPTANCE OF NOTICE OF COMPLETION FOR THE HANDICAPPED RAMPS AND SIDEWALKS - GROUP 2 (CDBG NO. 601096-07)

Staff Recommendation: It is recommended that the City Council: 1) accept the project as complete; 2) authorize staff to execute the Notice of Completion; and 3) adopt Resolution No. 08-4755, amending the adopted budget by increasing Handicapped Ramps and Sidewalks-Group 2 Project budget.

NEW BUSINESS TO BE CONSIDERED BY THE CITY COUNCIL

E-1 CONSIDERATION OF ADOPTING AN ORDINANCE ADDING CHAPTER 3.22 TO TITLE 3 OF LA PUENTE MUNICIPAL CODE REGULATING AND ESTABLISHING REGISTRATION PROGRAM FOR ABANDONED AND DISTRESSED RESIDENTIAL PROPERTIES

Community Preservation Supervisor Blakely provided an overview of the staff report. She noted that there are just over 300 foreclosures in La Puente but clarified that the number includes City and County residents and that the program will be administered by staff.

City Attorney Casso stated that in order to attach fees to the title of a property the City would need to go through an abatement process. He noted that cities that have adopted a registration program have found lenders to be more responsive.

Council Member Mendoza moved to waive the reading of Ordinance No. 08-878 and read by title only; seconded by Council Member Solis. The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Holloway, Lujan, and Mendoza. NOES: None.

Transition Manager Tripepi read the Ordinance by title only.

ORDINANCE NO. 08-878

AN ORDINANCE OF THE CITY COUNCIL OF CITY OF LA PUENTE, CALIFORNIA, AMENDING TITLE 3 (PUBLIC SAFETY AND MORALS) OF THE CITY OF LA PUENTE MUNICIPAL CODE BY ADDING CHAPTER 3.22 REGULATING ABANDONED AND DISTRESSED RESIDENTIAL PROPERTIES WITHIN THE CITY AND ESTABLISHING A REGISTRATION PROGRAM

Council Member Mendoza moved to introduce Ordinance No. 08-878, amending Title 3 (Public Safety and Morals) of the City of La Puente Municipal Code by adding Chapter 3.22 regulating abandoned and distressed residential properties within the City and establishing a registration program; seconded by Mayor Lujan. The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Holloway, Lujan, and Mendoza. NOES: None.

E-2 CONSIDERATION OF DESIGNATING A VOTING DELEGATE FOR THE NATIONAL LEAGUE OF CITIES ANNUAL BUSINESS MEETING TO BE HELD ON NOVEMBER 15, 2008 IN ORLANDO, FLORIDA

Mayor Lujan moved to nominate Mayor Lujan as the voting delegate for the National League of Cites Annual Business Meeting on November 15, 2008 in Orlando, Florida; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Holloway, Lujan, and Mendoza. NOES: None.

E-3 CONSIDERATION OF AMENDING SECTION 6.40.241 OF THE LA PUENTE

MUNICIPAL CODE PERTAINING TO REQUESTS TO DESIGNATE SPECIFIC STREET CURBSIDE PARKING AREAS FOR THE EXCLUSIVE USE OF DISABLED PERSONS

Public Works Director Salas gave an overview of the staff report. He noted that it is customary for other cities to establish a fee in order to recoup the costs of painting a blue curb and installing signs.

Assistant City Manager Yamachika noted that previous requests were handled administratively and this Ordinance would establish guidelines for future requests received from the public.

Council Member Solis moved to waive the reading of Ordinance No. 08-879 and read it by title only; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Holloway, Lujan, and Mendoza. NOES: None.

Transition Manager Tripepi read the Ordinance by title only.

ORDINANCE NO. 08-879

AN ORDINANCE OF THE CITY COUNCIL OF CITY OF LA PUENTE, CALIFORNIA, AMENDING SECTION 6.40.241 OF CHAPTER 6.40 (STOPPING, STANDING AND PARKING) OF TITLE 6 (VEHICLE AND TRAFFIC) OF THE CITY OF LA PUENTE MUNICIPAL CODE PERTAINING TO REQUESTS TO DESIGNATE ON-STREET PARKING SPACES FOR DISABLED PERSONS

Council Member Solis moved to introduce Ordinance No. 08-879, amending Section 6.40.241 of Chapter 6.40 (Stopping, Standing and Parking) of Title 6 (Vehicle and Traffic) of the La Puente Municipal Code pertaining to requests to designate on-street parking spaces for disabled persons; seconded by Mayor Lujan. The motion unanimously carried by the following roll call vote: AYES: Solis, Storing, Holloway, Lujan, and Mendoza. NOES: None.

Public Works Director Salas confirmed that the blue curbs installed will be reviewed on an annual basis.

E-4 CITY'S INVESTMENT STATUS AS OF OCTOBER 17, 2008

Finance Director Kim provided an overview of the staff report.

A discussion ensued about the principal amounts invested in both LAIF (Local Agency Investment Fund) and federal agencies. Finance Director Kim confirmed that the principal amounts are safe in those investments.

Council consensus was received to receive and file the report.

E-5 DISCUSSION TO CONSIDER A REVISION TO THE ANNUAL SELECTION PROCESS FOR MAYOR AND MAYOR PRO TEM (Requested by Mayor Pro Tem Holloway)

Mayor Pro Tem Holloway noted that the current process used for the selection of the Mayor and Mayor Pro Tem requires a no vote to be cast and recommended that the process be changed to a direct election with the person receiving the most votes being elected similar to the Planning Commission selection model.

Mayor Pro Tem Holloway moved to direct staff to come back with a policy of direct election of the Mayor and Mayor Pro Tem using the Planning Commission as a model; seconded by Council Member Mendoza.

Council Member Solis asked Mayor Pro Tem Holloway to amend his motion to selecting the Mayor and Mayor Pro Tem on a rotational basis. Mayor Pro Tem Holloway declined the amendment. The motion carried by the following roll call vote: AYES: Holloway, Lujan, and Mendoza. NOES: Solis. ABSTAIN: Storing.

E-6 DISCUSSION OF THE SOLID WASTE DISPOSAL AND STREET SWEEPING AGREEMENTS WITH VALLEY VISTA SERVICES (Requested by Council Member Solis)

Council Member Solis stated he was waiting for some financial documents and asked to have the item pulled. Council consensus was received to pull the item from the agenda.

RECESS

Mayor Lujan recessed the City Council meeting at 9:01 p.m.

Mayor Lujan reconvened the City Council meeting at 9:03 p.m.

AD HOC COMMITTEE REPORTS

None.

COUNCIL AB1234 REPORTS

None.

ORAL COMMENTS FROM COUNCIL

Council Member Storing announced that her computer ran perfectly tonight.

Council Member Mendoza noted that she recently attended a Southern California University Alumni Coalition workshop for High School Seniors on October 26th and commended Cal Poly Pomona for the Gear Up Program to have students personal statements read. She also noted that on Thursday October 30th La Puente High School is hosting a College Fair.

Mayor Pro Tem Holloway thanked staff for an exceptional job in putting together the Main Street Run. He also noted that he and Mayor Lujan attended the grand opening of the new building at Torch Middle School.

Mayor Lujan and Council Member Mendoza echoed the comments for the Main Street Run.

ORAL COMMENTS FROM STAFF

Recreation Services Director Bistarkey announced the upcoming Halloween Festival on Friday October 31 from 5:00 p.m. to 8:30 p.m. and the Veterans Day Program on Tuesday, November 11 at 10:00 a.m. at City Hall.

RECESS CITY COUNCIL TO CLOSED SESSION

City Attorney Casso announced that the City Council would adjourn to closed session pursuant to Government Code Section 54956.9(b) to conference with legal counsel for one case of anticipated litigation.

F-1 THE CITY COUNCIL WILL RECESS TO CLOSED SESSION BEING HELD PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b) - TO CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: ONE (1) CASE

Mayor Lujan recessed the meeting to closed session at 9:10 p.m. and reconvened the meeting to open session at 9:48 p.m.

It was reported that Council Member Solis was not present during the closed session item.

City Attorney Casso reported that no reportable action was taken during closed session.

Due to anticipated lack of quorum the meeting of November 12, 2008 staff was directed to adjourn the meeting to November 18, 2008 at 7:00 p.m. (It was later determined by staff that November 18, 2008 was not a viable meeting date and the November 12, 2008 meeting would be adjourned to November 17, 2008 at 6:30 p.m. instead.)

ADJOURNMENT

There being no other business to come before the City Council, Mayor Lujan adjourned the meeting at 9:52 p.m.

Approved this 17th day of November, 2008

Amy M. Turner, City Clerk

Louie A. Lujan, Mayor