

**MINUTES
LA PUENTE CITY COUNCIL
REGULAR MEETING OF
May 26, 2009**

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 May 26, 2009, at 7:00 p.m.

CALL TO ORDER

Mayor Lujan called the meeting to order at 7:04 p.m.

ROLL CALL

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

Council Members absent: Solis (Council Member Solis arrived at 7:25 p.m.)

Staff Members present: Transition Manager Tripepi, Assistant City Manager Yamachika, City Attorney Casso, City Clerk Turner, Finance Director Kim, Public Works Director Salas, Recreation Director Bistarkey, City Clerk Assistant Garcia, and Management Analyst Ayala.

PLEDGE OF ALLEGIANCE

Council Member Storing led the Pledge of Allegiance.

PRESENTATIONS

PRESENTATION OF CERTIFICATES TO CITY OF LA PUENTE SCHOLARSHIP AWARD WINNERS

Council presented Certificates of Scholarships, each in the amount of \$500 to the following La Puente students: Marisol Aceves, Nogales High; Jaime Aparicio, La Puente High; Javier Avila Basset High; Maria Balbuena, La Puente High; Jasmine Benavider, Nogales High; Edward Bonilla, La Puente High; Alexandra Camacho, Nogales High; Arely Carillo, La Puente High; Maria Ceja, Willow Adult; Ariana Garcia, La Puente High; Christopher Greenspon, Charter Oak High; Cecilia Guerrero, Bassett High; Javier Hagemoussa, Nogales High; Williams Juarez, La Puente High; Priscilla Lemus, La Puente High; Jennifer Lopez, La Puente High; Dulce Luciano, Nogales High; Mauricio Luna, La Puente High; Kimberly Macias, La Puente High; Alvaro Olivares, La Puente High; Pedro Perez, La Puente High; Lisa Ponzo, La Puente High; Karen Portillo, La Puente High; Evelyn Raygoza, Nogales High; Melinda Rosales, Willow Adult; Ivy Sanchez, Los Altos High; Jorge Vazquez, La Puente High; Leah Villa, La Puente High; Irma Wong, Nogales High; and Marvin Zuniga, La Puente High.

**PRESENTATION OF CERTIFICATE OF RECOGNITION TO WILMA ZAMUDIO -
SELECTED AS THE OLDER AMERICAN AWARD WINNER FROM THE LOS ANGELES
COUNTY COMMISSION ON AGING**

Council presented a certificate of recognition to Wilma Zamudio.

PRESENTATION OF CERTIFICATE OF RECOGNITION TO LA PUENTE HIGH SCHOOL
STUDENT JOSE IBARRA FOR RECEIVING A SCHOLARSHIP FROM THE BRIDGE
FOUNDATION

Council presented a Certificate of Recognition of Jose Ibarra.

PRESENTATION OF CERTIFICATE OF RECOGNITION TO LA PUENTE HIGH SCHOOL
STUDENT ROSE KHONG FOR RECEIVING A SCHOLARSHIP FROM THE BRIDGE
FOUNDATION

Council presented a Certificate of Recognition to Rose Khong.

PRESENTATION OF CERTIFICATE OF RECOGNITION TO LA PUENTE HIGH SCHOOL
STUDENT LESLIE ALVARADO FOR RECEIVING A SCHOLARSHIP FROM THE
KIWANIS CLUB

Council presented a Certificate of Recognition to Leslie Alvarado.

ORAL COMMUNICATIONS

Carolyn Dulak protested the potential removal of a Jacaranda tree located at the corner of Wegman Drive and Main Street. Interim City Manager Tripepi commented that the tree is scheduled for removal because it would hinder the installation of the handicapped ramp and that the City has a federal requirement to install handicapped ramps. He also noted that an arborist will give a second opinion as to whether the tree must be removed.

Susie Fajardo Rovira spoke about declining enrollment in the La Puente Junior All American Football and Cheer Program. She felt the decline was attributed to the lack of Youth Grant Money available and asked Council to consider providing more money for this program. (Item E-4)

Maria Marroquin of La Puente Junior All American Football & Cheer echoed the comments of Ms. Fajardo Rovira. (Item E-4)

MINUTES OF PREVIOUS CITY COUNCIL MEETINGS

A-1 READ AND APPROVE THE MINUTES OF THE REGULAR MEETING OF MAY 12,
2009

Council Member Solis moved to waive the reading and approve the Minutes of the Regular Meeting of May 12, 2009; seconded by Mayor Lujan. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Storing, Holloway, and Lujan. NOES: None.

PUBLIC HEARINGS BEFORE THE CITY COUNCIL

None.

UNFINISHED BUSINESS OF THE CITY COUNCIL

None.

CITY COUNCIL CONSENT CALENDAR

Council Member Solis moved to approve Consent Calendar Items D-1 through D-9; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Storing, Holloway, and Lujan. NOES: None.

D-1 CONSIDERATION OF RESOLUTION APPROVING WARRANT REGISTER NO. 1250 FOR FISCAL YEAR 2008-09

Staff Recommendation: It is recommended that the City Council adopt Resolution No. 09-4798, approving Warrant Register No. 1250.

D-2 APPROVAL OF TREASURER'S/FINANCIAL REPORT FOR THE MONTH ENDED APRIL 30, 2009

Staff Recommendation: It is recommended that the City Council receive and file the Monthly Treasurer's/Financial Report for the month ended on April 30, 2009.

D-3 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-4 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-5 APPROVAL OF A REIMBURSEMENT OF FUNDS FROM THE STATE WATER RESOURCES CONTROL BOARD AND DEDICATION OF FUNDS TO BE USED FOR THE CONSTRUCTION OF THE FOURTH PHASE OF THE SEWER SYSTEM

Staff Recommendation: It is recommended that the City Council adopt Resolution No. 09-4799 authorizing the reimbursement for the Sewer Phase IV project from the State Resources Control Board.

D-6 APPROVAL OF A RESOLUTION FINDING A SEVERE FISCAL HARDSHIP WILL EXIST IF ADDITIONAL CITY PROPERTY TAX FUNDS ARE SEIZED BY THE STATE OF CALIFORNIA

Staff Recommendation: It is recommended that the City Council adopt Resolution No. 09-4800, finding a severe fiscal hardship will exist if additional City property tax funds are seized and additional unfunded mandates are adopted by the State of California.

- D-7 CONSIDERATION OF LOAN FROM THE CITY GENERAL FUND TO THE COMMUNITY DEVELOPMENT COMMISSION CAPITAL PROJECTS FUND TO FINISH THE RELOCATION PROCESS FOR TENANTS LOCATED AT 1313-1315 N. HACIENDA BOULEVARD

Staff Recommendation: It is recommended that the City Council direct staff to prepare loan agreements between the City and CDC, authorize the execution of the agreements, and bring back corresponding loan resolutions for adoption.

- D-8 APPROVAL TO SOLICIT BIDS FOR THE HACIENDA BOULEVARD RECONSTRUCTION PROJECT (NELSON AVENUE TO AMAR ROAD)

Staff Recommendation: It is recommended that the City Council: 1) approve the Plans and Specifications and 2) authorize Staff to solicit bids for Hacienda Boulevard Reconstruction Project.

- D-9 APPROVAL TO SOLICIT BIDS FOR THE CONSTRUCTION OF THE CITYWIDE OVERLAY PROJECT ON GLENDORA AVENUE (TEMPLE AVENUE TO HACIENDA BOULEVARD)

Staff Recommendation: It is recommended that the City Council: 1) approve the Plans and Specifications and 2) authorize Staff to solicit bids for the Citywide Overlay Project: Glendora Avenue.

NEW BUSINESS TO BE CONSIDERED BY THE CITY COUNCIL

- E-1 CONSIDERATION OF ADOPTING AN IDENTITY THEFT PREVENTION PROGRAM

Interim City Manager Tripepi gave an overview of the staff report noting that the City currently has two programs in place that triggered the mandate of implementing the identity theft program: Community Development Block Grant (CDBG) funding and the loans associated with the landslide area.

Mayor Pro Tem Holloway moved to adopt the Identity Theft Prevention Program and Resolution No. 09-4801; seconded by Council Member Solis. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Storing, Holloway, and Lujan. NOES: None.

- E-2 CONSIDERATION OF MUNICIPAL CODE AMENDMENT AND ADOPTION OF CHAPTER 3.74 RELATING TO REGISTERED SEX OFFENDERS RESIDENCY

Interim City Manager Tripepi gave an overview of the staff report.

Council Member Mendoza noted that Californians adopted Proposition 83 in 2006, and urged Council to adopt the Ordinance noting it was for the benefit of the community.

Interim City Manager Tripepi clarified that the Sheriff's Department would enforce the Ordinance with the assistance of the Community Preservation Division.

Council Member Mendoza moved to waive the reading of Ordinance No. 09-884 and read by title only; seconded by Council Member Solis. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Storing, Holloway, and Lujan. NOES: None.

Interim City Manager Tripepi read the Ordinance by title only:

ORDINANCE NO. 09-884

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA PUENTE, CALIFORNIA, ADDING CHAPTER 3.74 TO TITLE 3 (PUBLIC SAFETY AND MORALS) OF THE LA PUENTE MUNICIPAL CODE RELATING TO REGISTERED SEX OFFENDER RESIDENCY RESTRICTIONS

Council Member Mendoza moved to introduce Ordinance No. 09-884; seconded by Mayor Pro Tem Holloway. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Storing, Holloway, and Lujan. NOES: None.

- E-3 AUTHORIZATION TO EXECUTE A SOLE SOURCE AGREEMENT WITH WILLDAN ENERGY SOLUTIONS FOR THE TIMELY COMPLETION AND SUBMITTAL OF AN ENERGY EFFICIENCY CONSERVATION BLOCK GRANT APPLICATION IN THE AMOUNT OF \$20,000

Interim City Manager Tripepi announced that in order to avoid the appearance of impropriety he was stepping out of the chamber during discussion of this item because the company being discussed is one of the holding companies of Willdan. He further noted that he is not the CEO of the company and has no control over it.

Assistant City Manager Yamachika gave an overview of the staff report noting that two other firms were considered but were not selected because they do not have the expertise or familiarity with application process. He clarified that Interim City Manager Tripepi was not involved in any way with the consideration of the item.

Public Works Director Salas reviewed potential projects that could be completed with use of the grant funds.

Council Member Solis moved to authorize the Mayor to execute a sole source agreement with Willdan Energy Solutions for the timely completion and submittal of the Energy Efficiency Conservation Block Grant application in the amount of \$20,000; seconded by Mayor Pro Tem Holloway. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Storing, Holloway, and Lujan. NOES: None.

- E-4 REQUEST FOR FUNDING FOR YOUTH ACTIVITIES GRANT PROGRAM
(Requested by Council Member Solis)

Council Member Solis stated that the City ran out of Youth Grant Program money for the year and asked Council to add \$1000 to the account for the remainder of the fiscal year.

Interim City Manager Tripepi noted that money could be moved from unappropriated reserve or another account at the Council's direction.

Assistant City Manager Yamachika clarified that about 30 children could be given grants with the additional \$1,000.

Mayor Pro Tem Holloway expressed concern about how the program is run, citing that only \$5600 has been expended, but vouchers have been issued for the entire budgeted amount. He noted he would like to see the program modified to have a more accurate picture of actual expenses and noted that some vouchers may never be redeemed.

Interim City Manager Tripepi suggested that \$1,000 in additional vouchers could be issued and the appropriation could be made before the end of the fiscal year.

Mayor Pro Tem Holloway moved to direct staff to issue up to \$1,000 more in vouchers and bring back appropriation resolution before the end of the fiscal year; seconded by Council Member Solis. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Storing, Holloway, and Lujan. NOES: None.

E-5 CONSIDERATION OF AMENDING THE LA PUENTE MUNICIPAL CODE TO ALLOW REAL ESTATE OFF-SITE DIRECTIONAL SIGNS DURING THE WEEK
(Requested by Mayor Pro Tem Holloway)

Mayor Pro Tem Holloway stated that the current Ordinance prohibits open house signs during the week. He noted that with different working schedules of many people Council should consider amending the Ordinance to allow signage to be placed for open houses during the week.

Council Member Storing recalled that there was a problem with for sale signs that were not being removed. The Ordinance was put in place and limited to the weekends to curtail the problem.

Mayor Pro Tem Holloway clarified that the change would only be for real estate directional signs and that the only change desired is to allow directional signs during the week in addition to the weekend.

Mayor Pro Tem Holloway moved to direct staff to bring back an Ordinance to allow directional signage for real estate signs during real estate open houses during the week; seconded by Mayor Lujan. The motion carried by the following roll call vote: AYES: Mendoza, Holloway, and Lujan. NOES: Solis and Storing.

RECESS CITY COUNCIL

Mayor Lujan recessed the City Council meeting at 7:58 p.m.

RECONVENE CITY COUNCIL

Mayor Lujan reconvened the City Council meeting at 7:59 p.m.

AD HOC COMMITTEE REPORTS

None.

COUNCIL AB1234 REPORTS

Council Member Solis reported on his attendance at the ICSC conference and the CCCA conference.

Council Member Storing reported on her attendance at the CCCA conference.

Mayor Pro Tem Holloway reported on his attendance at the CCCA conference.

Mayor Lujan reported on his attendance at the CCCA conference.

ORAL COMMENTS FROM COUNCIL

Mayor Pro Tem Holloway noted that he received a call from Hacienda La Puente School Board Member, Rudy Chavarria, indicating that there were additional students who did not make the deadline for the La Puente Scholarships. He noted that he forwarded the names to the Education Commission to determine if they meet the requirements of the scholarship and asked that those students be considered for scholarships using the unused scholarship funds. Council consensus was received to consider the additional applicants.

ORAL COMMENTS FROM STAFF

City Attorney Casso noted that at the meeting May 12, Item E-7, a request was made by Council Member Solis to direct staff to draft Ordinance regarding the prohibition of smoking at all public facilities. The vote was two ayes and three abstentions. He stated that he announced the motion failed when in fact the matter should have gone forward with the two yes votes. He noted that the City Attorney office and staff would draft an Ordinance for Council consideration.

Mayor Lujan asked that the meeting be adjourned in memory of Patricia Allen, wife of Covina Mayor Walt Allen, and in memory of Staff Sergeant Esau Ivan De La Pena-Hernandez, a former La Puente High student.

RECESS TO CLOSED SESSION

City Attorney Casso announced that the City Council would recess to closed session as to Item F-1 pursuant to Government Code Section 54956.9(b) to conference with Legal Counsel regarding one case of anticipated litigation and Item F-2 pursuant to Government Code Section 54957.6(f) to conference with Labor Negotiators. He noted that nothing further would be discussed.

Mayor Lujan recessed the meeting to closed session at 8:07 p.m.

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

F-2 THE CITY COUNCIL WILL ADJOURN TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE 54957.6(f) TO CONFERENCE WITH LABOR NEGOTIATORS. AGENCY DESIGNATED REPRESENTATIVES: CHARLES GOLDSTEIN, THE GOLDSTEIN LAW FIRM EMPLOYEE ORGANIZATION: SEIU LOCAL 721, JOSE MARTINEZ

RECONVENE TO OPEN SESSION

Mayor Lujan reconvened the meeting to open session at 8:33 p.m.

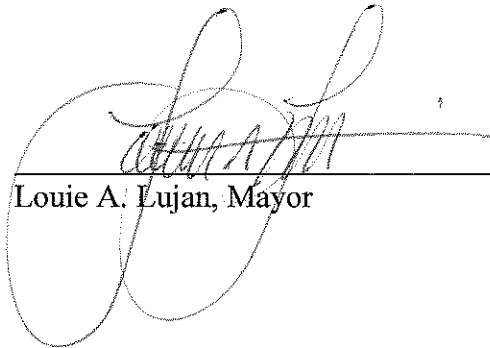
City Attorney Casso announced that the City Council met in closed session as to Items F-1 and F-2 on the agenda. He noted that direction was given to City Manager on both items, no final action was given and there was nothing further to report.

ADJOURNMENT

There being no other business to come before the City Council, Mayor Lujan adjourned the meeting at 8:34 p.m. in memory of Patricia Allen and Esau Ivan De La Pena-Hernandez.



Amy M. Turner, City Clerk



Louie A. Lujan, Mayor