MINUTES
LA PUENTE CITY COUNCIL
REGULAR MEETING OF
JULY 14, 2009

Per *Robert's Rules of Order Newly Revised 10th Edition*, minutes are a record of the actions taken by the body. These minutes do not include a summary of the discussion but only reflect the action taken by the body. A complete audio recording of this meeting is available on the City's website www.lapuente.org

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 July 14, 2009, at 7:00 p.m.

CALL TO ORDER

Mayor Lujan called the meeting to order at 7:00 p.m.

ROLL CALL

Council Members present:	Storing, Holloway, and Lujan.
Council Members absent:	Mendoza and Solis. (Council Member Mendoza arrived at 7:03 p.m.)
Staff Members present:	Interim City Manager Tripepi, Assistant City Manager Yamachika, City Attorney Olivarez, City Clerk Turner, Finance Director Kim, Public Works Director Salas, Recreation Services Director Bistarkey, City Planner Arreola, and City Clerk Assistant Garcia.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Holloway led the Pledge of Allegiance.

PRESENTATION

PRESENTATION OF CERTIFICATES TO CITY OF LA PUENTE SCHOLARSHIP AWARD WINNERS ISRAEL MUNIZ AND KHAILA L. HORTA

Hacienda La Puente School Board Member Rudy Chavaria was recognized and invited forward to help present the scholarship certificates.

Council presented scholarship recipeints Khaila L. Horta and Isreal Muniz with scholarship certificates.

ORAL COMMUNICATIONS

Leonard Wayne Rose Jr. spoke about his attendance at Los Angeles County Board of Supervisors meeting, earthquakes, and the end times.

Richard Jaramillo was called to speak but stated he would like to comment during the public hearing.

Rudy Almeida spoke about a shooting that was covered in the Tribune.

Jason Elias representing SEIU Local 721 asked Council to accept the Union's counter-proposal.

MINUTES OF PREVIOUS CITY COUNCIL MEETINGS

A-1 READ AND APPROVE THE MINUTES OF THE SPECIAL MEETING OF JUNE 22, 2009

Mayor Pro Tem Holloway moved to approve and waive further reading of the minutes of the Special Meeting of June 22, 2009; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Storing, Holloway, and Lujan. NOES: None. ABSENT: Solis.

PUBLIC HEARINGS BEFORE THE CITY COUNCIL

B-1 CONSIDERATION OF PROPOSED ANNUAL SEWER LEVY REPORT FOR COLLECTION OF SEWER CHARGES AND ADOPTION OF RESOLUTION CONFIRMING SEWER CHARGES PERSUANT TO CHAPTER 4.10 OF THE CITY OF LA PUENTE MUNICIPAL CODE FOR FISCAL YEAR 2009-2010

Interim City Manager Tripepi gave an overview of the staff report noting that there will be no increase to the sewer fees.

Mayor Lujan opened the public hearing at 7:32 p.m.

Richard Jaramillo spoke against increasing the sewer levy.

There being no one else wishing to speak, Mayor Lujan closed the public hearing at 7:46 p.m.

Mayor Pro Tem Holloway moved to adopt Resolution No. 09-4812 confirming the 2009-2010 sewer charge pursuant to Chapter 4.10 of the La Puente Municipal Code; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Storing, Holloway, and Lujan. NOES: None. ABSENT: Solis.

UNFINISHED BUSINESS OF THE CITY COUNCIL

None.

CITY COUNCIL CONSENT CALENDAR

Mayor Lujan moved to approve Consent Calendar Items D-1, D-2, and D-4; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Storing, Holloway, and Lujan. NOES: None. ABSENT: Solis.

D-1 ADOPTION OF RESOLUTION APPROVING WARRANT REGISTER NO. 1253 FOR FISCAL YEAR 2008-2009 AND 2009-2010

Staff Recommendation: It is recommended that the City Council adopt Resolution No. 09-4813, approving Warrant Register No. 1253.

D-2 APPROVAL OF NEW PARTICIPANT(S) FOR CDBG HOUSING REHABILITATION PROGRAM (D97301-09) - FISCAL YEAR 2009-10

Staff Recommendation: It is recommended 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 $36,000.

D-4 AUTHORIZATION TO SOLICIT BIDS FOR CONSTRUCTION OF THE THIRD PHASE OF THE SEWER SYSTEM ON VARIOUS STREETS

Staff Recommendation: It is recommended that the City Council: 1) approve the Plans and Specifications; and 2) authorize staff to solicit bids for Sewer System Improvements Phase III Project.

RECESS TO CLOSED SESSION

City Attorney Olivarez announced that all Members of the City Council, except for Council Member Solis, would recess to closed session for discussion of labor negotiations as listed on the agenda.

F-1 THE CITY COUNCIL WILL RECESS 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

Mayor Lujan recessed the meeting to closed session at 7:49 p.m.

RECONVENE TO OPEN SESSION

Mayor Lujan reconvened the meeting to open session at 8:26 p.m.

City Attorney Olivarez announced that the City Council recessed into closed for discussion of one item under labor negotiations as posted on the agenda, all Members of the Council were present with the exception of Council Member Solis, and that the City Council received a briefing but no action was taken.

Mayor Lujan moved to accept the Union's counter-proposal; seconded by Council Member Mendoza. The motion carried by the following roll call vote: AYES: Mendoza, Storing and Lujan. NOES: Holloway. ABSENT: Solis.

NEW BUSINESS

D-3 ADOPTION OF CHAPTER 5.04.200 OF THE LA PUENTE MUNICIPAL CODE RELATING TO APPLICATIONS FOR BUSINESS LICENSES (Introduced and title read at meeting of June 23, 2009)

Mayor Lujan moved to adopt Ordinance No. 09-888 amending Section 5.04.200 of Chapter 5.04 of Title 5 of the City of La Puente Municipal Code; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Lujan, and Storing. NOES: None. ABSTAIN: Holloway. ABSENT: Solis.

Mayor Lujan asked for a brief recess at 8:30 p.m.

Mayor Lujan reconvened the City Council Meeting at 8:33 p.m.

Council Member Storing asked for reconsideration of the vote regarding the Union's counter-proposal. There being no objection from Council, the item was brought for another vote.

RECONSIDERATION OF SEIU LOCAL 721 COUNTER-PROPOSAL

Mayor Lujan moved to approve the Union's counter-proposal; seconded by Council Member Mendoza. The motion failed by the following roll call vote: AYES: Mendoza, and Lujan. NOES: Holloway, and Storing. ABSENT: Solis.

Interim City Manager Tripepi noted that since no action was taken, staff would recommend approval of the amended MOU with the Union which implements furloughs and forgoes the 3% COLA.

Council Member Storing moved to approve the amendment to the MOU with SEIU Local 721 that was prepared by Labor Attorney Goldstein; seconded by Mayor Pro Tem Holloway. The motion carried by the following roll call vote: AYES: Mendoza, Storing and Holloway. NOES: Lujan. ABSENT: Solis.

D-5 ADOPTION OF A RESOLUTION AMENDING THE COMPREHENSIVE PERSONNEL SYSTEM AND ESTABLISHING THE NUMBER OF AUTHORIZED POSITIONS, MONTHLY SALARY RANGES AND HOURLY RATES

Assistant City Yamachika noted that an amended alternate resolution was provided to Council which reflects the 10% furloughs and no COLA.

Council Member Mendoza moved to adopt the amended alternate Resolution No. 09-4814, establishing the authorized positions and monthly salary ranges for Fiscal Year 2009-10; seconded by Mayor Pro Tem Holloway. The motion carried by the following roll call vote: AYES: Mendoza, Storing, and Holloway. NOES: Lujan. ABSENT: Solis.

E-1 CONSIDERATION OF A RESOLUTION SUPPORTING THE LEAGUE OF CALIFORNIA CITIES IN CHALLENGING THE CONSTITUTIONALITY OF ANY STATE SEIZURE OF THE CITY'S HIGHWAY USERS TAX ACCOUNT (HUTA) FUNDS

Mayor Lujan moved to adopt Resolution No. 09-4815 supporting the League of California Cities in challenging any State seizure of Highway Users Tax Account fund; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Storing, Holloway, and Lujan. NOES: None. ABSENT: Solis.

E-2 CONSIDERATION OF ESTABLISHING A VOLUNTEER SERVICE AWARD PROGRAM

Mayor Pro Tem Holloway moved to approve the establishment of the Volunteer Service Award program; seconded by Council Member Storing. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Storing, Holloway, and Lujan. NOES: None. ABSENT: Solis.

E-3 CONSIDERATION TO SOLICIT APPLICATIONS FOR PLANNING COMMISSIONERS (Requested by Council Member Storing)

Council Member Storing asked to pull this item and to have it heard at the next Council Meeting when all Council Members would be present. Consensus was received.

AD HOC COMMITTEE REPORTS

None.

COUNCIL AB1234 REPORTS

None.

ORAL COMMENTS FROM COUNCIL

Mayor Lujan welcomed new City Attorney, Rick Olivarez.

ORAL COMMENTS FROM STAFF

None.

ADJOURNMENT

There being no other business to come before the City Council, Mayor Lujan adjourned the meeting at 8:56 p.m.

Amy M. Turner, City Clerk

Louie A. Lujan, Mayor