AGENDA

REGULAR MEETING OF
LA PUENTE CITY COUNCIL AND
COMMUNITY DEVELOPMENT COMMISSION
COUNCIL CHAMBERS
15900 EAST MAIN STREET, LA PUENTE
JULY 27, 2010 AT 7:00 P.M.

CALL TO ORDER

ROLL CALL

COUNCIL MEMBERS:	House, Mendoza, Solis, Holloway, Argudo
COMMISSIONERS:	House, Mendoza, Solis, Holloway, Argudo

PLEDGE OF ALLEGIANCE

PRESENTATIONS

PRESENTATION OF CERTIFICATES TO CITY OF LA PUENTE SCHOLARSHIP AWARD WINNERS

ORAL COMMUNICATIONS

If you wish to address the City Council or Community Development Commission on an item other than a public hearing matter, please complete the Request for Oral Presentation form and submit it to the City Clerk no later than prior to the conclusion of the first speaker's remarks. (Ordinance No. 06-843).

RECESS COMMUNITY DEVELOPMENT COMMISSION

A. MINUTES OF PREVIOUS CITY COUNCIL MEETINGS

A-1 READ AND APPROVE THE MINUTES OF THE JOINT SPECIAL MEETING OF MAY 28, 2010

Staff Recommendation: It is recommended that the City Council waive the reading and approve the Minutes of the Joint Special Meeting of May 28, 2010.

A-2 READ AND APPROVE THE MINUTES OF THE JOINT SPECIAL MEETING STUDY SESSION OF JULY 7, 2010

Staff Recommendation: It is recommended that the City Council waive the reading and approve the Minutes of the Joint Special Meeting Study Session of July 7, 2010.

B. PUBLIC HEARINGS BEFORE THE CITY COUNCIL

B-1 CONTINUED PUBLIC HEARING - CONSIDERATION OF MUNICIPAL CODE AMENDMENT ("MCA - 131") AMENDING TITLE 10 (ZONING) OF THE LA PUENTE MUNICIPAL CODE TO PROHIBIT THE ESTABLISHMENT AND THE OPERATION OF MEDICAL MARIJUANA FACILITIES IN LA PUENTE

Staff Recommendation: The documented negative secondary effects and adverse impacts of facilities dispensing medical marijuana pose a genuine threat to the public health, safety and welfare of the City and its residents. Based on these negative secondary effects and adverse impacts, Staff recommends that the City Council:

1) Approve and adopt the Notice of Exemption;
2) Waive reading of **Ordinance No. 10-903** and read by title only; and

3) Introduce **Ordinance No. 10-903**, adding Chapter 10.100 to Title 10 (Zoning) of the La Puente Municipal Code to prohibit the establishment and the operation of medical marijuana cooperatives and collectives in the City.

C. UNFINISHED BUSINESS OF THE CITY COUNCIL

C-1 CONSIDERATION OF ELIGIBLE AB2766 SUBVENTION FUND PROJECTS AND PROGRAMS

Staff Recommendation: It is recommended that the City Council review the Implementation of AB2766 Subvention Fund Projects for FY 10/11 and give direction to Staff on the use of the AQMD fund.

C-2 CONSIDERATION OF AWARD OF BID FOR PURCHASE OF A 2010 FORD ESCAPE HYBRID FWD FOR THE CITY MANAGER AND APPROVAL OF BUDGET RESOLUTION FOR THE SAME

Staff Recommendation: It is recommended that the City Council 1) Adopt **Resolution No. 10-4876**, appropriating $35,145.22 from the AQMD fund to Line Item No. 42-4140-4484-14 for the purchase of one (1) new 2010 Ford Escape Hybrid FWD for the City Manager 2) Award the purchase of a new 2010 Ford Escape Hybrid FWD to Power Ford Torrance at a total cost of $35,145.22.

D. CITY COUNCIL CONSENT CALENDAR

All matters listed under Consent Calendar are considered to be routine in nature and may be enacted by one motion approving the recommendation listed on the Agenda. One or more items may be removed from the Consent Calendar so that said item(s) may be discussed and considered individually by the City Council, if a motion to remove the item(s) is approved by an affirmative vote of a majority of the members of the City Council. Those specific item(s) will be considered as the first item under New Business.

D-1 APPROVAL OF RESOLUTION APPROVING WARRANT REGISTER NO. 1278 FOR FISCAL YEAR 2009-10, 2010-11

Staff Recommendation: It is recommended that the City Council adopt **Resolution No. 10-4888**, approving Warrant Register No. 1278.

D-2 APPROVAL OF THE TREASURER'S/FINANCIAL REPORT FOR MAY 31, 2010.

Staff Recommendation: It is recommended that the City Council receive and file the Monthly Treasurer's/Financial Reports for the May 31, 2010.

D-3 APPROVAL OF THE UN-AUDITED TREASURER'S/FINANCIAL REPORT FOR JUNE 30, 2010.

Staff Recommendation: It is recommended that the City Council receive and file the Monthly un-audited Treasurer's/Financial Reports for June 30, 2010.

D-4 ACCEPTANCE OF NOTICE OF COMPLETION FOR THE LA PUENTE PARK SIDEWALKS PROJECT (CDBG 601200-09)

Staff Recommendation: Accept the project as complete and authorize staff to execute a Notice of Completion.

E. NEW BUSINESS TO BE CONSIDERED BY THE CITY COUNCIL

E-1 LEAGUE OF CALIFORNIA CITIES DESIGNATION OF VOTING DELEGATE FOR ANNUAL CONFERENCE

Staff Recommendation: It is recommended that the Mayor and City Council appoint a voting delegate and up to two alternates, and direct the City Clerk to forward the Voting Delegate/Alternate Form to the League of California Cities.

E-2 REVIEW OF THE CITY'S VEHICLE USAGE AND VEHICLE ALLOWANCE POLICIES

Staff Recommendation: It is recommended that the City Council review the City's Vehicle Usage and Automobile Allowance Policies and provide direction if changes to the policy(ies) are desired.

E-3 REVIEW OF THE CITY'S VEHICLE REPLACEMENT POLICY

Staff Recommendation: It is recommended that the City Council review the City's Vehicle Replacement Policy and provide direction if changes to the policy are desired.

E-4 CONSIDERATION OF ADOPTING A RESOLUTION DECLARING AN EMERGENCY, CALLING AND GIVING NOTICE OF A SPECIAL ELECTION ON TUESDAY, NOVEMBER 2, 2010, FOR THE PURPOSE OF SUBMITTING TO THE LA PUENTE VOTERS GENERAL TAX MEASURES IMPOSING A BUSINESS LICENSE TAX ON BOTH MEDICAL MARIJUANA BUSINESSES AND CANNABIS BUSINESSES; APPROVING THE SUBMITTAL TO THE VOTERS OF THE BALLOT MEASURES AND ACCOMPANYING ORDINANCES; ESTABLISHING POLICIES AND PROCEDURES IN CONNECTION WITH SUCH AN ELECTION; AND REQUESTING THAT LOS ANGELES COUNTY CONDUCT THE ELECTION

Staff Recommendation: Staff recommends that the Mayor and City Council:

1. Provide Staff with following directions:
   a. **Medical marijuana dispensaries business license tax measure:**
      (1) The amount or the rate of the business license tax to be imposed per square foot;
      (2) The amount or rate of the business license tax to be imposed per gross receipts (e.g. dollar amount or percentage); and
      (3) The threshold amount of gross receipts (e.g. $1, $100, $1,000.)

   b. **Cannabis business license tax Measure:**
      (1) The amount or rate of the business license tax to be imposed per gross receipts (e.g. dollar amount or percentage); and
      (2) The threshold amount of gross receipts (e.g. $1, $100, $1,000.)

2. Adopt Resolution No. ____ - A Resolution of the City Council of the City of La Puente, California, Declaring an Emergency; Calling and Giving Notice of a Special Election on November 2, 2010, For the Purpose of Submitting to the La Puente Voters General Tax Measures Imposing a Business License Tax on Both Medical Marijuana Businesses and Cannabis Businesses; Approving the Submittal to the Voters of the Ballot Measures and Accompanying Ordinances; Establishing Policies and Procedures in Connection with Such an Election; and Requesting That Los Angeles County Conduct the Election

RECESS CITY COUNCIL AND RECONVENE THE COMMUNITY DEVELOPMENT COMMISSION

A. MINUTES OF PREVIOUS MEETINGS

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Staff Recommendation: It is recommended that the City Council waive the reading and approve the Minutes of the Joint Special Meeting Study Session of July 7, 2010.

B. PUBLIC HEARINGS

None

C. UNFINISHED BUSINESS

None

D. CONSENT CALENDAR

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D-1 APPROVAL OF RESOLUTION APPROVING WARRANT REGISTER NO. CDC 133 FOR FISCAL YEAR 2009-10, 2010-11
Staff Recommendation: It is recommended that the Commission adopt **Resolution No. CDC 10-64** approving Warrant Register No. CDC 133.

D-2 APPROVAL OF THE TREASURER'S/FINANCIAL REPORT FOR MAY 31, 2010.

Staff Recommendation: It is recommended that the Commission receive and file the Monthly Treasurer's/Financial Reports for the May 31, 2010.

D-3 APPROVAL OF THE UN-AUDITED TREASURER'S/FINANCIAL REPORT FOR JUNE 30, 2010.

Staff Recommendation: It is recommended that the Commission receive and file the Monthly un-audited Treasurer's/Financial Reports for June 30, 2010.

E. NEW BUSINESS TO BE CONSIDERED BY THE COMMUNITY DEVELOPMENT COMMISSION

None

F. CLOSED SESSION

F-1 THE COMMUNITY DEVELOPMENT COMMISSION WILL RECESS TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.8 TO CONFERENCE WITH REAL PROPERTY NEGOTIATORS. PROPERTY 135 N. FIRST STREET AND 145 N. FIRST STREET. AGENCY NEGOTIATORS: JOSEFINA MENDEZ KENLINE, EXECUTIVE DIRECTOR, AL HOLLIMAN, DEPUTY EXECUTIVE DIRECTOR, JAMES CASSO, COMMISSION COUNSEL, GREGG YAMACHIKA, COMMUNITY DEVELOPMENT DIRECTOR. NEGOTIATING PARTIES: UNDER NEGOTIATION: PRICE AND TERMS

F-2 THE CITY COUNCIL WILL RECESS INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b) - CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION: ONE (1) CASE

RECONVENE THE CITY COUNCIL

AD HOC COMMITTEE REPORTS

COUNCIL AB1234 REPORTS

ORAL COMMENTS FROM COUNCIL

ORAL COMMENTS FROM STAFF

ADJOURNMENT

DOCUMENT AVAILABILITY
Any writings or documents provided to a majority of the City Council/Commission regarding any item on this agenda will be made available for public inspection at the City Clerk Department at City Hall located at 15900 E Main Street and the Reference Desk at the Library located at 15920 E. Central during normal business hours. In addition, such writings and documents will be posted on the City's website at http://www.lapuente.org

AMERICANS WITH DISABILITIES
In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting or other services offered by the City, please contact the City Clerk's Office at (626) 855-1500. Notification at least 48 hours prior to the meeting or time when services are needed will assist City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

MEETING TIMES
Meetings of the City Council/Commission shall be adjourned no later than 10:30 p.m., unless a motion to supersede the 10:30 time limit to consider some or all of the remaining items listed on the Agenda, or to consider items which have been added to the Agenda in accordance with the provisions of the Ralph M. Brown Act, Government Code Section 54950, et seq., is approved by a majority of the members of the City Council/Commission. (Ordinance No. 95-727).

CERTIFICATION
I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements.

Dated this 22nd day of July, 2010.

Pat Jacquez-Nares, CMC, City Clerk