

**MINUTES
LA PUENTE CITY COUNCIL
REGULAR MEETING OF
NOVEMBER 9, 2010**

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.lapueente.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 November 9, 2010, at 7:00 p.m.

CALL TO ORDER

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

ROLL CALL

Members present: House, Mendoza, Holloway, Argudo, and Solis

Members absent: None

Staff present: City Manager Kenline, Assistant City Manager Holliman, City Clerk Jacquez-Nares, Assistant City Attorney Padilla, Community Development Commission Attorney Davtyan, Police Chief Cacheiro, Community Development Director Yamachika, Public Works Director Salas, Recreation Services Director Bistarkey, Human Resources Manager Sainz, Acting Finance Director Leung, City Engineer Pagett, Acting Assistant to the City Manager Ortega and Acting Management Analyst Reyes

PLEDGE OF ALLEGIANCE

Council Member House led the Pledge of Allegiance.

PRESENTATIONS

PRESENTATION FROM THE COUNTY OF LOS ANGELES NUISANCE ABATEMENT TASKFORCE (NAT)

Mayor Argudo and Mayor Pro Tem Holloway provided a presentation on the reasons why a NAT team is needed in the City.

PRESENTATION CERTIFICATE OF APPRECIATION TO INDUSTRY SHERIFF EXPLORER TEAM TO PRESENT TO BROMLEY VPC IN BROMLEY, ENGLAND

The Mayor and City Council provided the Certificates to the Sheriff's Explorer Team who will present them in Bromley, England.

ORAL COMMUNICATIONS

Leonard W. Rose Jr. reported that some men were being disruptive on Thursday evening.

Rudy Almeida expressed his concerns with marijuana use.

Monica Garcia, Council Woman from Baldwin Park, requested the Council support for the Water Quality Authority.

Mayor Argudo, with Council consensus, moved item E-5 forward on the agenda.

E. NEW BUSINESS TO BE CONSIDERED BY THE CITY COUNCIL

E-5 DISCUSS IMPLEMENTATION OF CITY MEASURE N (MEDICAL MARIJUANA COOPERATIVE TAX) (Mayor Pro-Tem Holloway)

Mayor Pro Tem Holloway requested clarification on the procedures to enforce ballot measure N.

Assistant City Attorney Davtyan provided the procedures for the implementation of the tax.

Mayor Pro Tem Holloway asked the Council if they were willing to have a special meeting to certify the Election.

Council directed staff to send the proposed ordinance to the Medical Marijuana Cooperatives.

Mayor Argudo recognized Margaret Clark, Council Member from the City of Rosemead.

Margaret Clark, Council Woman from Rosemead, requested the Council support for the Water Quality Authority.

A. MINUTES OF PREVIOUS CITY COUNCIL MEETING

A-1 READ AND APPROVE THE MINUTES OF THE REGULAR MEETING HELD ON OCTOBER 12, 2010

Council Member Solis moved to approve the minutes of the regular meetings held on October 12, 2010; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Solis, Holloway, and Argudo. NOES: None.

B. PUBLIC HEARINGS BEFORE THE CITY COUNCIL - NONE.

C. UNFINISHED BUSINESS OF THE CITY COUNCIL

C-1 CASTING THE CITY OF LA PUENTE VOTES FOR THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY (WQA) BOARD MEMBER REPRESENTING CITIES WITHOUT WATER PUMPING RIGHTS ELECTION

City Clerk Jacquez-Nares read the first round of votes as follows: Margaret Clark-1 vote, Monica Garcia-2 votes, and Louie Aguinaga-2 votes.

City Clerk Jacquez-Nares read the second round of votes as follows: Council Member House-Margaret Clark, Mayor Pro Tem Holloway-Monica Garcia, Council Member Mendoza-Monica Garcia, Council Member Solis-Louie Aguinaga, and Mayor Argudo-Louie Aguinaga.

City Clerk Jacquez-Nares read the third round of votes as follows: Council Member House-Margaret Clark, Mayor Pro Tem Holloway-Monica Garcia, Council Member Solis-Louie Aguinaga, Council Member Mendoza-Monica Garcia, and Mayor Argudo-Louie Aguinaga.

City Clerk Jacquez-Nares read the fourth round of votes as follows: Council Member House-Margaret Clark, Mayor Pro Tem Holloway-Monica Garcia, Council Member Solis-Louie Aguinaga, Mayor Argudo-Louie Aguinaga, and Council Member Mendoza-Monica Garcia.

Mayor Argudo moved to continue this item to the next scheduled meeting; seconded by Council Member Solis. The motion carried by the following roll call vote: AYES: House, Mendoza, Solis, and Argudo. NOES: Holloway.

RECESS TO CLOSED SESSION

Mayor Argudo recessed to closed session at 7:40 p.m.

Assistant City Attorney Padilla recommended that item F-2 of the closed session be removed from the agenda on the grounds that the item was not properly agendaized.

A Council and Attorney discussion ensued.

City Clerk Jacquez-Nares clarified that the agenda was posted and provided to Assistant City Attorney Padilla on Thursday along with all of the Council and that the item was properly agendaized as per City Attorney Olivarez's previous authorization of the same item.

F. CLOSED SESSION

F-1 THE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION WILL RECESS TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.8 TO CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

PROPERTY: 12811 Amar Road, APN8464-032-041 and 8464-032-042

AGENCY NEGOTIATORS: Josefina Mendez Kenline, Executive Director, Al Holliman, Deputy Executive Director, James Casso, Commission Counsel

NEGOTIATING PARTIES: Edgar B. Gonzalez, REA Real Estate

UNDER NEGOTIATION: Price and Terms

F-2 PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b), THE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION WILL RECESS TO CLOSED SESSION, CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION (TWO (2) CASES)

Council Member Solis moved to schedule item F-2 to the next meeting; seconded by Council Member House. The motion carried by the following roll call vote: AYES: House, Mendoza, and Solis. NOES: Argudo.

ORAL COMMUNICATIONS

Mayor Argudo reopened Oral Communications and introduced Louie Aguinaga, Mayor of South El Monte.

Louie Aguinaga, Mayor of South El Monte, requested the Council support for the Water Quality Authority.

RECESS TO CLOSED SESSION

Mayor Argudo recessed to closed session at 7:58 p.m.

F. CLOSED SESSION

Assistant City Attorney Padilla announced that the City Council would recess to closed session with all members present for discussion of item F-1 on real property negotiations as posted on the agenda.

RECONVENE TO OPEN SESSION

Mayor Argudo reconvened to open session at 8:30 p.m.

REPORT OUT OF CLOSED SESSION

Assistant City Attorney Padilla reported that the Council recessed to closed session with all members present for a discussion on property negotiations; the Council was updated but not final action was taken.

D. CITY COUNCIL CONSENT CALENDAR

D-1 APPROVAL OF RESOLUTION APPROVING WARRANT REGISTER NO. 1285 FOR FISCAL YEAR 2010-11

Council Member House moved to adopt Resolution No. 10-4904 approving Warrant Register No. 1285; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Solis, Holloway, and Argudo. NOES: None.

E. NEW BUSINESS TO BE CONSIDERED BY THE CITY COUNCIL

E-1 GENERAL FUND RESERVE POLICY

Assistant City Manager Holliman provided a summary of this item.

Mayor Pro Tem Holloway requested clarification on the different funds and the exact money that would roll over to the next year.

Council Member Solis moved to adopt the amended Resolution No. 10-4905 which establishes a General Fund Reserve Policy and distribution of fund balance as indicated in this staff report, the amendment to reflect the removal of the Designated Early Retirements line item; seconded by Council Member House. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Solis, Holloway, and Argudo. NOES: None.

E-2 CONSIDERATION OF RESCINDING RESOLUTION NO. 09-4780 AND ADOPT A RESOLUTION TO AMEND THE PARKING PENALTY FEE SCHEDULE TO OFFSET TRIAL COURT OPERATION SURCHARGE COSTS IMPOSED UPON THE CITY

Acting Finance Director Leung provided a brief summary of this item.

Mayor Pro Tem Holloway requested that staff find a method to automatically pass on these charges without coming back to the body to modify the fee schedule every time.

Assistant City Attorney Padilla stated that this was the only way to address these surcharges.

Council Member House moved to rescind Resolution No. 09-4780 and adopt Resolution No. 10-4906 amending the Parking Violation Penalty Schedule to include the trial court operation surcharge as established by SB 857; seconded by Council Member Solis. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Solis, Holloway, and Argudo. NOES: None.

E-3 CONSIDERATION OF ESTABLISHING A NEW DEADLINE FOR PROPOSALS FOR BUILDING AND SAFETY SERVICES AND CHANGING THE COMPOSITION OF THE AD HOC COMMITTEE

Community Development Director Yamachika provided a brief summary of this item.

Council Member Solis requested a list of fees that would be collected by the new firm.

Council Member Solis moved to reject the bids; seconded by Council Member House. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Solis, Holloway, and Argudo. NOES: None.

Mayor Argudo moved to continue the composition of the Ad Hoc Committee to the next meeting and to give staff direction to provide, as a separate item, the role of Ad Hoc Committees in general to be discussed before this item; seconded by Mayor Pro Tem Holloway. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Solis, Holloway, and Argudo. NOES: None.

E-4 CONSIDERATION OF ORDINANCE INCREASING THE TIME LIMITS FOR FOOD VENDOR TRUCKS TO PARK IN ONE LOCATION

Community Development Director Yamachika provided a brief summary of this item.

Council Member House moved to continue this item and to have staff take into consideration the Council discussion; seconded by Mayor Pro Tem Holloway. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Solis, Holloway, and Argudo. NOES: None.

E-6 REVIEW AND DISCUSS THE CITY ATTORNEY AGREEMENT APPROVED ON OCTOBER 26, 2010 (Council Member House).

Council Member House requested clarification on the changes to the contract. He also stated that he was very disappointed with the level of service provided by this firm and does not approve their continued employment with the City.

Council Member Solis questioned the urgency of the item presented at the last meeting. The copy of the contract was not provided to Council at the last meeting. He stated that this attorney firm is not familiar with the City's business which has resulted in items being continued to a later date.

Mayor Pro Tem Holloway moved to continue with the approved contract; seconded by Mayor Argudo. The motion carried by the following roll call vote: AYES: Mendoza, Holloway, and Argudo. NOES: House and Solis.

RECESS THE CITY COUNCIL

Mayor Argudo recessed the City Council at 10:35 p.m.

RECONVENE THE CITY COUNCIL

Mayor Argudo reconvened the City Council at 10:36 p.m.

AD HOC COMMITTEE REPORTS - None.

Mayor Pro Tem Holloway requested clarification on materials requested while serving in the capacity of the ad hoc committee and whether they needed to be shared with the remainder of the Council or if this would be considered a Brown Act violation.

Assistant City Attorney Padilla clarified when the use of this information would be considered a Brown Act violation.

COUNCIL AB1234 REPORTS - None.

ORAL COMMENTS FROM STAFF

City Manager Kenline reminded the Council of the Joint California Contract Cities Association (CCCA) Meeting on Wednesday, November 17, 2010 with the City of Industry.

ORAL COMMENTS FROM COUNCIL

Mayor Pro Tem Holloway requested that Recreation Services Director Bistarkey announce the festivities for Veteran's Day event on Thursday, November 11, 2010.

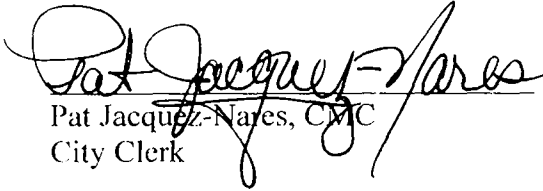
Council Member Mendoza informed staff that the property was sold on the south side of Nelson in the City of Industry and that the residents are concerned with the effect it will have on parking in that area.

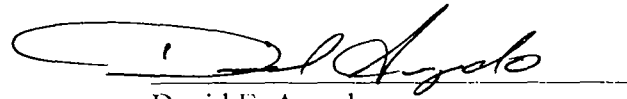
Mayor Argudo stated that he and Mayor Pro Tem Holloway attended the Ace Corridor ribbon cutting on Friday and the corridor will be open for traffic this week. He also reported that on November 7, 2010, Officer Ryan Bonaminio was shot on a routine traffic stop.

ADJOURNMENT

Being that no further business was to come before the City Council, Mayor Argudo adjourned the meeting in the memory of Officer Ryan Bonaminio at 10:49 p.m.

Approved this 25th day of January, 2011


Pat Jacquez-Nares, CMC
City Clerk


David E. Argudo
Mayor