MINUTES
LA PUENTE CITY COUNCIL
REGULAR MEETING OF
JANUARY 11, 2011

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 January 11, 2011, at 7:00 p.m.

CALL TO ORDER

Mayor Argudo called the meeting to order at 7:05 p.m.

ROLL CALL

Members present:	Mendoza, Solis, Holloway, and Argudo
Members absent:	House
Staff Members present:	Interim City Manager Holliman, Interim City Attorney Casso, Special Counsel Kinaga, City Clerk Jacquez-Nares, Community Development Director Yamachika, Public Works Director Salas, Human Resources Manager Sainz, City Engineer Pagett, Building Official Guerra, Acting Finance Manager Leung, City Planner Arreola, Grants & Housing Coordinator Beckman, Grants Rehabilitation Specialist Galvan and Acting Assistant to City Ortega

PLEDGE OF ALLEGIANCE

Council Member Solis led the Pledge of Allegiance

PRESENTATIONS

PRESENTATION OF CERTIFICATES OF RECOGNITION TO THE NOGALES HIGH SCHOOL BAND

Council Member Solis congratulated the band for playing in the Fiesta Bowl this year, participating in the Macy's parade in New York, and for their outstanding performance in the SCSBOA competition.

The Mayor and Council presented Certificates of Recognition to the Nogales High School Band.

Mayor Argudo welcomed Ian Calderon, Field Representative for Assemblyman Roger Hernandez.

ORAL COMMUNICATIONS

Leonard W. Rose Jr. stated his concerns with gang members.

Frank Sanchez stated his concerns with the Planning Commission decision on not allowing him to live in his business.

Rudy Almeida stated his concerns with the family day care homes and the marijuana dispensaries.

A. MINUTES OF PREVIOUS CITY COUNCIL MEETINGS

A-1 READ AND APPROVE THE MINUTES OF THEIR REGULAR MEETING HELD ON OCTOBER 26, 2010

Council Member Mendoza moved to waive further reading and approve the minutes of their regular meeting held on October 26, 2010; seconded by Mayor Pro Tem Holloway. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Holloway, and Argudo. NOES: None. ABSENT: House

B. PUBLIC HEARING BEFORE THE CITY COUNCIL

B-1 PUBLIC HEARING - CONSIDERATION OF MUNICIPAL CODE AMENDMENT NO. 135 ("MCA-135") - ADOPTION OF ZONING REGULATIONS PERTAINING TO LARGE FAMILY DAYCARE HOMES WITHIN THE RESIDENTIAL ZONES OF THE CITY

Mayor Argudo asked whether all large family daycare facilities were notified of the public hearing.

City Planner Arreola answered no the hearing was only advertised in the newspaper.

Mayor Argudo opened the public hearing at 7:31 p.m.

There being no speakers, Mayor Argudo closed the public hearing at 7:32 p.m.

Mayor Argudo moved to continue the public hearing to the January 25, 2011 Council meeting and direct staff to notify all adult family daycares; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Holloway, and Argudo. NOES: None. ABSENT: House.

B-2 PUBLIC HEARING - CONSIDERATION OF AN ORDINANCE ADOPTING BY REFERENCE THE 2010 LOS ANGELES COUNTY BUILDING, FIRE AND OTHER CODES

Building Official Guerra provided a brief summary of this item.

Mayor Argudo opened the public hearing at 7:35 p.m.

Rudy Almieda asked the date the county adopted these codes. 11/23 11/30 fire

Building Official Guerra informed Mr. Almieda that the County adopted the Building, Electrical, Plumbing, Mechanical, Residential, and Cal Green Codes on November 23, 2011 the County adopted the Fire Code on November 30, 2011.

Mayor Argudo closed the public hearing at 7:37 p.m.

Council Member Mendoza moved to adopt Ordinance No. 10-910 - An Ordinance of the City Council of the City of La Puente Adopting by Reference, Pursuant to Government Code Section 50022.2, Title 26 of the Los Angeles County Building Code, Incorporating by Reference California Building Code 2010 Edition; Title 27 of the Los Angeles County Electrical Code, Incorporating by Reference California Electrical Code 2010 Edition; Title 28 of the Los Angeles County Plumbing Code, Incorporating by Reference California Plumbing Code 2010 Edition; Title 29 of the Los Angeles County Mechanical Code, Incorporating by Reference California Mechanical Code 2010 Edition; Title 30 of the Los Angeles County Residential Code, Incorporating by Reference California Residential Code 2010 Edition; Title 31 of the Los Angeles County Green Building Standards Code, Incorporating by Reference California Green Building Code 2010 Edition; Title 32 of the Los Angeles County Fire Code, Incorporating by Reference California Fire Code 2010 Edition and Making Required Findings for the Same.; seconded by Council Member Solis. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Holloway, and Argudo. NOES: None. ABSENT: House.

B-3 PUBLIC HEARING TO CONSIDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FISCAL YEAR 2011-2012

Grants and Housing Coordinator Beckman provided a brief summary on this item.

Mayor Argudo opened the public hearing at 7:40 p.m.

There being no speakers, Mayor Argudo closed the public hearing at 7:41 p.m.

Council Member Solis asked how many of these loans had been repaid to the City.

Coordinator Beckman stated he did not have this information and that he would provide the amount at a later date.
Council discussion ensued on the different federal funding programs and how the applicants are chosen to receive the funding.

Council Member Mendoza moved to adopt Resolution No. 11-4915 authorizing the City's CDBG Program for Fiscal Year 2011-2012, reflecting the projects and associated budgets determined by the City Council; seconded by Mayor Pro Tem Holloway. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Holloway, and Argudo. NOES: None. ABSENT: House.

C. UNFINISHED BUSINESS OF THE CITY COUNCIL

C-1 DISCUSSION AND DIRECTION REGARDING CITY ATTORNEY SERVICES

Interim City Manager Holliman provided several attorney service options.

Council provided staff direction to research surrounding cities (88 cities in Los Angeles County) to see what type and cost of attorney services they use and to present the report to Council at the March 8, 2011 meeting.

D. CITY COUNCIL CONSENT CALENDAR

Council Member Solis pulled items D-1 and D-3 for separate discussion

D-2 RESOLUTION APPROVING AND ACCEPTING NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES RESULTING FROM ANNEXATION OF PROPERTY LOCATED AT 15917 E. SIERRA VISTA COURT INTO SANITATION DISTRICT NO. 15 (ANNEXATION NO. 288)

Council Member Solis moved to adopt the joint Resolution No.11-4917 approving and accepting negotiated exchange of property revenues resulting from annexation of the property located at 15917 E. Sierra Vista Court into Sanitation District No. 15 (Annexation No. 288); seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Holloway, and Argudo. NOES: None. ABSENT: House.

D-1 APPROVAL OF RESOLUTION APPROVING WARRANT REGISTER NO. 1288 FOR FISCAL YEAR 2010-11

Council Member Solis requested clarification of the expense of $550 for the cars used in the Christmas parade.

Council Member Solis moved to adopt Resolution No. 11- 4916 approving Warrant Register No. 1288; seconded by Mayor Argudo. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, and Argudo. NOES: None. ABSTAINED: Holloway. ABSENT: House.

D-3 CONSIDERATION OF AGREEMENT FOR SPECIAL EMPLOYMENT LAW LEGAL SERVICES WITH THE KINAGA LAW FIRM

Council Member Solis requested clarification on the process of obtaining the Kinaga Firm without going out to RFP.

Council discussion ensued as to the duties of this attorney, the different rates, and if Meyers Nave provided this type of legal services.

Human Resources Manager Sainz stated that Ms. Kinaga's firm would be handling the items discussed in closed session.

Mayor Argudo moved to approve the agreement for all employment legal services between the City and Kinaga Law Firm; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Holloway, and Argudo. NOES: None. ABSENT: House.

E. NEW BUSINESS TO BE CONSIDERED BY THE CITY COUNCIL

Mayor Argudo recessed the City Council meeting at 8:44 p.m.

Mayor Argudo reconvened the City Council meeting at 8:56 p.m.

E-1 REVIEW OF VARIOUS MUNICIPALITIES' ANNUAL STATE OF THE CITY ADDRESS

Acting Assistant to the City Manager Ortega provided a brief summary of this item.

Mayor Pro Tem Holloway moved to approve the State of the City Address with direction to staff to obtain sponsorships to be able to provide this event to the residents at no cost and at no cost to the City's general fund. The event to take place at the end of March; seconded by Council Member Solis. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Holloway, and Argudo. NOES: None. ABSENT: House.

E-2 APPROVE CHANGE ORDERS FOR THE CONSTRUCTION OF THE IT-COMPUTER SERVER ROOM

Public Works Director Salas provided a report on this item.

Council requested clarification on the reasons why this room has cost in the excess of $30,000.

Council Member Mendoza moved to approve for payment of three change orders totaling $11,191.30 to Spec Construction Company for the Server Room; seconded by Mayor Pro Tem Holloway. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Holloway, and Argudo. NOES: None. ABSENT: House.

E-3 CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS) CONTRACT AMENDMENT - TWO YEARS ADDITIONAL SERVICE CREDIT

Human Resources Manager Sainz provided a brief summary of this item.

Council Member Solis requested clarification on the cost to the City to provide this service credit and the impact that it will create on the Finance Division.

Council Member Mendoza moved to adopt Resolution No. 11-4918 a Resolution of Intention of the Mayor and City Council of the City of La Puente, Authorizing an Amendment to the Contract between the City Council of the City of La Puente and the Board of Administration of the California Public Employees' Retirement System and execute the required documentation (Certification of Governing Body's Action, Certification of Compliance with Government Code Section 7507, and the Certification of Compliance with Government Code Section 20903); seconded by Mayor Pro Tem Holloway. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Holloway, and Argudo. NOES: None. ABSENT: House.

E-4 AMEND THE BUDGET FOR FISCAL YEAR 2010-2011 CAPITAL IMPROVEMENT PROJECTS TO INCLUDE RECONSTRUCTION OF INYO STREET AND ARDILLA STREET

Public Works Director Salas provided a brief summary of this item.

Council Member Mendoza moved to 1) adopt Resolution No. 11-4919 authorizing the amendment of FY 2010-2011 Budget; and 2) direct the Finance Director to establish new CIP accounts for the designated projects; seconded by Mayor Pro Tem Holloway. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Holloway, and Argudo. NOES: None. ABSTAINED: Solis. ABSENT: House.

E-5 CONSIDERATION OF AMENDMENTS TO AGREEMENTS FOR CODE ENFORCEMENT CONSULTANT AND PUBLIC SAFETY COORDINATOR CONSULTANT SERVICES

Human Resources Manager Sainz provided a brief summary on this item.

Council questioned the ability to regulate the City Manager's approval of all these contracts for $10,000.

Police Chief Cacheiro provided the justification for these contracts for the Public Safety Division.

Mayor Argudo moved to 1) approve the amendment to the agreement with James Corcoran for code enforcement consultant services for an additional $10,000, for total amount including the original agreement not to exceed $20,000 and authorize the Interim City Manager to execute the agreement, subject to review and approval by the Interim City Attorney as to form; and 2) approve the amendment to the agreement between the City and Sandra Mejorado-Rodriguez for public safety coordinator consultant services for a total contract price not to exceed $10,000 and authorize the Interim City Manager to execute the agreement, subject to review and approval by the Interim City Attorney as to form; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Holloway, and Argudo. NOES: None. ABSENT: House.

E-6 DISCUSSION AND DIRECTION OF STAFF REORGANIZATION (Council Member Solis).

Council Member Solis requested this item because of the City's $500,000 deficit this fiscal year. He requested that Council direct staff to look at the City's current staffing, to reorganize, reclassify and cut some of these positions to save the City money.

Mayor Argudo requested clarification on the Civil Service status of the employees in the City.

Interim City Manager Holliman stated that all full-time employees are protected by Civil Service.

Council Member Solis moved to direct Human Resources Manager Sainz to prepare and present a reorganization plan to include management positions, create at-will positions and contracts to move the organization effectively; seconded by Mayor Pro Tem Holloway.

Council requested the timeline needed to present this information to Council.

Human Resources Manager Sainz stated that the reorganization plan has been an item that staff was working on already. She requested a couple of weeks to a month to present the cost/benefit analysis. She also requested clarification on the level of staff to evaluate for this reorganization.

Council clarified from the supervisor level up.

The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Holloway, and Argudo. NOES: None. ABSENT: House.

E-7 PRELIMINARY STRATEGIC PLAN

Interim City Manager Holliman provided a PowerPoint presentation on this item.

Council unanimously extended the time limit of the meeting passed 10:30 p.m.

Mayor Argudo requested clarification on the impacts of this plan to the represented employees.

Interim City Manager Holliman clarified that the plan does not impact the represented employees.

Mayor Argudo moved to accept the two year service credit, extend the Human Resources Manager Contract, to create a Finance Manager position and temporarily place Sophia Leung as the Acting Finance Manager; seconded by Mayor Pro Tem Holloway. The motion unanimously carried by the following roll call vote: AYES: Mendoza, Solis, Holloway, and Argudo. NOES : None. ABSENT: House.

RECESS THE CITY COUNCIL

Mayor Argudo recessed the City Council meeting at 11:14 p.m.

RECONVENE THE CITY COUNCIL

Mayor Argudo reconvened the City Council meeting at 11:14 p.m.

RECESS TO CLOSED SESSION

Mayor Argudo recessed into closed session at 11:14 p.m.

Interim City Attorney reported that the Council would recess into closed session for discussion with legal counsel the items as posted on the agenda.

Interim City Manager Holliman requested that items F-1 to F-4 be tabled.

Upon Council consensus the items were tabled.

F. CLOSED SESSION

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

PROPERTY:	1545 Hacienda Boulevard, La Puente, CA
AGENCY NEGOTIATORS:	Al Holliman, Interim Executive Director and James Casso, Commission Counsel
NEGOTIATING PARTIES:	Evergreen Real Estate Development and Remer Radcliff Corp
UNDER NEGOTIATION:	Price and Terms

F-2 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, La Puente, CA (APN 8464-032-041 and 8464-032-042)
AGENCY NEGOTIATORS:	Al Holliman, Interim City Manager/Interim Executive Director and James Casso, Interim City Attorney/ Commission Counsel
NEGOTIATING PARTIES:	Edgar B. Gonzalez, REA Real Estate
UNDER NEGOTIATION:	Price and Terms

F-3 COMMUNITY DEVELOPMENT COMMISSION WILL RECESS TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.8 TO CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

PROPERTY:	APN 8246-009-017
AGENCY NEGOTIATORS:	Al Holliman, Interim Executive Director and James Casso, Commission Counsel
NEGOTIATING PARTIES:	Khiem and Ivy Pham
UNDER NEGOTIATION:	Price and Terms

F-4 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:	APN 8246-008-012 and 8246-008-013
AGENCY NEGOTIATORS:	Al Holliman, Interim City Manager/Interim Executive Director and James Casso, Interim City Attorney/Commission Counsel
NEGOTIATING PARTIES:	Khiem and Ivy Pham
UNDER NEGOTIATION:	Price and Terms

F-5 THE CITY COUNCIL WILL RECESS INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b), SIGNIFICANT EXPOSURE TO LITIGATION, TO CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION: FOUR (4) CASES

F-6 THE CITY COUNCIL WILL RECESS TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a) TO CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION: *Today's Holistic Collective v. City of La Puente*, Case Number: KC060043.

F-7 THE CITY COUNCIL WILL RECESS TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 TO CONSIDER PUBLIC EMPLOYMENT: TITLE: INTERIM CITY MANAGER

RECONVENE TO OPEN SESSION

Mayor Argudo reconvened to open session at 1:04 p.m.

REPORT OUT OF CLOSED SESSION

Interim City Attorney Casso reported that items F-1 to F-4 on the agenda were not discussed. As to item F-5 only three cases were discussed with not reportable action on any of cases. As to item F-6 no reportable action was taken. Item F-7 was not discussed. The Council would like issue a Notice of Adjournment for today January 12, 2011 at 7:00 p.m. to discuss one case on item F-5 and will concurrently convene the Special Meeting to discuss item F-7.

AD HOC COMMITTEE REPORTS - None.

COUNCIL AB1234 REPORTS - None.

ORAL COMMENTS FROM COUNCIL/COMMISSION - None.

ORAL COMMENTS FROM STAFF - None.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Argudo, adjourned in the memory of Frank Melendez, Jess Bernal and the two deputies that were shot today in the line of duty at 1:07 a.m.

Approved this 22nd day of March 2011

Pat Jacquez-Nares, CMC
City Clerk

David E. Argudo
Mayor