

**MINUTES
LA PUENTE CITY COUNCIL
REGULAR MEETING OF
FEBRUARY 8, 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.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 February 8, 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: House, Mendoza, Solis, Holloway and Argudo

Members absent: None

Staff Members present: Interim City Manager Romero, Interim City Attorney Casso, City Clerk Jacquez-Nares, Community Development Director Yamachika, Public Works Director Salas, Recreation Services Director Bistarkey, Human Resources Manager Sainz, and Acting Finance Manager Leung

PLEDGE OF ALLEGIANCE

Council Member House led the Pledge of Allegiance.

PRESENTATIONS - None.

ORAL COMMUNICATIONS

Arthur G. Arguello thanked Mayor Argudo for his prompt action in dealing with his concern.

Rudy Almeida stated is concerns with the medical marijuana dispensaries.

- A. MINUTES OF PREVIOUS CITY COUNCIL/COMMISSION MEETINGS - None.
- B. PUBLIC HEARING BEFORE THE CITY COUNCIL - None.
- C. UNFINISHED BUSINESS OF THE CITY COUNCIL - None.

D. CITY COUNCIL CONSENT CALENDAR

Council Member Solis moved to approve consent calendar items D-1 to D-5; seconded by Council Member House. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Solis, Holloway, and Argudo. NOES: None.

D-1 APPROVAL OF RESOLUTION APPROVING WARRANT REGISTER NO. 1290 FOR FISCAL YEAR 2010-11

Action Taken: The City Council adopted Resolution No. 11-4922 approving Warrant Register No. 1290.

D-2 ACCEPTANCE OF EASEMENT DEEDS FOR SIDEWALK IMPROVEMENTS AT SUNSET AVENUE SOUTH OF TEMPLE AVENUE

Action Taken: The City Council:

- 1) Adopted the attached Resolution accepting the easement deeds; and
- 2) Directed the City Clerk to record the easement deeds with the County Recorder's Office.

D-3 AUTHORIZATION TO SOLICIT BIDS FOR THE RECONSTRUCTION OF INYO STREET AND ARDILLA STREET AND SEWER IMPROVEMENT IN INYO STREET

Action Taken: The City Council:

- 1) Approved the plans and specifications for the reconstruction of Inyo Street and Ardilla Street Improvement Project and Inyo Street Sewer Improvements; and
- 2) Authorized staff to solicit bids.

D-4 SECOND READING - ADOPTION OF MUNICIPAL CODE AMENDMENT ("MCA-135") ADOPTION OF ZONING REGULATIONS PERTAINING TO LARGE FAMILY DAYCARE HOMES WITHIN THE RESIDENTIAL ZONES OF THE CITY. (Introduced and read by title at meeting of January 25, 2011)

Action Taken: The City Council adopted Ordinance No. 11-910 adding Sections 10.08.900, 10.08.910 and 10.16.010(n) to Title 10 (Zoning) of the La Puente Municipal Code Pertaining to Zoning Regulations of Large Family Daycare Homes in the Residential Zones of the City (Municipal Code Amendment No. 135)

D-5 CONSIDERATION OF APPROVAL OF AGREEMENT WITH RAUL ROMERO FOR INTERIM CITY MANAGER SERVICES

Action Taken: The City Council approved the agreement with Raul Romero for Interim City Manager services and authorized the Mayor to execute the agreement; subject to review and approval by the Interim City Attorney as to form.

E. NEW BUSINESS TO BE CONSIDERED BY THE CITY COUNCIL

E-1 CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM URGENCY ORDINANCE FOR CONTRACT AMENDMENT-TWO YEARS ADDITIONAL SERVICE CREDIT

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

Council Member Solis moved to 1) Waive the reading of Urgency Ordinance and read by title only; and 2) Introduce and Adopt Urgency Ordinance No. 11-911 - An Urgency Ordinance of the 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 3) Direct the City Clerk to execute the Certification of Final Action of Governing Body; seconded by Council Member House. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Solis, Holloway, and Argudo. NOES: None.

Interim City Attorney Casso read the Ordinance title only:

URGENCY ORDINANCE 11-911

AN URGENCY ORDINANCE OF THE 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

E-2 CONSIDERATION OF ORDINANCE AMENDING THE APPOINTMENT PROCESS FOR PLANNING COMMISSIONERS

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

Council requested clarification on the Ordinance and the procedure to appoint a Planning Commissioner.

Interim City Attorney Casso provided the Government Code §65100 that restricts the appointment process and the Attorney General opinion that limits the Mayors ability to appoint all Board/Commission members.

Council requested clarification on the process and the policies on the appointment of members.

Mayor Pro Tem Holloway moved to waive reading of Ordinance and read by title only; and to change subsection B as follows: each member of the City Council shall appoint a member to the Planning Commission and each appointment to the Planning Commission as appointed by individual Council Members shall be individually ratified by the City Council; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Solis, Holloway, and Argudo. NOES: None.

Interim City Attorney Casso read the Ordinance title only:

ORDINANCE 11-912

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA PUENTE AMENDING SECTION 2.16.010 OF CHAPTER 2.16 OF THE LA PUENTE MUNICIPAL CODE CHANGING THE MANNER OF APPOINTMENT, REMOVAL, AND THE TERMS OF PLANNING COMMISSION MEMBERS

Mayor Pro Tem Holloway moved to Introduce Ordinance No. 11-912 - an Ordinance of the City Council of the City of La Puente amending Section 2.16.010 of Chapter 2.16 of the La Puente Municipal Code changing the manner of appointment, removal, and the terms of Planning Commission Members; 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-3 CONSIDERATION OF RESCINDING ALL PLANNING COMMISSION APPOINTMENTS MADE ON JANUARY 25, 2011 (Council Member House)

Council Member House removed this item from the agenda.

- E-4 CONSIDERATION OF APPOINTMENT(S) TO THE PLANNING COMMISSION

City Clerk Jacquez-Nares provided a brief summary of this item.

Council Member Solis moved to not to move forward with the appointment; seconded by Council Member House. The motion carried by the following roll call vote: AYES: House, Mendoza, Solis, and Argudo. NOES: Holloway.

- E-5 UPDATE CITY ORDINANCES, RESOLUTIONS, POLICIES AND PROCEDURES (Council Member Solis)

Council Member Solis requested that staff acquire a firm to review all of the City's policies and actions, and update all the ordinances, resolutions, and minutes.

Mayor Pro Tem Holloway moved to direct staff prepare a time analysis to determine how long it will take staff to update these policies in-house and present the findings to Council at the February 22, 2011 meeting; seconded by Council Member House. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Solis, Holloway, and Argudo. NOES: None.

RECESS THE CITY COUNCIL MEETING

Mayor Argudo recessed the City Council meeting at 7:56 p.m.

RECONVENE THE CITY COUNCIL MEETING

Mayor Argudo reconvened the City Council meeting at 7:57 p.m.

RECESS TO CLOSED SESSION

Interim City Attorney Casso recessed to closed session with all members present to discuss four items as posted on the agenda.

F. CLOSED SESSION

- F-1 THE CITY COUNCIL WILL RECESS INTO 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-2 THE CITY COUNCIL WILL RECESS INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a) TO CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION: Today's Holistic Collective., Tom Noice v. City of La Puente, Case Number: KC060451.
- F-3 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: TWO (2) CASES
- F-4 THE CITY COUNCIL WILL RECESS INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957.6, CONFERENCE WITH LABOR NEGOTIATORS: CITY OF LA PUENTE, RAUL ROMERO, INTERIM CITY MANAGER EMPLOYEE ORGANIZATION, LA PUENTE PROFESSIONALS, SUPERVISORS, MANAGERS, AND CONFIDENTIAL EMPLOYEE ASSOCIATION

RECONVENE TO OPEN SESSION

Mayor Argudo reconvened to open session at 10:00 p.m.

REPORT OUT OF CLOSED SESSION

Interim City Attorney Casso reported that Council recessed into closed session with all members present; discussion was held on all the items posted on the agenda but Council had no reportable actions.

AD HOC COMMITTEE REPORTS - None.

COUNCIL AB1234 REPORTS - None.

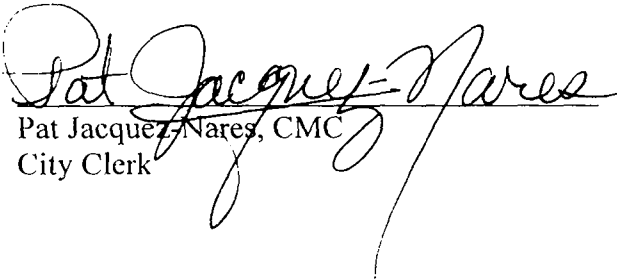
ORAL COMMENTS FROM COUNCIL - None.

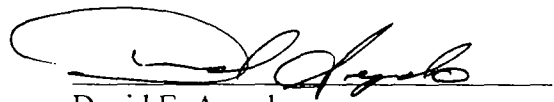
ORAL COMMENTS FROM STAFF - None.

ADJOURNMENT

There being no further action to come before the City Council/Commission, Mayor/Chair Argudo adjourned the meeting at 10:03 p.m.

Approved this 22nd day of March 2011


Pat Jacquez Nares, CMC
City Clerk


David E. Argudo
Mayor