MINUTES
LA PUENTE CITY COUNCIL
REGULAR MEETING OF
APRIL 12, 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 April 12, 2011 at 7:00 p.m.

CALL TO ORDER

Mayor Argudo called the meeting to order at 7:03 p.m.

ROLL CALL

Members present:	House, Mendoza, Solis, Holloway, and Argudo.
Members absent:	None.
Staff Members present:	Interim City Manager Romero, Interim Assistant City Attorney Sparks, City Clerk Jacquez-Nares, Human Resources Manager Sainz, Acting Finance Manager Leung, and Records Technician Garcia

PLEDGE OF ALLEGIANCE

Council Member Solis led the Pledge of Allegiance.

PRESENTATIONS

COMMENDATION FOR ELLIN DAVTYAN

The Mayor and City Council provided a Commendation to Ellin Davtyan for her years of service to the City of La Puente.

ORAL COMMUNICATIONS

Manuel Maldonado stated his concerns with the special Alcohol and Beverage License approved at the former Chalet Basque site.

Rudy Almeida said he met with Council Member Solis' mother at breakfast. He also reported that Joe Dyer, retired Sheriff Deputy, pleaded guilty to the towing scam. Mr. Almeida met with Interim City Manager Romero to request information on the number of medical marijuana dispensaries within the City. He stated his concerns with the proximity of medical marijuana dispensaries to schools.

A. MINUTES OF PREVIOUS CITY COUNCIL MEETINGS

A-1 READ AND APPROVE THE CITY COUNCIL MINUTES OF:

a. REGULAR MEETING OF MARCH 22, 2011
b. SPECIAL MEETING OF MARCH 23, 2011
c. ADJOURNED MEETING OF MARCH 26, 2011

Mayor Pro Tem Holloway moved to waive further reading and approve all the City Council minutes with a correction to Item E-3, Turch and Associates, on the March 22, 2011 minutes; seconded by Council Member Solis. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Solis, Holloway, and Argudo. NOES: None.

B. PUBLIC HEARING BEFORE THE CITY COUNCIL - None.

C. UNFINISHED BUSINESS OF THE CITY COUNCIL

C-1 INTRODUCTION OF ORDINANCE AMENDING THE APPOINTMENT PROCESS FOR PLANNING COMMISSIONERS

Interim Assistant City Attorney Sparks provided a brief report on this item.

Mayor Argudo requested a Council discussion on the terms and removal of the appointees.

Mayor Pro Tem Holloway does not agree with the appointment process within this ordinance.

Council Member Solis requested clarification on the super majority vote.

Council Member House supports this ordinance and requested to have a three vote appointee removal process.

Interim Assistant City Attorney Sparks clarified the terms and removal of the appointees using the Attorney General's Opinion.

Council Member House moved to waive reading of the draft ordinance and read by title only; and seconded by Council Member Solis. The motion carried by the following roll call vote: AYES: House, Solis, and Argudo. NOES: Mendoza and Holloway.

Interim Assistant City Attorney Sparks read the Ordinance by title only.

ORDINANCE NO. 11-913

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

Council Member Solis moved to introduce Ordinance No. 11-913 - 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 carried by the following roll call vote: AYES: House, Solis, and Argudo. NOES: Mendoza and Holloway.

D. CITY COUNCIL CONSENT CALENDAR

Council Member Solis removed Item D-3 for separate discussion.

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

D-1 APPROVAL OF RESOLUTION NO. 11-4934 APPROVING WARRANT REGISTER NO. 1294 FOR FISCAL YEAR 2010-11

Action Taken: The City Council adopted the Resolution No. 11-4934 approving Warrant Register No. 1294.

D-2 ACCEPTANCE OF NOTICE OF COMPLETION FOR THE VALLEY BOULEVARD IMPROVEMENT PROJECT (PHASE I)

Action Taken: The City Council: 1) accepted the project as complete and 2) authorized the City Clerk to execute the Notice of Completion.

ITEM WAS REMOVED FOR SEPARATE DISCUSSION

D-3 AWARD A CONSTRUCTION CONTRACT FOR THE SAFE ROUTE TO SCHOOL FOR NELSON ELEMENTARY SCHOOL, DEL VALLE ELEMENTARY SCHOOL AND SIERRA VISTA MIDDLE SCHOOL (SR2SL-5331 (014))

Council Member Solis requested that the sidewalk be placed closer to the curb.

Mayor Argudo requested the same be done on Inyo Street.

City Engineer Pagett explained the reasons why the sidewalks need to be placed in their current position.

Mayor Pro Tem Holloway stated that the sidewalks should be placed where they best serve the community and children should have safe routes to school.

Council Member Solis moved to 1) approve the budget resolution to amend the FY 10-11 Adopted Budget to include local match from the Gas Tax fund 2) award the contract to Interlog Hym Engineering in the amount of $424,540.00 and 3) authorize the City Manager to approve change orders up to 10 % of the bid; 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-4 AUTHORIZE THE CITY MANAGER AND THE CITY ENGINEER TO EXECUTE RIGHT-OF-WAY CERTIFICATIONS FOR FEDERALLY FUNDED PROJECTS WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)

Action Taken: The City Council: 1) adopted the attached resolution authorizing the City Manager and the City Engineer to execute right-of-way certifications for federally funded projects with Caltrans.

RECESS TO CLOSED SESSION

Mayor Argudo recessed into Closed Session at 7:45 p.m.

Interim Assistant City Attorney Sparks recessed the City Council into Closed Session to discuss the Items F-1 to F-3 as listed on the agenda.

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:	APN 8247-017-900, 8247-017-904, and 8247-017-003
AGENCY NEGOTIATORS:	Raul Romero, Interim Executive Director and James Casso, Commission Counsel
NEGOTIATING PARTIES:	Gregory B. Galindo, La Puente Valley County Water District Zev Neuwirth
UNDER NEGOTIATION:	Price and Terms

F-2 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: THREE (3) CASES

F-3 THE CITY COUNCIL WILL RECESS TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957, PUBLIC EMPLOYMENT: CITY MANAGER

RECONVENE TO OPEN SESSION

Mayor Argudo reconvened to open session at 9:30 p.m.

REPORT OUT OF CLOSED SESSION

Interim Assistant City Attorney Sparks reported that the City Council recessed into Closed Session to discuss Item F-1, F-2 and F-3 with no reportable action was taken on these Items.

E. NEW BUSINESS TO BE CONSIDERED BY THE CITY COUNCIL

E-1 DIRECT CITY MANAGER TO SEND LETTER TO SHERIFF'S DEPARTMENT REGARDING ADDING A TOW COMPANY TO THE ROTATION (Council Member Solis)

Council Member Solis requested that the City Council give the Interim City Manager direction to write a letter to the Los Angeles County Sheriff's requesting the addition of another tow company to their rotation.

Mayor Pro Tem Holloway is concerned with what this will do to the relationship the City currently has with the Sherriff's Department.

Mayor Argudo expressed that there are needs to for services to benefit the residents of the City. He also provided the process that the Sheriff's Department uses to contract the tow companies. He is in favor of having a rotation type tow company service in the City.

Mayor Pro Tem Holloway supports the Sherriff's Department towing company Haddicks.

Council Member Mendoza stated that there is no representation today from the Sheriff's Department to provide the Council with any information on this item.

Council Member Solis moved to have Interim City Manager write a letter to the Los Angeles County Sheriff's Department requesting an additional towing company be added to their rotation; seconded by Council Member House. The motion carried by the following roll call vote: AYES: House, Solis, and Argudo. NOES: Mendoza and Holloway.

RECESS THE CITY COUNCIL

Mayor Argudo recessed the City Council at 10:06 p.m.

RECONVENE THE CITY COUNCIL

Mayor Argudo reconvened the City Council at 10:26 p.m.

AD HOC COMMITTEE REPORTS

Mayor Argudo reported that the Computer Ad Hoc Committee met and there was no reportable action taken.

COUNCIL AB1234 REPORTS

Council Member Solis reported that he met with our lobbyist in Sacramento.

ORAL COMMENTS FROM COUNCIL

Council Member Solis expressed his appreciation to everyone that attended his grandmother's funeral service.

Council Member House informed everyone that former Manager of the Water Company Bob Urlene passed away on Saturday, April 9, 2011.

Mayor Argudo reminded everyone that the City Manager's contract would expire on May 23, 2011 a day before the regular scheduled meeting; therefore, requested to have a special meeting on Thursday, May 19, 2011.

ORAL COMMENTS FROM STAFF - None.

ADJOURNMENT

There being no further items to come before the City Council, Mayor Argudo adjourned the meeting in the memory of Josephine Solis at 10:31 p.m.

Approved this 28th day of June 2011

Pat Jacquez-Nares, CMC
City Clerk

David E. Argudo
Mayor